

**OSHTEMO CHARTER TOWNSHIP BOARD
7275 West Main Street
Kalamazoo, MI 49009
269.375.4260**

**June 14, 2016
BOARD WORK SESSION
6:00 p.m.
AGENDA**

- A. Call to Order
- B. Request to Enter into Closed Session to Discuss Ongoing Litigation Regarding Mystic Heights
- C. Presentation on Proposed Zoning & General Ordinance New Website
- D. Public Comment
- E. Update from Kalamazoo County
- F. Other Business

**REGULAR MEETING
7:00 p.m.
AGENDA**

- 1. Call to Order
- 2. Pledge of Allegiance
- 3. Citizen Comments on Non-Agenda Items
- 4. Consent Agenda
 - a. Approve Minutes - May 10, 2016, Regular Meeting, June 1, 2016, Special Meeting & June 17, 2016, Joint Meeting
 - b. Receipts & Disbursements Report
 - c. Revision of our Mutual Aid Box Alarm System (MABAS) agreement
 - d. Friends of the Parks Board Treasurer Appointment: Matthew Hunt, Comerica Bank
- 5. Recognitions - Kalamazoo County Sheriff's Office: Deputies
- 6. Recognition - Oshtemo Township Parks Committee: Roger Taylor
- 7. Consideration of Step One Site Condominium Review - Mystic Heights on Van Kal Street
- 8. Consideration of Conditional Rezoning - Self-Storage at 4221 South 9th Street
- 9. Consideration of Zoning Ordinance Text Amendments - Sections 62.000, 66.000, and 68.000 – Second Reading
- 10. Consideration of Zoning and General Ordinance New Website
- 11. Consideration of Resolution of Intent Regarding Sewer Bonds
- 12. Other Township Business
- 13. Board Member Comments
- 14. Adjournment

Policy for Public Comment
Township Board Regular Meetings, Planning Commission & ZBA Meetings

All public comment shall be received during one of the following portions of the Agenda of an open meeting:

a. Citizen Comment on Non-Agenda Items or Public Comment – while this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

b. After an agenda item is presented by staff and/or an applicant, public comment will be invited. At the close of public comment there will be board discussion prior to call for a motion.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

All public comment offered during public hearings shall be directed, and relevant, to the item of business on which the public hearing is being conducted. Comment during the Public Comment or Citizen Comment on Non-Agenda Items may be directed to any issue.

All public comment shall be limited to four (4) minutes in duration unless special permission has been granted in advance by the Supervisor or Chairperson of the meeting.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor or Chairperson of the meeting shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 5/9/2000)
(revised 5/14/2013)

Policy for Public Comment
6:00 p.m. "Public Comment"/Portion of Township Board Meetings

At the commencement of the meeting, the Supervisor shall poll the members of the public who are present to determine how many persons wish to make comments. The Supervisor shall allocate maximum comment time among persons so identified based upon the total number of persons indicating their wish to make public comments, but no longer than ten (10) minutes per person. Special permission to extend the maximum comment time may be granted in advance by the Supervisor based upon the topic of discussion.

While this is not intended to be a forum for dialogue and/or debate, if a citizen inquiry can be answered succinctly and briefly, it will be addressed or it may be delegated to the appropriate Township Official to respond at a later date.

Anyone wishing to make a comment will be asked to come to the podium to facilitate the audio/visual capabilities of the meeting room. Speakers will be invited to provide their name; it is not required unless the speaker wishes to have their comment recorded in the minutes.

Public comment shall not be repetitive, slanderous, abusive, threatening, boisterous, or contrary to the orderly conduct of business. The Supervisor shall terminate any public comment which is in contravention of any of the principles and procedures set forth herein.

(adopted 2/27/2001)
(revised 5/14/2013)

RECEIPTS & DISBURSEMENTS

**** GENERAL, FIRE, SEWER & WATER FUNDS ****

RECEIPTS 05/06/ thru 5/31/2016

Land Div App/Merton	100.00
Land Div App/Debruin	200.00
Planning Escrow/Paragon	500.00
Sign Permits	675.00
Zoning Maps/Books	5.00
Sidewalk Permit/Inspection	100.00
Ordinance/Parking Violations	4,544.47
Grave Openings	370.00
Foundations	1,200.80
Rent Deposits	1,250.00
Grange Rentals	50.00
OCC Rentals	125.00
Twp Park Pavilion Rentals	650.00
Flesher Field Pavilion	500.00
Donation for Flesher Field	30.00
Cable Fees/1st Qtr	48,139.37
Dog Licenses Service Fee/Kal County	164.00
Sales Tax Refund/Thomson	1,236.60
Metal Bin Credit	207.80
Address Sign	10.00
Reimbursement for signs/KABA	99.90
Copies	35.28
Reimbursement/N. Drake/KCRC	3,143.34
False Alarm Fine	386.64
Water Receipts	23,478.08
Sewer Receipts	24,641.74

Total 111,843.02

DISBURSEMENTS

5/11/2016	Payroll/Office/FF	59,458.42
5/13/2016	Payables	301,691.06
5/25/2016	Payroll/Office/Trustees	36,680.62
5/27/2016	Payables	190,198.04
6/8/2016	Payroll/Office/FF	58,179.54
6/10/2016	Payables	191,724.86

Total 837,932.54

INVOICE APPROVAL BY INVOICE REPORT FOR OSHTEMO TOWNSHIP
 EXP CHECK RUN DATES 05/13/2016 - 05/13/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor Code	Vendor name	Bank	Invoice Description	Gross Amount
Ref #	Address	Hold		Discount
	City/State/Zip	Sep CK		Net Amount
		1099		
hoikka	Alberta Hoikka	GEN	election worker	
90047654	42 South 1st Street	N		175.00
	Kalamazoo MI, 49009	N		0.00
		N		175.00
Paid				
GL NUMBER	DESCRIPTION	AMOUNT		
101-191-80800	Precinct Workers	175.00		
				VENDOR TOTAL: 175.00
nederhoe-a	Alice Nederhoed	GEN	election worker	
90047683	5560 Vintage Lane #102	N		150.00
	Kalamazoo MI, 49009	N		0.00
		N		150.00
Paid				
GL NUMBER	DESCRIPTION	AMOUNT		
101-191-80800	Precinct Workers	150.00		
				VENDOR TOTAL: 150.00
geppert	Alida Geppert	GEN	election worker	
90047698	1545 C Summer Ridge Drive	N		150.00
	Kalamazoo MI, 49009	N		0.00
		N		150.00
Paid				
GL NUMBER	DESCRIPTION	AMOUNT		
101-191-80800	Precinct Workers	150.00		
				VENDOR TOTAL: 150.00
egan	Andy J Egan, Co., Inc.	GEN	REPAIR FURNACE BLOWER	
90047705	2001 Waldorf NW	N		367.44
	Grand Rapids MI, 49544	N		0.00
		N		367.44
Paid				
GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED	
101-218-93100	REPAIR FURNACE BLOWER	367.44	367.44	
				VENDOR TOTAL: 367.44

INVOICE APPROVAL BY INVOICE REPORT FOR OSHTEMO TOWNSHIP
 EXP CHECK RUN DATES 05/13/2016 - 05/13/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

User: DeannaJ
 DB: Oshtemo

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		

hahn Barb Hahn 05/10/2016 05032016 GEN election worker 150.00
 90047681 8895 Stadium Dr 05/13/2016 N
 Kalamazoo MI, 49009 / / 0.0000 N 0.00
 Paid 05/13/2016 N 150.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 150.00
 VENDOR TOTAL: 150.00

clark Barbara Clark 05/10/2016 05032016 GEN election worker 150.00
 90047699 4307 Hemmingway Dr 05/13/2016 N
 Kalamazoo MI, 49009 / / 0.0000 N 0.00
 Paid 05/13/2016 N 150.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 150.00
 VENDOR TOTAL: 150.00

johnson-b Barbara Johnson 05/10/2016 05032016 GEN election worker 150.00
 90047675 6076 Fairgrove St 05/13/2016 N
 Kalamazoo MI, 49009 / / 0.0000 N 0.00
 Paid 05/13/2016 N 150.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 150.00
 VENDOR TOTAL: 150.00

nieboer Barbara Nieboer 05/10/2016 05032016 GEN election worker 150.00
 90047687 3419 Winter Wheat 05/13/2016 N
 Kalamazoo MI, 49004 / / 0.0000 N 0.00
 Paid 05/13/2016 N 150.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 150.00
 VENDOR TOTAL: 150.00

User: DeannaJ

EXP CHECK RUN DATES 05/13/2016 - 05/13/2016

DB: Oshtemo

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor name: Barnes, Maria
 Address: 1314 S 2nd Street
 City/State/Zip: Kalamazoo MI, 49009

Vendor Code: 90047659

Ref #

Bank: GEN
 Invoice: election worker
 Hold: N
 Sep CK: N
 1099: N

Gross Amount
 Discount
 Net Amount

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00
Paid		
VENDOR TOTAL:		150.00

Paid

GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

GL NUMBER	DESCRIPTION	AMOUNT
bennett-1	Bennett, Lynnet	150.00
90047676	5008 Bronson Blvd Portage MI, 49024	0.00
Paid		
VENDOR TOTAL:		150.00

Paid

GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

GL NUMBER	DESCRIPTION	AMOUNT
bwd	Best Way Disposal	3,424.78
90047706	2314 Miller Rd Kalamazoo MI, 49001	0.00
Paid		
VENDOR TOTAL:		3,424.78

Paid

GL NUMBER: 101-191-80800
 DESCRIPTION: Best Way Disposal
 AMOUNT: 3,424.78

GL NUMBER	DESCRIPTION	AMOUNT
107-756-93100	Maintenance Services	180.00
107-756-93100	Maintenance Services	225.00
101-218-93100	Maintenance Services	240.98
101-249-95900	Trash Collection	2,778.80
VENDOR TOTAL:		3,424.78

3,424.78

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
bcbs	Blue Cross Blue Shield of Michigan	05/11/2016	june	GEN	health insurance	23,258.16
90047707	PO Box 674416	05/13/2016		N		0.00
	Detroit MI, 48267-4416	/ /	0.0000	N		23,258.16
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-234-71600	HEALTH & LIFE INSURANCE	13,756.42
206-336-71600	Health & Life Insurance	4,850.11
101-000-27800	H/D/V INSURANCE	4,651.63
		<u>23,258.16</u>

VENDOR TOTAL: 23,258.16

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
anderson-b	Bob Anderson	05/10/2016	05032016	GEN	election worker	175.00
90047696	10948 West L Ave	05/13/2016		N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		175.00
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	175.00

VENDOR TOTAL: 175.00

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
harvey	Bob Harvey	05/11/2016	05132016	GEN	dump day worker 05/14/2016	80.00
90047721	7070 North 6th Street	05/13/2016		N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		80.00
		05/13/2016		Y		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-249-95900	Trash Collection	80.00

VENDOR TOTAL: 80.00

BANK CODE: GEN
 Vendor name: Cheryl McKenna
 Address: 543 Pinehurst Blvd
 City/State/Zip: Kalamazoo MI, 49009
 Vendor Code: mckenna-c
 Ref #: 90047652
 Invoice Date: 05/10/2016
 Invoice PO: 05032016
 Invoice Disc. %: 0.0000
 Invoice Due Date: 05/13/2016
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Vendor Code	Ref #	Invoice Date	Invoice PO	Invoice Disc. %	Invoice Due Date	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount
mckenna-c	90047652	05/10/2016	05032016	0.0000	05/13/2016	GEN	N	N	N	election worker	150.00	0.00	150.00

Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

VENDOR TOTAL: 150.00

woodaz-c	90047658	05/10/2016	05032016	0.0000	05/13/2016	GEN	N	N	N	election worker	150.00	0.00	150.00
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Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

VENDOR TOTAL: 150.00

dorman-c	90047677	05/10/2016	05032016	0.0000	05/13/2016	GEN	N	N	N	election worker	150.00	0.00	150.00
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Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

VENDOR TOTAL: 150.00

anderson-s	90047697	05/10/2016	05032016	0.0000	05/13/2016	GEN	N	N	N	election worker	150.00	0.00	150.00
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Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

VENDOR TOTAL: 150.00

User: DeannaJ
 DB: Oshtemo

Vendor name: Cody Roberts
 Address: ,
 City/State/zip: ,
 Vendor Code: MISC
 Ref #: 90047760
 Post Date: 05/12/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016
 Invoice: 04212016
 PO: 0.0000
 Disc. %: 0.0000
 Sep CK: 1099
 Hold: N
 Bank: GEN
 Invoice Description: conf expense

Gross Amount: 32.07
 Discount: 0.00
 Net Amount: 32.07

Paid
 GL NUMBER: 206-336-95900
 DESCRIPTION: Continuing Education
 AMOUNT: 32.07
 VENDOR TOTAL: 32.07

vandyk
 90047664
 256 Round Hill Rd
 Kalamazoo MI, 49009
 05/10/2016
 05/13/2016
 / /
 05/13/2016
 05032016
 0.0000
 GEN
 N
 N
 N
 election worker
 AMOUNT: 150.00
 VENDOR TOTAL: 150.00

Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00
 VENDOR TOTAL: 150.00

ce-e
 90047713
 Consumers Energy
 Payment Center
 PO Box 740309
 Cincinnati OH, 45271-0309
 05/11/2016
 05/13/2016
 / /
 05/13/2016
 05132016
 0.0000
 GEN
 N
 N
 N
 electric and gas
 AMOUNT: 403.03
 VENDOR TOTAL: 403.03

Paid
 GL NUMBER: 107-756-98100
 DESCRIPTION: grange electric 75%
 107-756-98100: drake house electric
 107-756-98100: drake house gas
 AMOUNT: 191.34
 AMOUNT: 97.01
 AMOUNT: 114.68
 AMOUNT: 403.03
 VENDOR TOTAL: 403.03

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
ce-sl	Consumers Energy	05/11/2016	ce-sl	GEN	street lights	9,129.52
90047712	Payment Center	05/13/2016		N		
	PO Box 740309	/ /	0.0000	N		0.00
	Cincinnati OH, 45274-0309	05/13/2016		N		9,129.52
Paid						

GL NUMBER 101-506-92600
 DESCRIPTION Street Lighting
 AMOUNT 9,129.52

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
conlife	Consumers Life Insurance Company	05/12/2016	017703427-9	GEN	life and ad&d	391.26
90047770	PO Box 951914	05/13/2016		N		
	Cleveland OH, 44193	/ /	0.0000	N		0.00
		05/13/2016		N		391.26
Paid						

GL NUMBER 101-234-71600
 DESCRIPTION Health & Life Insurance
 AMOUNT 238.50
 206-336-71600 Health & Life Insurance
 AMOUNT 152.76
 391.26

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
cts	CTS Telecom Inc.	05/11/2016	10026116	GEN	telephones	728.52
90047711	13800 E Michigan	05/13/2016		N		
	Galesburg MI, 49053	/ /	0.0000	N		0.00
		05/13/2016		N		728.52
Paid						

GL NUMBER 101-249-85300
 DESCRIPTION Telephone
 AMOUNT 485.44
 206-340-85300 Telephone
 AMOUNT 243.08
 728.52

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
cts	CTS Telecom Inc.	05/11/2016	10026116	GEN	telephones	728.52
90047711	13800 E Michigan	05/13/2016		N		
	Galesburg MI, 49053	/ /	0.0000	N		0.00
		05/13/2016		N		728.52
Paid						

GL NUMBER 101-249-85300
 DESCRIPTION Telephone
 AMOUNT 485.44
 206-340-85300 Telephone
 AMOUNT 243.08
 728.52

VENDOR TOTAL: 9,129.52
 VENDOR TOTAL: 391.26
 VENDOR TOTAL: 728.52
 VENDOR TOTAL: 728.52

BANK CODE: GEN
 Vendor name: David Ives
 Address: 1976 Quail Cove Drive
 City/State/zip: Kalamazoo MI, 49009
 Vendor Code: 90047669
 Ref #: ives
 Post Date: 05/10/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016
 Invoice: 05032016
 PO: 0.0000
 Disc. %: 0.0000
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N
 Invoice Description: election worker
 Gross Amount: 150.00
 Discount: 0.00
 Net Amount: 150.00

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00
VENDOR TOTAL:		
		150.00

GL NUMBER	DESCRIPTION	AMOUNT
90047666	Dawn French 10004 Stadium Dr Kalamazoo MI, 49009	175.00
VENDOR TOTAL:		
		175.00

GL NUMBER	DESCRIPTION	AMOUNT
90047655	Deborah Hartfield 1223 S. VanKal Kalamazoo MI, 49009	150.00
VENDOR TOTAL:		
		150.00

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
90047776	DeVisser Landscape Services 4014 S 9th Street Kalamazoo MI, 49009	120.00	120.00
VENDOR TOTAL:			
		120.00	120.00

INVOICE APPROVAL BY INVOICE REPORT FOR OSHTEMO TOWNSHIP
 EXP CHECK RUN DATES 05/13/2016 - 05/13/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
niebieoer-e	Edith Nieboer	05/10/2016	05032016	GEN	election worker	75.00
90047701	119 West F Ave	05/13/2016		N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		75.00
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	75.00

VENDOR TOTAL: 75.00

branch	Elaine Branch	05/10/2016	05032016	GEN	election worker	175.00
90047648	7654 West Main	05/13/2016		N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		175.00
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	175.00

VENDOR TOTAL: 175.00

eps	Engineered Protections Systems, Inc	05/11/2016	a705571	GEN	h2 alarm	126.54
90047714	750 Front NW	05/13/2016		N		0.00
	Suite 200	/ /	0.0000	N		126.54
	Grand Rapids MI, 49504-4400	05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
206-340-93100	Building Maintenance	126.54

eps	Engineered Protections Systems, Inc	05/11/2016	s460558	GEN	REINSTATE ZONE 55, WORK ON ALARM SYS MA	189.00
90047715	750 Front NW	05/13/2016	000008416	N		0.00
	Suite 200	/ /	0.0000	N		189.00
	Grand Rapids MI, 49504-4400	05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-218-93100	RE ZONE 55, WORK ON ALARM SYS MAIN LINE	189.00	189.00

VENDOR TOTAL: 315.54

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
burghardt	Eric Burghardt	05/11/2016	04222016	GEN	conf exp	
90047708	22379 Blue Bird	05/13/2016		N		1,164.15
	Mattawan MI, 49071	/ /	0.0000	N		0.00
Paid		05/13/2016		N		1,164.15
GL NUMBER	DESCRIPTION	AMOUNT				
206-336-95900	Continuing Education	1,164.15				
burghardt	Eric Burghardt	05/11/2016	amazon reimbursme	GEN	REIMBURSEMENT FOR FIRE INSTRUCTOR TEXT	114.48
90047709	22379 Blue Bird	05/13/2016	000008414	N		0.00
	Mattawan MI, 49071	/ /	0.0000	N		0.00
Paid		05/13/2016		N		114.48
GL NUMBER	DESCRIPTION	AMOUNT				
206-340-76000	FIRE INSTRUCTOR STUDY GUIDE	32.99				
206-340-76000	FIRE INSTRUCTOR TEXT BOOK	81.49				
		114.48				
		VENDOR TOTAL:				1,278.63
esri	ESRI	05/11/2016	93124973	GEN	ARGGIS MAINTENANCE 2 EA CONCURRENT AND	1,600.00
90047716	File 54630	05/13/2016	000008350	N		0.00
	Los Angeles CA, 90074-4630	/ /	0.0000	N		0.00
Paid		05/13/2016		N		1,600.00
GL NUMBER	DESCRIPTION	AMOUNT				
101-201-80500	CONTRACT FOR MAINTENANCE - 1 YEAR	1,600.00				
		VENDOR TOTAL:				1,600.00
fac	Federal Appraisal & Consulting	05/11/2016	6614	GEN	COSTCO TAX APPEAL APPRAISAL BALANCE	1,915.00
90047718	460 US Highway 22 West	05/13/2016	000008415	N		0.00
	Suite 403	/ /	0.0000	N		0.00
	Whitehouse Station NJ, 08889	05/13/2016		Y		1,915.00
Paid						
GL NUMBER	DESCRIPTION	AMOUNT				
101-209-80700	COSTCO TAX APPEAL APPRAISAL BALANCE	1,915.00				
		VENDOR TOTAL:				1,915.00

BANK CODE: GEN
 Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Address CK Run Date PO Hold Discount
 City/State/Zip Disc. Date Disc. % Sep CK Net Amount
 Due Date 1099

VENDOR TOTAL: 1,915.00

ft	Fitness Things	05/11/2016	6010894a	GEN	FITNESS EQUIPMENT FROM AFG	
90047719	4555 28th Street SE	05/13/2016	000008424	N		19,960.00
	Grand Rapids MI, 49512	/ /	0.0000	N		0.00
Paid		05/13/2016		N		19,960.00
GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED			
211-344-98000	MULTIPLE ITEMS FROM FEDERAL GRANT	18,701.00	18,701.00			
211-344-98000	SHIPPING AND INSTALLATION	1,259.00	1,259.00			
		19,960.00				

VENDOR TOTAL: 19,960.00

gould-f	Fred Gould	05/10/2016	05032016	GEN	election worker	
90047685	1919 Quail Run Drive	05/13/2016		N		150.00
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
Paid		05/13/2016		N		150.00

VENDOR TOTAL: 150.00

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00

fiala-g	George Fiala	05/10/2016	05032016	GEN	election worker	
90047692	5832 Castleton Lane	05/13/2016		N		150.00
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
Paid		05/13/2016		N		150.00

VENDOR TOTAL: 150.00

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00

VENDOR TOTAL: 150.00

User: DeannaJ
 DB: Oshtemo
 EXP CHECK RUN DATES 05/13/2016 - 05/13/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor name: Georgene Kaufman
 Address: 5520 Meredith St
 City/State/Zip: Portage MI, 49002

Vendor Code: 90047649
 Ref #: 90047649

Bank: GEN
 Invoice Description: election worker
 Hold: N
 Sep CK: N
 1099: N

Gross Amount: 150.00
 Discount: 0.00
 Net Amount: 150.00

BANK CODE: GEN
 Post Date: 05/10/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016

Invoice: 05032016
 PO: 0.0000
 Disc. %: 0.0000

AMOUNT: 150.00

VENDOR TOTAL: 150.00

harriger
 90047689
 Paid

DESCRIPTION: Precinct Workers
 Harriger, Kathleen
 5126 Green Meadow
 Kalamazoo MI, 49009

GL NUMBER: 101-191-80800

DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

VENDOR TOTAL: 150.00

hopkins-fc
 90047722
 Paid

DESCRIPTION: CAPITAL CAMPAIGN CONSULTANT
 Hopkins Fundraising Consulting
 5712 Highbury
 Ada MI, 49301

GL NUMBER: 107-756-80800

DESCRIPTION: CAPITAL CAMPAIGN CONSULTANT
 AMOUNT: 5,500.00

VENDOR TOTAL: 5,500.00

AMT RELIEVED: 5,500.00

VENDOR TOTAL: 5,500.00

Vendor name: Hopkins Propane
 Address: 2701 12th Street
 City/State/Zip: Shelbyville MI, 49344

Vendor Code: hp
 Ref #: 90047723

Post Date: 05/11/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016

Invoice: 17015/17028
 PO: 0.0000
 Disc. %: 0.0000

Bank: GEN
 Hold: N
 Sep CK: N
 1099: Y

Gross Amount: 774.63
 Discount: 0.00
 Net Amount: 774.63

Paid

GL NUMBER	DESCRIPTION	AMOUNT
206-340-92300	Heat	314.36
107-756-92100	Electric	460.27
		<u>774.63</u>

VENDOR TOTAL: 774.63

iafc	International Assoc of Fire Chiefs	GEN	ANNUAL IAFC MEMBERSHIP RENEWAL	234.00
90047724	CL500039	N	000008405	
	P.O. Box 5007			
	Merrifield VA, 22116	N	0.0000	0.00
		N		234.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-336-95900	MEMBERSHIP RENEWAL	234.00	234.00

VENDOR TOTAL: 234.00

iron	Iron Mountain	GEN	STORAGE FILES FEE - MAY 2016	181.54
90047725	PO Box 27128	N	000008439	181.54
	New York NY, 10087-7128	N	0.0000	0.00
		N		181.54

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-209-80700	STORAGE FILES FEE - MAY 2016	181.54	181.54

VENDOR TOTAL: 181.54

User: DeannaJ
 DB: Oshtemo

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
annex	Jacquelyn Annen	05/10/2016	05032016	GEN	election worker	150.00
90047665	1722 W. Kilgore	05/13/2016		N		0.00
	Kalamazoo MI, 49008	/ /	0.0000	N		150.00
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00

VENDOR TOTAL: 150.00

gullickson	Janet Gullickson	05/10/2016	05032016	GEN	election worker	150.00
90047682	6642 West H Ave	05/13/2016		N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		150.00
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00

VENDOR TOTAL: 150.00

ellens	Janice Ellens	05/10/2016	05032016	GEN	election worker	150.00
90047694	1948 Quail Cove Drive	05/13/2016		N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		150.00
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00

VENDOR TOTAL: 150.00

jean	Jean Barb	05/10/2016	05032016	GEN	election worker	75.00
90047704	7616 West Main	05/13/2016		N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		75.00
		05/13/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	75.00

VENDOR TOTAL: 75.00

User: DeannaJ
DB: Oshtemo

EXP CHECK RUN DATES 05/13/2016 - 05/13/2016

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		

bournier	Jean Bournier	05/10/2016	05032016	GEN	election worker	
90047653	2090 N 6th Street	05/13/2016		N		150.00
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
		05/13/2016		N		150.00

Paid

GL NUMBER 101-191-80800 DESCRIPTION Precinct Workers AMOUNT 150.00

VENDOR TOTAL: 150.00

lansky	Jill Lansky	05/10/2016	05032016	GEN	election worker	
90047703	182 Sunnywood Dr	05/13/2016		N		75.00
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
		05/13/2016		N		75.00

Paid

GL NUMBER 101-191-80800 DESCRIPTION Precinct Workers AMOUNT 75.00

VENDOR TOTAL: 75.00

porter	Jim Porter	05/12/2016	04202016	GEN	mileage & parking thru 4/20/2016	
90047758	7275 West Main	05/13/2016		N		90.30
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
		05/13/2016		N		90.30

Paid

GL NUMBER 101-250-87000 DESCRIPTION Mileage AMOUNT 90.30

VENDOR TOTAL: 90.30

MISC	John Godush	05/11/2016	04212016	GEN	conf expenses	
90047720		05/13/2016		N		36.74
		/ /	0.0000	Y		0.00
		05/13/2016		N		36.74

Paid

GL NUMBER 206-336-95900 DESCRIPTION Continuing Education AMOUNT 36.74

VENDOR TOTAL: 36.74

User: DeannaJ

EXP CHECK RUN DATES 05/13/2016 - 05/13/2016

DB: Oshtemo

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor Code Vendor name Bank Invoice Description Gross Amount
 Ref # Address Hold Sep CK Discount
 City/State/Zip Disc. Date Disc. % Due Date 1099 Net Amount

Johnson-C Johnson, Christine GEN election worker 150.00
 90047693 2221 Quail Run Drive N 0.00
 Kalamazoo MI, 49009 N 0.0000 / / 05/13/2016 0.00
 Paid 05/13/2016 N 150.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 150.00

VENDOR TOTAL: 150.00

fiala Judith Fiala GEN election worker 175.00
 90047691 5832 Castleton Lane N 0.00
 Kalamazoo MI, 49009 N 0.0000 / / 05/13/2016 0.00
 Paid 05/13/2016 N 175.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 175.00

VENDOR TOTAL: 175.00

gould-j Judy Gould GEN election worker 175.00
 90047684 1919 Quail Run Drive N 0.00
 Kalamazoo MI, 49009 N 0.0000 / / 05/13/2016 0.00
 Paid 05/13/2016 N 175.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 175.00

VENDOR TOTAL: 175.00

hertzell Justine J Hertzell GEN election worker 175.00
 90047660 2484 Isle Harbor Ct N 0.00
 Kalamazoo MI, 49009 N 0.0000 / / 05/13/2016 0.00
 Paid 05/13/2016 N 175.00

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 175.00

VENDOR TOTAL: 175.00

User: DeannaJ
 DB: Oshtemo

Vendor name: Kalamazoo City Treasurer
 Address: 415 E Stockbridge
 City/State/Zip: Kalamazoo MI, 49001

Vendor Code: kcityt-w
 Ref #: 90047727

Post Date: 05/12/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016

Invoice: 04182016
 PO: 0.0000
 Disc. %: 0.0000

Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Invoice Description: water

Gross Amount: 270.96
 Discount: 0.00
 Net Amount: 270.96

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-218-92000	Water - twp	97.43
206-340-92000	Water	137.51
107-756-98100	Capital Outlay/Drake House	36.02
		<u>270.96</u>

VENDOR TOTAL: 270.96

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount	Discount	Net Amount
kct-sesc	90047772	05/12/2016	atlantic and 10th	GEN	SESC PERMITS - ATLANTIC AVE/10TH ST	920.00	0.00	920.00
		05/13/2016	000008442	N		0.00	0.00	0.00
		/ /	0.0000	N		0.00	0.00	0.00
		05/13/2016		N		920.00		920.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
490-000-96400	SOIL EROSION PERMIT/ATLANTIC AVE	355.00	355.00
490-000-96400	SOIL EROSION PERMIT/10TH ST	565.00	565.00
		<u>920.00</u>	<u>920.00</u>

VENDOR TOTAL: 920.00

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount	Discount	Net Amount
kcrc	90047773	05/12/2016	misc 2015-160	GEN	GRAND PRAIRIE TO RAVINE PROJECT	69,079.18	0.00	69,079.18
		05/13/2016	000006332	N		0.00	0.00	0.00
		/ /	0.0000	N		0.00	0.00	0.00
		05/13/2016		N		69,079.18		69,079.18

VENDOR TOTAL: 69,079.18

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-97600.GRPRVN	BLANKET PO/GRAND PRAIRIE TO RAVINE	69,079.18	69,079.18

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
kct 90047729	Kalamazoo County Treasurer 201 West Kalamazoo Ave Kalamazoo MI, 49007	05/12/2016 05/13/2016 / /	fountain square 000008435 0.0000	GEN N Y N	RECORD 5 P ACKNOWL OF BLDG USE RESTRICT	26.00 26.00 0.00 26.00
Paid						
GL NUMBER 101-805-82600	DESCRIPTION RECORD 5 P ACKNOWL OF BLDG USE RESTRICTI				AMOUNT	AMT RELIEVED
					26.00	26.00
kct 90047730	Kalamazoo County Treasurer 201 West Kalamazoo Ave Kalamazoo MI, 49007	05/12/2016 05/13/2016 / /	schoolmaster 000008436 0.0000	GEN N Y N	RECORD SCHOOLMASTER 3 P ACKNOW OF ZON	20.00 20.00 0.00 20.00
Paid						
GL NUMBER 101-805-82600	DESCRIPTION RECORD SCHOOLMASTER 3 P ACKNOW ZON RESTR				AMOUNT	AMT RELIEVED
					20.00	20.00
kct 90047726	Kalamazoo County Treasurer 201 West Kalamazoo Ave Kalamazoo MI, 49007	05/12/2016 05/13/2016 / /	sidewalk 000008434 0.0000	GEN N Y N	RECORD 4 P CONSENT TO ESTABLISHMENT OF	23.00 23.00 0.00 23.00
Paid						
GL NUMBER 101-805-82600	DESCRIPTION RECORD 4 P CONSENT TO ESTABLISH OF SIDEW				AMOUNT	AMT RELIEVED
					23.00	23.00
VENDOR TOTAL:						69.00
kct-p 90047728	Kalamazoo County Treasurer 201 West Kalamazoo Kalamazoo MI, 49007	05/12/2016 05/13/2016 / /	police 0.0000	GEN N N N	police contract	85,490.83 0.00 85,490.83
Paid						
GL NUMBER 207-310-80200	DESCRIPTION Protection Contract - KC				AMOUNT	
					85,490.83	
VENDOR TOTAL:						85,490.83

Vendor name: Kalamazoo Oil Company
 Address: 2601 N. Burdick Street
 City/State/Zip: Kalamazoo MI, 49007-1874

Vendor Code: ko
 Ref #: 90047732
 Post Date: 05/12/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016

Invoice: 2-001956
 PO: 0.0000
 Disc. %: 0.0000
 Sep CK: 1099

Bank: GEN
 Hold: N
 Invoice Description: fd vehicle fuel

Gross Amount: 1,348.26
 Discount: 0.00
 Net Amount: 1,348.26

GL NUMBER: 206-340-86800
 DESCRIPTION: Fuel
 AMOUNT: 1,348.26

ko: 90047732
 Kalamazoo Oil Company
 2601 N. Burdick Street
 Kalamazoo MI, 49007-1874
 GEN: 2-001958
 N: twp vehicles fuel
 AMOUNT: 258.75

Paid: 0.00
 AMOUNT: 0.00
 258.75

MISC: 90047757
 Karen Phelps
 6136 Osprey Way
 Kalamazoo MI, 49009
 GEN: 05012016
 N: rental deposit refund
 Y: 0.0000
 N: 0.0000
 AMOUNT: 125.00
 0.00
 125.00

GL NUMBER: 101-000-24800
 DESCRIPTION: Rent Deposits
 AMOUNT: 125.00
 VENDOR TOTAL: 125.00

VENDOR TOTAL: 1,607.01

User: DeannaJ
 DB: Oshtemo
 EXP CHECK RUN DATES 05/13/2016 - 05/13/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: GEN
 Vendor name: Katherine Turner
 Address: 7060 Hawthorn Valley
 City/State/Zip: Kalamazoo MI, 49009
 Vendor Code: gelling-ki
 Ref #: 90047670
 Post Date: 05/10/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016
 Invoice: 05032016
 PO: 0.0000
 Disc. %: 0.0000
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N
 Invoice Description: election worker
 Gross Amount: 150.00
 Discount: 0.00
 Net Amount: 150.00

Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00
 VENDOR TOTAL: 150.00

steadman
 90047650
 Kathryn Steadman
 6124 Old Log Trail
 Kalamazoo MI, 49009
 Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00
 VENDOR TOTAL: 150.00

kss
 90047734
 KSS Enterprises
 616 E Vine Street
 Kalamazoo MI, 49001
 Paid
 GL NUMBER: 101-218-76600
 DESCRIPTION: SOAP, BOWL CLEANER, TRUCK SOAP
 JUMBO JR PAPER
 GLASS CLEANER
 AMOUNT: 158.73
 AMT RELIEVED: 158.73
 37.31
 40.49
 236.53

VENDOR TOTAL: 236.53

BANK CODE: GEN
 Vendor name Lake Michigan Mailers
 Address PO Box 19157
 City/State/Zip Kalamazoo MI, 49019-9157
 Vendor Code
 Ref #
 Post Date Invoice
 CK Run Date PO
 Disc. Date Disc. %
 Due Date

lmm
 90047735
 Paid
 05/12/2016 346982 GEN election & regular postage
 05/13/2016 N
 / / 0.0000 N
 05/13/2016 N

GL NUMBER DESCRIPTION AMOUNT
 101-249-73000 Postage 2,000.00
 101-191-73000 Postage - elections 1,000.00
 3,000.00

VENDOR TOTAL: 3,000.00

Land
 90047736
 Paid
 05/12/2016 1258 GEN EASEMENT ACQUISITION, S DRAKE RD NON-MO
 05/13/2016 N 000008410 3,232.56
 / / 0.0000 N
 05/13/2016 N

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 101-249-97600.WMSTDM PROGRESS INVOICE NO. 3 - S (1258 (14-17)) 3,232.56 3,232.56

VENDOR TOTAL: 3,232.56

janssen-1
 90047679
 Paid
 05/10/2016 05032016 GEN election worker
 05/13/2016 N
 / / 0.0000 N
 05/13/2016 N

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 150.00

VENDOR TOTAL: 150.00

vandenbos
 90047702
 Paid
 05/10/2016 05032016 GEN election worker
 05/13/2016 N
 / / 0.0000 N
 05/13/2016 N

GL NUMBER DESCRIPTION AMOUNT
 101-191-80800 Precinct Workers 75.00

AMOUNT 75.00

BANK CODE: GEN
 Vendor name Lowe's Home Center
 Address PO Box 530954
 City/State/Zip Atlanta GA, 30353-0954
 Vendor Code Ref #
 Post Date CK Run Date Invoice Hold Sep CK
 Disc. Date Disc. % Due Date 1099
 Invoice Description
 Gross Amount
 Discount
 Net Amount

		VENDOR TOTAL:				75.00	
Lowe's	90047737	05/12/2016	various	GEN	WATER FILTERS		69.26
		05/13/2016	000008328	N			
		/ /	0.0000	N			0.00
		05/13/2016		N			69.26
Paid							
GL NUMBER		DESCRIPTION	AMOUNT	AMT RELIEVED			
101-218-76000		WATER FILTERS	39.90	39.90			
206-340-93100		WATER FILTERS	29.36	79.80			
			69.26	119.70			
		VENDOR TOTAL:				69.26	

contos	90047686	05/10/2016	05032016	GEN	election worker		150.00
		05/13/2016		N			0.00
		/ /	0.0000	N			150.00
		05/13/2016		N			
Paid							
GL NUMBER		DESCRIPTION	AMOUNT				
101-191-80800		Precinct Workers	150.00				
		VENDOR TOTAL:				150.00	

hutchins	90047661	05/10/2016	05032016	GEN	election worker		150.00
		05/13/2016		N			0.00
		/ /	0.0000	N			150.00
		05/13/2016		N			
Paid							
GL NUMBER		DESCRIPTION	AMOUNT				
101-191-80800		Precinct Workers	150.00				
		VENDOR TOTAL:				150.00	

INVOICE APPROVAL BY INVOICE REPORT FOR OSHTEMO TOWNSHIP
 EXP CHECK RUN DATES 05/13/2016 - 05/13/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
Maentz 90047674	Marcia Lynne Maentz 3541 Irongate Court Kalamazoo MI, 49009	05/10/2016 05/13/2016 / /	05032016 0.0000	GEN N N N	election worker	150.00 0.00 150.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00

VENDOR TOTAL: 150.00

janssen-m 90047680	Marie Janssen 8670 Almena Dr Kalamazoo MI, 49009	05/10/2016 05/13/2016 / /	05032016 0.0000	GEN N N N	election worker	150.00 0.00 150.00
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Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00

VENDOR TOTAL: 150.00

cleveland 90047710	Mark Cleveland 6125 Hubbard Rd Muskegon MI, 49442	05/11/2016 05/13/2016 / /	8444 000008388 0.0000	GEN N N N	MICHIGAN STATE FIRE INSTRUCTOR I COURSE	250.00 0.00 250.00
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Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-70700	MICHIGAN STATE FIRE INSTRUCTOR I COURSE	250.00	250.00

VENDOR TOTAL: 250.00

BANK CODE: GEN
 Vendor name: Meekhof Tire Sales & Service
 Address: 1640 Olson NE
 City/State/Zip: Grand Rapids MI, 49503
 Vendor Code: meekhof
 Ref #: 90047738
 Invoice Description: 532 REPLACEMENT STEER TIRES
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Address	CK Run Date	PO	Hold		Discount
City/State/Zip	Disc. Date	Disc. %	1099		Net Amount
Meekhof Tire Sales & Service	05/12/2016	387546-73	GEN	532 REPLACEMENT STEER TIRES	1,647.36
1640 Olson NE	05/13/2016	000008404	N		0.00
Grand Rapids MI, 49503	/ /	0.0000	N		1,647.36
	05/13/2016		N		

Paid
 GL NUMBER: 206-340-86700
 DESCRIPTION: 532 REPLACEMENT STEER TIRES
 AMOUNT: 1,647.36
 AMT RELIEVED: 1,647.36

Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Address	CK Run Date	PO	Hold		Discount
City/State/Zip	Disc. Date	Disc. %	1099		Net Amount
Meekhof Tire Sales & Service	05/12/2016	389154-73	GEN	513 REPLACEMENT STEER TIRES	1,445.18
1640 Olson NE	05/13/2016	000008403	N		0.00
Grand Rapids MI, 49503	/ /	0.0000	N		1,445.18
	05/13/2016		N		

Paid
 GL NUMBER: 206-340-86700
 DESCRIPTION: 513 REPLACEMENT STEER TIRES
 AMOUNT: 1,445.18
 AMT RELIEVED: 1,445.18

VENDOR TOTAL: 3,092.54

Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Address	CK Run Date	PO	Hold		Discount
City/State/Zip	Disc. Date	Disc. %	1099		Net Amount
Melissa French	05/10/2016	05032016	GEN	election worker	25.00
10004 Stadium Dr	05/13/2016		N		0.00
Kalamazoo MI, 49009	/ /	0.0000	N		25.00
	05/13/2016		N		

Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 25.00

VENDOR TOTAL: 25.00

INVOICE APPROVAL BY INVOICE REPORT FOR OSHTEMO TOWNSHIP
EXP CHECK RUN DATES 05/13/2016 - 05/13/2016
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
menards 90047743	Menards 6800 West Main Street Kalamazoo MI, 49009	05/12/2016 05/13/2016 / /	14306 000008433 0.0000	GEN N N N	QUARTER ROUND WHEAT OAK	43.89 0.00 43.89
Paid						
GL NUMBER 206-340-93100	DESCRIPTION ROUND WHEAT OAK				AMOUNT	AMT RELIEVED
					43.89	43.89
menards 90047745	Menards 6800 West Main Street Kalamazoo MI, 49009	05/12/2016 05/13/2016 / /	14321 000008428 0.0000	GEN N N N	BUILDING SUPPLIES FOR FIRE DEPARTMENT W	9.26 0.00 9.26
Paid						
GL NUMBER 206-340-93100	DESCRIPTION 20A BACKWIRE TR OUTLET 20A TR DUPLEX				AMOUNT	AMT RELIEVED
					5.97 3.29	5.97 3.29
					<u>9.26</u>	
menards 90047741	Menards 6800 West Main Street Kalamazoo MI, 49009	05/12/2016 05/13/2016 / /	14413 000008413 0.0000	GEN N N N	MISC. ORDINANCE ENFORCEMENT SUPPLIES	33.11 0.00 33.11
Paid						
GL NUMBER 207-330-72800	DESCRIPTION 24 CT. TERRY COTTON GORILLA SILVER TAPE 10 COUNT DISPOSABLE NITRILE G SOLVEX CHEM RESIST GLOVE GOOF OFF GRAFFITI REMOVER				AMOUNT	AMT RELIEVED
					4.99 16.78 1.98 2.39 6.97	4.99 16.78 1.98 2.39 6.97
					<u>33.11</u>	
menards 90047740	Menards 6800 West Main Street Kalamazoo MI, 49009	05/12/2016 05/13/2016 / /	14821 000008420 0.0000	GEN N N N	EXTENSION CORDS/PCT 3	14.26 0.00 14.26
Paid						
GL NUMBER 101-191-72800	DESCRIPTION EXTENSION CORD EXTENSION CORD				AMOUNT	AMT RELIEVED
					4.29 9.97	4.29 9.97

BANK CODE: GEN
 Vendor name: Menards
 Address: 6800 West Main Street
 City/State/Zip: Kalamazoo MI, 49009
 Vendor Code: 90047746
 Ref #: 90047746
 Post Date: 05/12/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016
 Invoice: 15036
 PO: 000008430
 Disc. %: 0.0000
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N
 Invoice Description: FIRE DEPARTMENT WEIGHT ROOM SUPPLIES
 Gross Amount: 99.92
 Discount: 0.00
 Net Amount: 99.92

14.26

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93100	SMALL L HOOKS	20.93	20.93
206-340-93100	SMALL CRADLE HOOKS	8.97	8.97
206-340-93100	48" HANGING RAIL	6.71	6.71
206-340-93100	RAIL SCREWS	0.74	0.74
206-340-93100	DRILL BIT	3.62	3.62
206-340-93100	CONCRETE SCREWS	5.50	5.50
206-340-93100	CONCRETE ANCHOR	5.47	5.47
206-340-93100	TV MOUNT SHELF	24.99	24.99
206-340-93100	MEDIUM TV MOUNT	22.99	22.99
		<u>99.92</u>	

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-218-76000	BOLTS, CEMENT, STAPLES	8.74	8.74

VENDOR TOTAL: 209.18

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
90047747	BUSINESS CARDS/SARAH TENBRINK 1000	79.20	79.20
		0.00	0.00
		79.20	79.20

VENDOR TOTAL: 79.20

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-72800	BUSINESS CARDS/SARAH TENBRINK 1000	79.20	79.20

VENDOR TOTAL: 79.20

BANK CODE: GEN
 Vendor name Michigan Association of Planning
 Address 1919 West Stadium Blvd
 City/State/Zip Suite 4
 Ann Arbor MI, 48103
 Vendor Code msop
 Ref # 90047769
 Post Date 05/12/2016
 CK Run Date 05/13/2016
 Disc. Date / /
 Due Date 05/13/2016
 Invoice 710
 PO 0.0000
 Disc. % 0.0000
 1099
 Bank Hold
 Invoice Description annual group membership dues 2016
 Gross Amount 850.00
 Discount 0.00
 Net Amount 850.00

Paid
 GL NUMBER 101-805-95800
 DESCRIPTION Education
 AMOUNT 850.00

VENDOR TOTAL: 850.00
 Vendor Name Miner Supply Co., Inc.
 Address 922 47th Street SW
 City/State/Zip Wyoming MI, 49509
 Vendor Code msc
 Ref # 90047748
 Post Date 05/12/2016
 CK Run Date 05/13/2016
 Disc. Date / /
 Due Date 05/13/2016
 Invoice 462207
 PO 000008383
 Disc. % 0.0000
 1099
 Bank Hold
 Invoice Description PAPER AND LINER SUPPLIES
 Gross Amount 344.39
 Discount 0.00
 Net Amount 344.39

Paid
 GL NUMBER 101-218-76600
 DESCRIPTION MULTIFOLD TOWELS
 AMOUNT 46.64
 GL NUMBER 206-340-93100
 DESCRIPTION MULTIFOLD TOWELS
 AMOUNT 93.28
 GL NUMBER 101-218-76600
 DESCRIPTION BATH TISSUE
 AMOUNT 92.52
 GL NUMBER 206-340-93100
 DESCRIPTION TRASH LINERS
 AMOUNT 111.95
 344.39
 VENDOR TOTAL: 344.39

Vendor Name MLive Media Group
 Address Dept 77571
 City/State/Zip PO Box 77000
 Detroit MI, 48277-0571
 Vendor Code kg
 Ref # 90047731
 Post Date 05/12/2016
 CK Run Date 05/13/2016
 Disc. Date / /
 Due Date 05/13/2016
 Invoice 04302016
 PO 0.0000
 Disc. % 0.0000
 1099
 Bank Hold
 Invoice Description legal notices
 Gross Amount 5,970.93
 Discount 0.00
 Net Amount 5,970.93

Paid
 GL NUMBER 101-249-90300
 DESCRIPTION Legal Notices
 AMOUNT 835.58
 GL NUMBER 101-805-90300
 DESCRIPTION Legal Notices
 AMOUNT 5,135.35
 5,970.93
 VENDOR TOTAL: 5,970.93

Vendor name: Monica Janssen
 Address: 908 Village St
 City/State/Zip: Apt 1, Portage MI, 49008
 Vendor Code: mfe
 Ref #: 90047751
 Bank: GEN
 Invoice Description: election worker
 Gross Amount: 150.00
 Discount: 0.00
 Net Amount: 150.00

Vendor Code	Ref #	Vendor name	Address	City/State/Zip	Bank	Invoice Description	Gross Amount	Discount	Net Amount
janssen-mo	90047657	Monica Janssen	908 Village St	Apt 1	GEN	election worker	150.00	0.00	150.00
		Portage MI, 49008			N				

Paid
 GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00

Vendor Code	Ref #	Vendor name	Address	City/State/Zip	Bank	Invoice Description	Gross Amount	Discount	Net Amount
mfe	90047750	Moses Fire Equipment	PO Box 690	Lawrence MI, 49064-0690	GEN	502 DOOR DECALS	256.65	0.00	256.65
					N				

Paid
 GL NUMBER: 206-340-86700
 DESCRIPTION: 502 DOOR DECALS
 AMOUNT: 256.65

Vendor Code	Ref #	Vendor name	Address	City/State/Zip	Bank	Invoice Description	Gross Amount	Discount	Net Amount
mfe	90047749	Moses Fire Equipment	PO Box 690	Lawrence MI, 49064-0690	GEN	FIRE DEPARTMENT NOMEX HOODS	611.95	0.00	611.95
					N				

Paid
 GL NUMBER: 206-340-76600
 DESCRIPTION: NOMEX HOODS TAX
 AMOUNT: 585.00
 AMT RELIEVED: 26.95
 NET: 611.95

Vendor Code	Ref #	Vendor name	Address	City/State/Zip	Bank	Invoice Description	Gross Amount	Discount	Net Amount
mfe	90047751	Moses Fire Equipment	PO Box 690	Lawrence MI, 49064-0690	GEN	HELMET SHIELDS	168.23	0.00	168.23
					N				

Paid
 GL NUMBER: 206-340-76600
 DESCRIPTION: HELMET SHIELDS 5920, 5918, 5913 SHIPPING
 AMOUNT: 156.00
 AMT RELIEVED: 12.23
 NET: 168.23

Vendor Code	Ref #	Vendor name	Address	City/State/Zip	Bank	Invoice Description	Gross Amount	Discount	Net Amount
mfe	90047751	Moses Fire Equipment	PO Box 690	Lawrence MI, 49064-0690	GEN	HELMET SHIELDS	168.23	0.00	168.23
					N				

Paid
 GL NUMBER: 206-340-76600
 DESCRIPTION: HELMET SHIELDS 5920, 5918, 5913 SHIPPING
 AMOUNT: 156.00
 AMT RELIEVED: 12.23
 NET: 168.23

BANK CODE: GEN
 Vendor name: MRC Industries, Inc.
 Address: 2538 South 26th Street
 City/State/Zip: Kalamazoo MI, 49048
 Vendor Code: 90047752
 Ref #: 206-340-93100
 Post Date: 05/12/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016
 Invoice: 48719
 PO: 0.0000
 Disc. %: 0.0000
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N
 Invoice Description: cleaning - april
 Gross Amount: 1,175.97
 Discount: 0.00
 Net Amount: 1,175.97

Vendor Code	Ref #	Post Date	CK Run Date	Disc. Date	Due Date	Invoice	PO	Disc. %	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount			
mrc	90047752	05/12/2016	05/13/2016	/ /	05/13/2016	48719	0.0000	0.0000	GEN	N	N	N	cleaning - april	1,175.97	0.00	1,175.97			
Paid																			
GL NUMBER		DESCRIPTION										AMOUNT							
206-340-93100		Building Maintenance										130.66							
101-218-93100		Maintenance Services										522.65							
107-756-93100		Maintenance Services										522.66							
															1,175.97				
VENDOR TOTAL:													1,036.83						

Vendor Code	Ref #	Post Date	CK Run Date	Disc. Date	Due Date	Invoice	PO	Disc. %	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount			
lagoni-n	90047673	05/10/2016	05/13/2016	/ /	05/13/2016	05032016	0.0000	0.0000	GEN	N	N	N	election worker	150.00	0.00	150.00			
Paid																			
GL NUMBER		DESCRIPTION										AMOUNT							
101-191-80800		Precinct Workers										150.00							
															150.00				
VENDOR TOTAL:													1,175.97						

Vendor Code	Ref #	Post Date	CK Run Date	Disc. Date	Due Date	Invoice	PO	Disc. %	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount			
nhts	90047753	05/12/2016	05/13/2016	/ /	05/13/2016	45217	000008237	0.0000	GEN	N	N	N	ANNUAL HOSE AND LADDER TESTING	1,323.00	0.00	1,323.00			
Paid																			
GL NUMBER		DESCRIPTION										AMOUNT							
206-340-86700		ANNUAL HOSE AND LADDER TESTING										1,323.00							
															0.00				
VENDOR TOTAL:													1,323.00						

User: DeannaJ

EXP CHECK RUN DATES 05/13/2016 - 05/13/2016

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: GEN

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		

sikora	Neil Sikora	05/10/2016	05032016	GEN	election worker	
90047672	9643 West KL	05/13/2016		N		150.00
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
		05/13/2016		N		150.00

Paid

GL NUMBER 101-191-80800 DESCRIPTION Precinct Workers AMOUNT 150.00

VENDOR TOTAL: 150.00

nf	Networkfleet, Inc.	05/12/2016	396264	GEN	fd navigation service	
90047768	PO Box 975544	05/13/2016		N		119.65
	Dallas TX, 75397-5544	/ /	0.0000	N		0.00
		05/13/2016		N		119.65

Paid

GL NUMBER 206-340-85300 DESCRIPTION FD Network Fleet Monthly Fee AMOUNT 119.65

VENDOR TOTAL: 119.65

n&s	Niewoonder & Sons, Inc	05/12/2016	198	GEN	CONTRACT MOWING OF CEMETERYS	
90047754	2319 N Drake	05/13/2016	000008440	N		1,400.00
	Kalamazoo MI, 49006	/ /	0.0000	N		0.00
		05/13/2016		N		1,400.00

Paid

GL NUMBER 101-218-80600 DESCRIPTION CONTRACT MOWING OF CEMETERYS AMOUNT 1,400.00 AMT RELIEVED 1,400.00

VENDOR TOTAL: 1,400.00

Vendor name Nye Uniform
 Address 1030 Scribner NW
 City/State/zip Grand Rapids MI, 49504

Post Date 05/12/2016
 CK Run Date 05/13/2016
 Disc. Date / /
 Due Date 05/13/2016

Invoice PO 000008426
 Disc. % 0.0000

Bank GEN
 Hold N
 Sep CK N
 1099 N

nu	Ref #	Vendor Code	Vendor name	Address	City/State/zip	Post Date	CK Run Date	Disc. Date	Due Date	Invoice PO	Disc. %	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount
			Nye Uniform	1030 Scribner NW	Grand Rapids MI, 49504	05/12/2016	05/13/2016	/ /	05/13/2016	000008426	0.0000	GEN	N	N	N	NEW HIRE UNIFORMS	509.41	0.00	509.41
Paid																			
GL NUMBER			DESCRIPTION									AMOUNT				AMT RELIEVED			
206-336-72500			GOLD BUCKLED BELT									20.50				20.50			
206-336-72500			ELBECCO CARGO PANTS									199.50				199.50			
206-336-72500			ELBECCO TEK 3 LS SHIRTS									145.50				145.50			
206-336-72500			ELBECCO TEK 3 SS SHIRTS									133.50				133.50			
206-336-72500			FREIGHT CHARGES									10.41				10.41			
																	509.41		

VENDOR TOTAL: 509.41

glass	Ref #	Vendor Code	Vendor name	Address	City/State/zip	Post Date	CK Run Date	Disc. Date	Due Date	Invoice PO	Disc. %	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount
			Pat Glass	6617 West G Ave	Kalamazoo MI, 49009	05/10/2016	05/13/2016	/ /	05/13/2016	05032016	0.0000	GEN	N	N	N	election worker	150.00	0.00	150.00
Paid																			
GL NUMBER			DESCRIPTION									AMOUNT				AMOUNT			
101-191-80800			Precinct Workers									150.00				150.00			

VENDOR TOTAL: 150.00

schrum	Ref #	Vendor Code	Vendor name	Address	City/State/zip	Post Date	CK Run Date	Disc. Date	Due Date	Invoice PO	Disc. %	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount
			Patricia Schrum	5752 Castleton Lane	Kalamazoo MI, 49009	05/10/2016	05/13/2016	/ /	05/13/2016	05032016	0.0000	GEN	N	N	N	election worker	150.00	0.00	150.00
Paid																			
GL NUMBER			DESCRIPTION									AMOUNT				AMOUNT			
101-191-80800			Precinct Workers									150.00				150.00			

VENDOR TOTAL: 150.00

BANK CODE: GEN
 Vendor name: Patty Kay Woodaz
 Address: 10968 West L Ave
 City/State/Zip: Kalamazoo MI, 49009
 Vendor Code: 90047656
 Ref #: woodaz
 Post Date: 05/10/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016
 Invoice: 05032016
 PO: 0.0000
 Disc. %: 0.0000
 Sep CK: 1099
 Bank: GEN
 Hold: N
 Invoice Description: election worker
 Gross Amount: 150.00
 Discount: 0.00
 Net Amount: 150.00

GL NUMBER	DESCRIPTION	AMOUNT
101-191-80800	Precinct Workers	150.00
VENDOR TOTAL:		
		150.00

p&n	DESCRIPTION	GEN	AMOUNT
90047774	Prein & Newhof 3355 Evergreen Drive NE Grand Rapids MI, 49525	GEN	11,618.20
Paid			
GL NUMBER	DESCRIPTION	AMOUNT	
101-209-82000	Engineering Fees	1,102.50	
101-249-82000	Engineering Fees	36.00	
101-805-82000	Engineering Fees	5,279.20	
101-805-80100	General	1,057.50	
490-000-82000	Engineering Fees	4,143.00	
11,618.20			
VENDOR TOTAL:			
		11,618.20	

rise	DESCRIPTION	GEN	AMOUNT
90047759	RI Stafford Excavating PO Box 754 Richland MI, 49083	GEN	3,370.00
Paid			
GL NUMBER	DESCRIPTION	AMOUNT	
101-218-80800	Contracted Grave Openings	3,370.00	
VENDOR TOTAL:			
		3,370.00	

rise	DESCRIPTION	GEN	AMOUNT
90047759	RI Stafford Excavating PO Box 754 Richland MI, 49083	GEN	3,370.00
Paid			
GL NUMBER	DESCRIPTION	AMOUNT	
101-218-80800	Contracted Grave Openings	3,370.00	
VENDOR TOTAL:			
		3,370.00	

Vendor name Bank Invoice Description Gross Amount
 Address Hold
 City/State/Zip Sep CK Discount
 1099 Net Amount

BANK CODE: GEN
 Post Date Invoice
 CK Run Date PO
 Disc. Date Disc. %
 Due Date

S & T Lawn Service	GEN	COMMUNITY CENTER LANDSCAPE MAINTENANCE	150.00
3393 South 6th Street	N		248.00
Kalamazoo MI, 49009	N		0.00
	N		248.00

PAID
 GL NUMBER
 900-728-93300

DESCRIPTION
 MONTHLY LANDSCAPING MAINTENANCE

AMOUNT
 248.00

AMT RELIEVED
 248.00

VENDOR TOTAL: 248.00

huff	GEN	election worker	150.00
90047668	N		0.00
	N		150.00

PAID
 GL NUMBER
 101-191-80800

DESCRIPTION
 Precinct Workers

AMOUNT
 150.00

AMOUNT
 150.00

VENDOR TOTAL: 150.00

berish	GEN	election worker	150.00
90047651	N		0.00
	N		150.00

PAID
 GL NUMBER
 101-191-80800

DESCRIPTION
 Precinct Workers

AMOUNT
 150.00

AMOUNT
 150.00

VENDOR TOTAL: 150.00

Vendor name: Siegfried Crandall
 Address: 246 E Kilgore Rd
 City/State/Zip: Kalamazoo MI, 49002-5599

BANK CODE: GEN
 Post Date: 05/12/2016
 CK Run Date: 05/13/2016
 Disc. Date: / /
 Due Date: 05/13/2016

Invoice: 89218
 PO: 0.0000
 Disc. %: 0.0000

Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Invoice Description: accounting support
 Gross Amount: 21,245.00
 Discount: 0.00
 Net Amount: 21,245.00

GL NUMBER	DESCRIPTION	AMOUNT
101-223-82500	Accounting & Audit Fees	14,745.00
490-000-80800	Audit Fees	500.00
206-336-82500	Accounting & Audit Fees	2,000.00
491-000-80800	Audit Fees	500.00
107-756-82500	Accounting & Audit Fees	1,000.00
207-310-82500	Accounting & Audit Fees	1,000.00
249-371-82500	Accounting & Audit Fees	500.00
211-344-82500	Accounting & Audit Fees	500.00
900-728-82500	Accounting & Audit Fees	500.00
		<u>21,245.00</u>

GL NUMBER	DESCRIPTION	AMOUNT
206-340-80900	Computer Operations	874.77
101-201-80500	Computer Support	2,460.57
		<u>3,335.34</u>

GL NUMBER	DESCRIPTION	AMOUNT	VENDOR TOTAL:
90047762	Siegfried Crandall 246 E Kilgore Rd Kalamazoo MI, 49002-5599	21,245.00	21,245.00
90047764	Sigwriter 633 W Michigan Ave Kalamazoo MI, 49007-3715	3,335.34	3,335.34
		<u>24,580.34</u>	<u>24,580.34</u>

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED	VENDOR TOTAL:
206-340-86700	VEHICLE LETTERING FOR 502	345.00	345.00	345.00
		<u>345.00</u>	<u>345.00</u>	<u>345.00</u>

BANK CODE: GEN
 Vendor name: SPEEDWAY LLC
 Address: MARATHON PETROLEUM CO
 City/State/Zip: C/O REAL ESTATE - ROOM 1604 FINDLAY OH, 45840
 Vendor Code: MISC
 Ref #: 90047771
 Invoice Description: SOUTH DRAKE PATH EASEMENT
 Bank: GEN
 Hold: N
 Sep CK: N
 I099: N
 Gross Amount: 1,908.68
 Discount: 0.00
 Net Amount: 1,908.68

Paid
 GL NUMBER: 101-249-97600.WMSTDM
 DESCRIPTION: SOUTH DRAKE PATH EASEMENT
 AMOUNT: 1,908.68
 AMT RELIEVED: 1,908.68
 VENDOR TOTAL: 1,908.68

stc
 90047765
 State Tax Commission
 PO Box 30471
 Lansing MI, 48909-7971
 Paid

GL NUMBER: 101-209-95800
 DESCRIPTION: STC PPE CERTIFICATION FEE J. MILLER & K.
 AMOUNT: 300.00
 AMT RELIEVED: 300.00
 VENDOR TOTAL: 300.00

everett-s
 90047688
 Stephen Everett
 ,
 Paid

GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 150.00
 VENDOR TOTAL: 150.00

janssen-s
 90047678
 Sue Janssen
 2281 West E Ave
 Kalamazoo MI, 49009
 Paid

GL NUMBER: 101-191-80800
 DESCRIPTION: Precinct Workers
 AMOUNT: 175.00
 VENDOR TOTAL: 175.00

Vendor name: Aflac
 Address: Attn: Remittance Processing Service
 City/State/Zip: 1932 Wynnnton Rd, Columbus GA, 31999-0797

Vendor Code: Aflac
 Ref #: 90047828

Post Date: 05/26/2016
 CK Run Date: 05/27/2016
 Disc. Date: / /
 Due Date: 05/27/2016

Invoice: 198871/770707
 PO: GEN
 Disc. %: 0.0000
 Sep CK: 1099

Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Invoice Description: Apr/May

Gross Amount: 2,278.92
 Discount: 0.00
 Net Amount: 2,278.92

Paid

GL NUMBER: DESCRIPTION AMOUNT
 101-000-26700 AFLAC Insurance 568.76
 206-000-26700 AFLAC Insurance 1,710.16
 2,278.92

MISC: Artie Wilcox
 90047810
 Paid

05/24/2016 05272016 GEN escrow refund
 05/27/2016 N
 / / 0.0000 Y
 05/27/2016 N

VENDOR TOTAL: 2,278.92

GL NUMBER: DESCRIPTION AMOUNT
 101-000-23000 Planning Escrow 5,500.00
 Paid

05/24/2016 05272016 GEN Drake House phone
 05/27/2016 N
 / / 0.0000 N
 05/27/2016 N

VENDOR TOTAL: 5,500.00

att: AT&T
 90047779 PO Box 5080
 Carol Stream IL, 06197-5080

DESCRIPTION: Capital Outlay/Drake House

GL NUMBER: DESCRIPTION AMOUNT
 107-756-98100 91.16

VENDOR TOTAL: 91.16

Vendor name: Campbell Murch Memorials
 Address: PO Box 100
 City/State/Zip: Mattawan MI, 49071

Vendor Code: 90047781
 Ref #: 90047781
 Invoice Date: 05/24/2016
 Invoice Amount: 20160285
 Post Date: 05/27/2016
 CK Run Date: / /
 Disc. Date: / /
 Due Date: 05/27/2016
 Invoice Description: foundations
 Bank Hold Sep CK 1099
 Gross Amount: 1,200.80
 Discount: 0.00
 Net Amount: 1,200.80

GL NUMBER: 101-001-64500
 DESCRIPTION: Monument Installations
 AMOUNT: 1,200.80

VENDOR TOTAL: 1,200.80

MISC	DESCRIPTION	GEN	AMOUNT
90047784	CITY OF SYLVAN LAKE 1820 INVERNESS SYLVAN LAKE MI, 48320	GEN	114.75
Paid			0.00
			114.75

GL NUMBER: 101-249-95800
 DESCRIPTION: 1/2 HOTEL FOR MMTI APRIL 29-30
 AMOUNT: 114.75
 AMT RELIEVED: 114.75

VENDOR TOTAL: 114.75

ce-e	DESCRIPTION	GEN	AMOUNT
90047827	Consumers Energy Payment Center PO Box 740309 Cincinnati OH, 45271-0309	GEN	2,488.26
Paid			0.00
			2,488.26

GL NUMBER	DESCRIPTION	GEN	AMOUNT
101-218-92100	twp office electric	GEN	1,211.22
101-218-92300	twp office gas	N	48.53
206-340-92100	St 1 electric	N	896.74
206-340-92300	st 1 gas	N	76.40
101-218-92300	maint bldg	N	33.97
101-218-92100	maint/veh bldg	N	105.08
107-756-92100	flesher electric	N	92.94
107-756-92100	old town hall electric	N	23.38
			2,488.26

VENDOR TOTAL: 2,488.26

User: Debe
DB: Oshtemo

EXP CHECK RUN DATES 05/27/2016 - 05/27/2016
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: GEN

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
ce-sl	Consumers Energy	05/24/2016	205542800662	GEN	street lights	
90047783	Payment Center	05/27/2016		N		67.39
	PO Box 740309	/ /	0.0000	N		0.00
	Cincinnati OH, 45274-0309	05/27/2016		N		67.39

Paid

GL NUMBER 101-506-92600 DESCRIPTION Street Lighting AMOUNT 67.39

VENDOR TOTAL: 67.39

devisser	DeVisser Landscape Services	05/24/2016	22019	GEN	FLESHER FIELD GARDEN MAINTENANCE	600.00
90047780	4014 S 9th Street	05/27/2016	000008444	N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		600.00
		05/27/2016		N		

Paid

GL NUMBER 107-756-97900 DESCRIPTION FLESHER FIELD GARDEN MAINTENANCE AMOUNT 600.00 AMT RELIEVED 600.00

VENDOR TOTAL: 600.00

hook	Dr. Hook Inc	05/24/2016	30964	GEN	RESTROOM SIGNS	92.00
90047785	4504 Stadium Drive	05/27/2016	000008457	N		0.00
	Kalamazoo MI, 49008	/ /	0.0000	N		92.00
		05/27/2016		N		

Paid

GL NUMBER 101-249-72800 DESCRIPTION UNISEX RESTROOM SIGN AMOUNT 92.00 AMT RELIEVED 92.00

VENDOR TOTAL: 92.00

BANK CODE: GEN
 Vendor name First Due Fire Supply Company
 Address 207 E Kipp Road
 City/State/Zip Suite A Mason MI, 48854

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
		CK Run Date	PO	Hold		Discount
		Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
	firstdue 90047787	05/24/2016	16-288	GEN	TRENCH RESCUE TRAILER AND EQUIPMENT	59,342.67
		05/27/2016	000008065	N		59,342.67
	Paid	/ /	0.0000	N		0.00
		05/27/2016		N		59,342.67

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
211-344-98000	FULLY EQUIPTED TRENCH RESCUE TRAILER	59,342.67	59,342.67

firstdue	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
		CK Run Date	PO	Hold		Discount
		Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
	firstdue 90047788	05/24/2016	16-416	GEN	ANNUAL FIRE DEPARTMENT EXTRICATION TOOL	2,358.78
		05/27/2016	000008450	N		2,358.78
	Paid	/ /	0.0000	N		0.00
		05/27/2016		N		2,358.78

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93300	MAINTENANCE AND REPAIRS	2,358.78	2,358.78

VENDOR TOTAL: 61,701.45

hopkins-fc	DESCRIPTION	AMOUNT	AMT RELIEVED
90047789	Hopkins Fundraising Consulting	5,500.00	5,500.00

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
107-756-80800	DRAKE FARMSTEAD CAPITAL CAMPAIGN	5,500.00	5,500.00

VENDOR TOTAL: 5,500.00

MISC	DESCRIPTION	AMOUNT	AMT RELIEVED
90047803	Jessica Solomon	175.00	175.00
	1150 North 2nd Street	0.00	0.00
	Kalamazoo MI, 49009	175.00	175.00

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-000-24800	Rent Deposits	175.00	175.00

VENDOR TOTAL: 175.00

BANK CODE: GEN
 Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Address CK Run Date PO Hold Sep CK Discount
 City/State/Zip Disc. Date Disc. % 1099 Net Amount

kct	Kalamazoo County Treasurer	05/24/2016	05232016	GEN	WATER ASSESSMENT FOR JAMES ST. JAMES	17.00
90047790	201 West Kalamazoo Ave	05/27/2016	000008458	N		17.00
	Kalamazoo MI, 49007	/ /	0.0000	Y		0.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
490-000-96400	RECORD WATER FOR JAMES ST. JAMES	17.00	17.00
kct	Kalamazoo County Treasurer	05/25/2016	05272016
90047820	201 West Kalamazoo Ave	05/27/2016	000008463
	Kalamazoo MI, 49007	/ /	0.0000
		05/27/2016	

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-805-82600	RECORD CONSENT TO ESTABLISH SIDEWALK SAD	23.00	23.00
kct	Kalamazoo County Treasurer	05/25/2016	3905-01-482-204
90047816	201 West Kalamazoo Ave	05/27/2016	000008459
	Kalamazoo MI, 49007	/ /	0.0000
		05/27/2016	

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-96100	INTEREST PENALTY FOR 01-482-204	87.71	87.71

VENDOR TOTAL: 127.71

krwvc	Kalamazoo Regional Water/Wastewater	05/24/2016	annual dues	GEN	ANNUAL MEMBERSHIP FEE	30,000.00
90047791	c/o Comstock Township	05/27/2016	000008446	N		
	PO Box 449	/ /	0.0000	N		0.00
	Comstock MI, 49041	05/27/2016		N		30,000.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
490-000-95800	ANNUAL MEMBERSHIP	15,000.00	15,000.00
491-000-95800	ANNUAL MEMBERSHIP	15,000.00	15,000.00
		30,000.00	

VENDOR TOTAL: 30,000.00

BANK CODE: GEN
 Vendor name: Kansas City Life Co
 Address: PO Box 8858
 City/State/Zip: Carol Stream IL, 60197-8858
 Vendor Code: 90047830
 Ref #: 90047830
 Post Date: 05/26/2016
 CK Run Date: 05/27/2016
 Disc. Date: / /
 Due Date: 05/27/2016
 Invoice: 1211879
 Invoice Description: disability ins
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

GL NUMBER	DESCRIPTION	AMOUNT
101-234-71600	Disability Insurance	556.36
206-336-71600	Health & Life Insurance	153.11
		<u>709.47</u>

Paid 709.47

VENDOR TOTAL: 709.47

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
kwhite	Kelly White Design	37.50	
90047824	P.O. Box 339606	0.00	
	Farmington Hills MI, 48334	37.50	
			<u>37.50</u>

Paid 37.50

VENDOR TOTAL: 37.50

GL NUMBER	DESCRIPTION	AMOUNT
biddle	Kristine Biddle	83.16
90047811	1416 Kelvere Avenue	0.00
	Portage MI, 49024	83.16
		<u>83.16</u>

Paid 83.16

VENDOR TOTAL: 83.16

EXP CHECK RUN DATES 05/27/2016 - 05/27/2016

BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: GEN

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		

menards	Menards	05/24/2016	15669	GEN	COMPONENT AND AUDIO CABLES FOR FIRE DEP	
90047792	6800 West Main Street	05/27/2016	000008451	N		9.57
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
		05/27/2016		N		9.57

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-76600	COMPONENT CABLE	4.79	4.79
206-340-76600	AUDIO CABLE	4.78	4.78
		9.57	9.57

menards	Menards	05/25/2016	16155	GEN	FIRE DEPARTMENT CLEANING SUPPLIES	
90047819	6800 West Main Street	05/27/2016	000008469	N		45.82
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
		05/27/2016		N		45.82

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-72800	LAUNDRY SOAP	17.94	17.94
206-340-72800	DISH WASHER SOAP	11.94	11.94
206-340-72800	GRILL BRUSH	15.94	15.94
		45.82	45.82

VENDOR TOTAL: 55.39

mer	Michigan Election Resources	05/25/2016	35863	GEN	STORAGE BAGS/IMPRINT AV ENVELOPES	
90047825	1616 Construction Drive	05/27/2016	000008461	N		358.88
	Kalamazoo MI, 49048	/ /	0.0000	N		0.00
		05/27/2016		N		358.88

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-191-72800	STORAGE BAGS	150.00	150.00
101-249-72800	IMPRINT AV ENVELOPES	208.88	208.88
		358.88	358.88

VENDOR TOTAL: 358.88

Vendor name Michigan Townships Assoc
 Address PO Box 80078
 City/State/Zip Lansing MI, 48908-0078

Vendor Code mta
 Ref # 90047793
 Post Date 05/24/2016
 CK Run Date 05/27/2016
 Disc. Date / /
 Due Date 05/27/2016

Invoice 01933
 Hold N
 Sep CK N
 1099 N

Bank Invoice Description annual dues
 Gross Amount 5,819.50
 Discount 0.00
 Net Amount 5,819.50

BANK CODE: GEN
 AMOUNT 5,819.50
 VENDOR TOTAL: 5,819.50

mcps Miller, Canfield, Paddock and Stone
 90047794 277 S Rose St
 Ste 5000
 Kalamazoo MI, 49007
 Paid

DESCRIPTION legal fees/landfill matter
 GEN 1319951
 N
 AMOUNT 1,386.00
 Y
 VENDOR TOTAL: 1,386.00

msc Miner Supply Co., Inc.
 90047826 922 47th Street SW
 Wyoming MI, 49509
 Paid

DESCRIPTION PAPER SUPPLIES
 GEN 463324
 N 000008460
 N 0.0000
 N
 AMOUNT 118.90
 AMT RELIEVED 46.64
 13.00
 13.00
 46.26
 118.90
 VENDOR TOTAL: 118.90

DESCRIPTION MULTIFOLD TOWELS
 PAPER TOWELS
 PAPER TOWELS
 TISSUE PAPER
 101-218-76600
 101-218-76600
 206-340-93100
 206-340-93100
 Paid

DESCRIPTION TOWELS
 TOWELS
 TOWELS
 TISSUE PAPER
 AMOUNT 118.90
 AMT RELIEVED 46.64
 13.00
 13.00
 46.26
 118.90
 VENDOR TOTAL: 118.90

Vendor Code Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Ref # Address CK Run Date PO Hold Disc. Date Disc. % Sep CK Discount
 City/State/Zip Due Date 1099 Net Amount
 BANK CODE: GEN

Office Office Depot 05/24/2016 830511291003 GEN LEGAL BINDER 30.04
 90047795 Dept .69-00827020 05/27/2016 000008354 N
 PO Box 183174
 Columbus OH, 43218
 Paid / / 0.0000 N 0.00
 05/27/2016 N 30.04

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 101-249-72800 LEGAL BINDER 30.04 30.04

Office Office Depot 05/24/2016 83447025001 GEN STENO PADS 19.30
 90047798 Dept .69-00827020 05/27/2016 000008359 N
 PO Box 183174
 Columbus OH, 43218
 Paid / / 0.0000 N 0.00
 05/27/2016 N 19.30

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 101-249-72800 STENO PADS 19.30 19.30

Office Office Depot 05/24/2016 834887164001 GEN TAPE, FLAGS, AND LABEL TAPE 51.16
 90047796 Dept .69-00827020 05/27/2016 000008361 N
 PO Box 183174
 Columbus OH, 43218
 Paid / / 0.0000 N 0.00
 05/27/2016 N 51.16

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 101-250-72800 LABEL TAPE 41.98 41.98
 101-250-72800 GREEN FLAGS 5.69 5.69
 101-250-72800 SHIPPING TAPE 3.49 3.49
 51.16

Office Office Depot 05/24/2016 836038727001 GEN ATTY BINDERS STOCK LARGE ENVELOPES 129.20
 90047799 Dept .69-00827020 05/27/2016 000008369 N
 PO Box 183174
 Columbus OH, 43218
 Paid / / 0.0000 N 0.00
 05/27/2016 N 129.20

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 101-209-72800 GREEN FLAGS 5.69 5.69
 101-209-72800 TEAL BINDERS 27.98 27.98
 101-209-72800 GREEN BINDERS 27.98 27.98

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
101-249-72800	9 X 12 ENVELOPES				37.38	37.38
101-249-72800	9.5 X 12.5 ENVELOPES				19.59	19.59
101-249-72800	PAPER CLIP 10PK				10.58	10.58
					129.20	
office	Office Depot	05/24/2016	837063103001	GEN	TONER, SILVER SHARPIES, STRAIGHT CUT FO	
90047797	Dept .69-00827020	05/27/2016	000008401	N		200.25
	PO Box 183174	/ /	0.0000	N		0.00
	Columbus OH, 43218	05/27/2016		N		200.25
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-201-72800	DBL PK TONER 05A				162.99	162.99
101-249-72800	SILVER SHARPIES				7.79	7.79
101-250-72800	LGL SZ STRAIGHT CUT FOLDERS				24.99	24.99
101-249-72800	RED PENS				2.99	2.99
101-249-72800	BLK PENS				1.49	1.49
					200.25	
office	Office Depot	05/24/2016	838231571001	GEN	LEGAL PADS, 1" BINDER, #3 PENCILS	
90047800	Dept .69-00827020	05/27/2016	000008386	N		61.00
	PO Box 183174	/ /	0.0000	N		0.00
	Columbus OH, 43218	05/27/2016		N		61.00
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-249-72800	ADDRESS LABELS				29.99	29.99
101-249-72800	1" BINDER				5.99	5.99
101-249-72800	YELLOW PADS				19.98	19.98
101-249-72800	#3 WOOD PENCILS				3.29	3.29
101-249-72800	GRIP PEN				1.75	1.75
					61.00	

VENDOR TOTAL: 490.95

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
superplay	Penchura, LLC	05/24/2016	16-428	GEN	30 YDS OF WOOD FIBRE FOR PARK INSTALLED	1,050.00
90047801	889 S. Old US 23	05/27/2016	000008453	N		
	Brighton MI, 48114	/ /	0.0000	N		0.00
		05/27/2016		N		1,050.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
107-756-93100	30 YARDS OF FIBRE FOR PARK INSTALLED	1,050.00	1,050.00

VENDOR TOTAL: 1,050.00

ridge	DESCRIPTION	AMOUNT	AMT RELIEVED
90047822	Ridge Napa Auto Parts		
	1655 South Drake St	272679	
	Kalamazoo MI, 49006	000008468	
		0.0000	
			155.80
			0.00
			155.80

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-72800	BAGS OF OIL DRY	155.80	155.80

VENDOR TOTAL: 155.80

roe-com	DESCRIPTION	AMOUNT	AMT RELIEVED
90047823	Roe-Comm, Inc		
	1400 Ramona Ave	253809	
	Portage MI, 49002	000008467	
		0.0000	
			975.00
			0.00
			975.00

VENDOR TOTAL: 975.00

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-85100	RADIO PROGRAMMING	975.00	975.00

Vendor Code Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Ref # Address CK Run Date PO Hold Sep CK Discount
 City/State/Zip Disc. % Due Date 1099 Net Amount

swt Scott W Taylor 05/25/2016 3294/3295 GEN PUBLIC WATER CONNECTIONS 3,469.98
 90047818 PO Box 87 05/27/2016 000008475 N
 Comstock MI, 49041-0087 / / 0.0000 N 0.00
 Paid 05/27/2016 N 3,469.98

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 491-000-96600 168 RED OAK CIR (INV 3294) 1,716.94 1,716.94
 491-000-96600 6660 ROSE ARBOR (INV 3295) 1,753.04 1,753.04
 3,469.98

VENDOR TOTAL: 3,469.98

secant Secant Technologies 05/24/2016 64629 GEN computer support 2,623.05
 90047802 6395 Technology Ave 05/27/2016 N
 Kalamazoo MI, 49009 / / 0.0000 N 0.00
 Paid 05/27/2016 N 2,623.05

GL NUMBER DESCRIPTION AMOUNT
 206-340-80900 Computer Operations 1,461.53
 101-201-80500 Computer Support 1,161.52
 2,623.05

VENDOR TOTAL: 2,623.05

MISC Sharon Merrill 05/24/2016 05272016 GEN rental deposit refund 125.00
 90047812 10284 West H Avenue 05/27/2016 N
 Kalamazoo MI, 49009 / / 0.0000 Y 0.00
 Paid 05/27/2016 N 125.00

GL NUMBER DESCRIPTION AMOUNT
 101-000-24800 Rent Deposits 125.00

VENDOR TOTAL: 125.00

User: Debe
DB: Oshtemo

EXP CHECK RUN DATES 05/27/2016 - 05/27/2016
BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
stc	State Tax Commission	05/24/2016	MCAO program fee	GEN	MCAO PROGRAM FEE J. MILLER	1,000.00
90047804	PO Box 30471	05/27/2016	000008447	N		
	Lansing MI, 48909-7971	/ /	0.0000	N		0.00
		05/27/2016		N		1,000.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-209-95800	MCAO PROGRAM FEE J. MILLER	1,000.00	1,000.00

VENDOR TOTAL: 1,000.00

slp	DESCRIPTION	Post Date	Invoice	Bank	Invoice Description	Gross Amount
90047805	Steensma Lawn & Power	05/24/2016	320807	GEN	CHECK PTO ON TRACTOR	89.25
	7561 Stadium Drive	05/27/2016	000008454	N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		89.25
		05/27/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-218-75300	CHECK PTO ON TRACTOR	26.78	26.78
107-756-75300	CHECK PTO ON TRACTOR	53.55	53.55
206-340-93100	CHECK PTO ON TRACTOR	8.92	8.92
		89.25	

VENDOR TOTAL: 89.25

Vendor name: Time Emergency
 Address: 6503 S. Division Ave
 City/State/Zip: Grand Rapids MI, 49548

Vendor Code: 90047806
 Ref #: 90047806
 Post Date: 05/24/2016
 CK Run Date: 05/27/2016
 Disc. Date: / /
 Due Date: 05/27/2016

Invoice: Quote#12325
 Hold: 000008449
 Sep CK: 0.0000
 1099

Bank: GEN
 Invoice Description: TOOLS AND EQUIPMENT FOR FIRE DEPARTMENT

Gross Amount: 49,842.30
 Discount: 0.00
 Net Amount: 49,842.30

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
211-344-98000	AYNJ-NF GATED WYE	1,399.75	1,399.75
211-344-98000	AY5NJ-NJ 2.5" X 2.5' GATED WYE	4,049.75	4,049.75
211-344-98000	AA1ST-NJ 2.5" FEMALE X 5" STORZ	999.50	999.50
211-344-98000	AA1ST-NJ 2.5" FEMALE SWIVEL X 5" STORZ	499.75	499.75
211-344-98000	AA1HST-NR 4.5" FEMALE, LH, X 5" STORZ	1,139.50	1,139.50
211-344-98000	AL32T1 MANIFOLD	6,125.00	6,125.00
211-344-98000	UE-125-NF EDUCATOR	1,980.00	1,980.00
211-344-98000	AV5NJ-NJ-SC SLOW CLOSE 2.5" HYDRANT VALV	1,549.75	1,549.75
211-344-98000	WT5HNJ-NJ-NF 2.5" MANIFOLD	2,780.00	2,780.00
211-344-98000	XXC-53-HE BLITZFIRE 2.5" INLET	15,800.00	15,800.00
211-344-98000	A03HNX-JET JET LOW LEVEL STRAINER	1,949.85	1,949.85
211-344-98000	UM12-NF PRO PAK	3,100.00	3,100.00
211-344-98000	YA-EPIA-P MONSOON RC	4,995.00	4,995.00
211-344-98000	AKM111111D VALVE UNDER MONITOR	619.50	619.50
211-344-98000	YST-4NN STACK TIP	619.95	619.95
211-344-98000	M-ERP2000-NN MASTER STREAM	1,650.00	1,650.00
211-344-98000	TFT YE4-COM, MASTER STREAM CONTROL INTER	585.00	585.00
		49,842.30	

VENDOR TOTAL: 49,842.30

unum-ltc	DESCRIPTION	June	GEN	long term care
90047829	Unum Life Insurance Co	05/26/2016	GEN	
	PO Box 406990	05/27/2016	N	
	Atlanta GA, 30384-6990	/ /	N	
		05/27/2016	N	
				302.80
				0.00
				302.80

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-234-71600	Health & Life Insurance	226.80
206-336-71600	Health & Life Insurance	76.00
		302.80

VENDOR TOTAL: 302.80

Vendor Code Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Ref # Address CK Run Date PO Hold Sep CK Discount
 City/State/Zip Disc. Date Disc. % Due Date 1099 Net Amount

VI Vacation Restorations 05/25/2016 609705 GEN 573 TOP AND REAR PANEL 350.00
 90047821 53889 54th Street 05/27/2016 000008466 N 0.0000 0.00
 Lawrence MI, 49064 / / 0.0000 350.00
 Paid 05/27/2016

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 206-340-86700 573 TOP AND REAR PANEL 350.00 350.00

VENDOR TOTAL: 350.00

VW Verizon Wireless 05/24/2016 9765181965 GEN FD vehicle computers 304.20
 90047808 PO Box 15062 05/27/2016 N 0.0000 0.00
 Albany NY, 12212-5062 / / 0.0000 304.20
 Paid 05/27/2016

GL NUMBER DESCRIPTION AMOUNT
 206-340-85300 FD Vehicle Computer Connections 304.20

VW Verizon Wireless 05/24/2016 9765322424 GEN FD cell phones 152.08
 90047807 PO Box 15062 05/27/2016 N 0.0000 0.00
 Albany NY, 12212-5062 / / 0.0000 152.08
 Paid 05/27/2016

GL NUMBER DESCRIPTION AMOUNT
 206-340-85300 FD Cell phones 152.08

VENDOR TOTAL: 456.28

VFP VFP Fire Systems 05/24/2016 223021 GEN GAUGE FOR FIRE SUPPRESSION 209.00
 90047809 3725 Cleveland Rd 05/27/2016 000008455 N 0.0000 0.00
 Ste 200 / / 0.0000 209.00
 South Bend IN, 46628 05/27/2016 Y

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED
 101-218-93100 INSTALL NEW GAUGE FOR FIRE SUPPRESSION 209.00 209.00

VENDOR TOTAL: 209.00

TOTAL - ALL VENDORS: 190,198.04

BANK CODE: GEN
 Vendor name: Vendor name
 Address: Address
 City/State/Zip: City/State/Zip

Post Date: Post Date
 CK Run Date: CK Run Date
 Disc. Date: Disc. Date
 Due Date: Due Date
 Invoice: Invoice
 PO: PO
 Disc. %: Disc. %

Bank: Bank
 Hold: Hold
 Sep CK: Sep CK
 1099: 1099
 Invoice Description: Invoice Description

GL NUMBER: GL NUMBER
 101-000-26700: 101-000-26700
 206-000-26700: 206-000-26700

DESCRIPTION: DESCRIPTION
 AFLAC Insurance: AFLAC Insurance
 AFLAC Insurance: AFLAC Insurance

AMOUNT: AMOUNT
 284.38: 284.38
 855.08: 855.08
 1,139.46: 1,139.46

VENDOR TOTAL: VENDOR TOTAL:
 1,139.46: 1,139.46

MISC: MISC
 90047856: 90047856
 Paid: Paid

DESCRIPTION: DESCRIPTION
 rental deposit refund: rental deposit refund

AMOUNT: AMOUNT
 250.00: 250.00
 0.00: 0.00
 250.00: 250.00

VENDOR TOTAL: VENDOR TOTAL:
 250.00: 250.00

ab: ab
 90047833: 90047833
 Paid: Paid

DESCRIPTION: DESCRIPTION
 Arcadia Benefits Group, Inc: Arcadia Benefits Group, Inc
 612 S. Park Street: 612 S. Park Street
 Kalamazoo MI, 49007: Kalamazoo MI, 49007

AMOUNT: AMOUNT
 135.00: 135.00
 0.00: 0.00
 135.00: 135.00

VENDOR TOTAL: VENDOR TOTAL:
 135.00: 135.00

GL NUMBER: GL NUMBER
 101-234-71600: 101-234-71600
 206-336-71600: 206-336-71600

DESCRIPTION: DESCRIPTION
 HEALTH & LIFE INSURANCE: HEALTH & LIFE INSURANCE
 Health & Life Insurance: Health & Life Insurance

AMOUNT: AMOUNT
 80.00: 80.00
 55.00: 55.00
 135.00: 135.00

VENDOR TOTAL: VENDOR TOTAL:
 135.00: 135.00

Vendor name: Badge Printers of America
 Address: PO Box E
 City/State/Zip: Plainville CT, 06062-0954

Vendor Code: bpoa
 Ref #: 90047834
 Post Date: 06/09/2016
 CK Run Date: 06/10/2016
 Disc. Date: / /
 Due Date: 06/10/2016

Invoice: 2572
 PO: 000008502
 Disc. %: 0.0000

Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Invoice Description: BUSINESS CARDS FOR LT. ERIC BURGHARDT
 Gross Amount: 98.45
 Discount: 0.00
 Net Amount: 98.45

GL NUMBER: 206-340-72800
 DESCRIPTION: BUSINESS CARDS
 AMOUNT: 98.45
 AMT RELIEVED: 98.45

Paid: 98.45
 VENDOR TOTAL: 98.45

GL NUMBER: bwd
 90047835
 DESCRIPTION: Best Way Disposal
 2314 Miller Rd
 Kalamazoo MI, 49001
 AMOUNT: 10,574.72
 AMT RELIEVED: 0.00
 Net Amount: 10,574.72

Paid: 10,574.72
 VENDOR TOTAL: 10,574.72

GL NUMBER: 101-249-95900
 DESCRIPTION: Trash Collection
 AMOUNT: 10,574.72

bwd: 90047836
 DESCRIPTION: Best Way Disposal
 2314 Miller Rd
 Kalamazoo MI, 49001
 AMOUNT: 90.00
 AMT RELIEVED: 0.00
 Net Amount: 90.00

Paid: 90.00
 VENDOR TOTAL: 90.00

GL NUMBER: 107-756-93100
 DESCRIPTION: Maintenance Services
 AMOUNT: 90.00

Paid: 90.00
 VENDOR TOTAL: 90.00

GL NUMBER: 90047838
 DESCRIPTION: Campbell Murch Memorials
 PO Box 100
 Mattawan MI, 49071
 AMOUNT: 25.00
 AMT RELIEVED: 0.00
 Net Amount: 25.00

Paid: 25.00
 VENDOR TOTAL: 25.00

GL NUMBER: 101-001-64500
 DESCRIPTION: Monument Installations
 AMOUNT: 25.00

Paid: 25.00
 VENDOR TOTAL: 25.00

BANK CODE: GEN
 Vendor name: Consumers Energy
 Address: Payment Center
 City/State/Zip: PO Box 740309 Cincinnati OH, 45271-0309

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #		CK Run Date	PO	Hold		Discount
		Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
ce-e	90047842	06/09/2016	06102016	GEN	electric and gas	1,535.33
		06/10/2016		N		
		/ /	0.0000	N		0.00
		06/10/2016		N		1,535.33

Paid

GL NUMBER	DESCRIPTION	AMOUNT
206-340-92100	st 2 electric	832.04
206-340-92300	st 2 gas	234.63
107-756-92100	grange electric 75%	134.55
206-340-92100	st 3 electric 25%	44.85
107-756-92100	occ electric	118.87
107-756-92300	occ gas	32.81
107-756-98100	drake house electric	78.10
107-756-98100	drake house gas	59.48
		<u>1,535.33</u>

VENDOR TOTAL: 1,535.33

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
ce-s1	90047841	06/09/2016	201360151315	GEN	street lights	9,140.68
		06/10/2016		N		
		/ /	0.0000	N		0.00
		06/10/2016		N		9,140.68

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-506-92600	Street Lighting	9,140.68

VENDOR TOTAL: 9,140.68

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
conlife	90047843	06/09/2016	017830398-8	GEN	life and add ins	368.08
		06/10/2016		N		
		/ /	0.0000	N		0.00
		06/10/2016		N		368.08

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-234-71600	Health & Life Insurance	216.00
206-336-71600	Health & Life Insurance	152.08
		<u>368.08</u>

BANK CODE: GEN

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		

VENDOR TOTAL: 368.08

cts	CTS Telecom Inc.	06/09/2016	10028052	GEN	telephone	
90047839	13800 E Michigan	06/10/2016		N		677.84
	Galesburg MI, 49053	/ /	0.0000	N		0.00
		06/10/2016		N		677.84
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	
101-249-85300	Telephone				451.84	
206-340-85300	Telephone				226.00	
					677.84	

VENDOR TOTAL: 677.84

crowell	Cynthia Crowell	06/10/2016	05032016	GEN	election inspector	
90047844	2045 Quail Cove Drive	06/10/2016		N		150.00
	Kalamazoo MI, 49009	/ /	0.0000	N		0.00
		06/10/2016		N		150.00
Paid						

GL NUMBER	DESCRIPTION				AMOUNT	
101-191-80800	Precinct Workers				150.00	

VENDOR TOTAL: 150.00

dm	Des Moines Stamp	06/10/2016	1067227	GEN	NAME BADGE CLERKS ASSIST.	
90047846	851 Sixth Ave	06/10/2016	000008496	N		13.50
	PO Box 1798	/ /	0.0000	N		0.00
	Des Moines IA, 50306-1798	06/10/2016		N		13.50
Paid						

GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-191-72800	NAME BADGE CLERKS ASSIST.				13.50	13.50

VENDOR TOTAL: 13.50

User: DeannaJ
 DB: Oshtemo
 EXP CHECK RUN DATES 06/10/2016 - 06/10/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: GEN
 Vendor name: DeVisser Landscape Services
 Address: 4014 S 9th Street
 City/State/Zip: Kalamazoo MI, 49009

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
90047847		06/10/2016	22287	GEN	FLESHER FIELD GARDEN MAINTENANCE	80.00
		06/10/2016	000008444	N		0.00
		/ /	0.0000	N		80.00
		06/10/2016		N		

Paid

GL NUMBER 107-756-97900
 DESCRIPTION FLESHER FIELD GARDEN MAINTENANCE

AMOUNT	AMT RELIEVED
80.00	80.00
VENDOR TOTAL: 80.00	

MISC	GL NUMBER	Post Date	Invoice	Bank	Invoice Description	Gross Amount
90047837		06/09/2016	06042016	GEN	rental deposit refund	250.00
		06/10/2016		N		0.00
		/ /	0.0000	Y		250.00
		06/10/2016		N		

Paid

GL NUMBER 101-000-24800
 DESCRIPTION Rent Deposits

AMOUNT	AMT RELIEVED
250.00	250.00
VENDOR TOTAL: 250.00	

BANK CODE: GEN
 Vendor name: Emergency Vehicle Products
 Address: 2975 Interstate Pkwy
 City/State/Zip: Kalamazoo MI, 49048-9600
 Vendor Code: 90047848
 Ref #: 90047848

Post Date: 06/10/2016
 CK Run Date: 06/10/2016
 Disc. Date: / /
 Due Date: 06/10/2016
 Invoice: 9116
 PO: 000008465
 Disc. %: 0.0000
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Invoice Description: 511 BROW LIGHT, GROUND LIGHTS, SIDE ROL
 Gross Amount: 2,243.10
 Discount: 0.00
 Net Amount: 2,243.10

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-86700	511 BROW LIGHT, GROUND LIGHTS, SIDE ROLL	2,243.10	2,243.10

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
90047849	Emergency Vehicle Products	9120	9120
90047849	2975 Interstate Pkwy	000008474	000008474
90047849	Kalamazoo MI, 49048-9600	/ /	0.0000

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
211-344-97600	511 BROW LIGHT, GROUND LIGHTS, SIDE ROLL	12,428.87	12,428.87

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
90047850	Emergency Vehicle Products	9124	9124
90047850	2975 Interstate Pkwy	000008500	000008500
90047850	Kalamazoo MI, 49048-9600	/ /	0.0000

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-86700	532 AERIAL WELD REPAIRS	2,062.00	2,062.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
90047851	Emergency Vehicle Products	2,062.00	2,062.00
90047851	2975 Interstate Pkwy	0.00	0.00
90047851	Kalamazoo MI, 49048-9600	/ /	0.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-86700	532 AERIAL WELD REPAIRS	2,062.00	2,062.00

VENDOR TOTAL: 16,733.97

INVOICE APPROVAL BY INVOICE REPORT FOR OSHTEMO TOWNSHIP
 EXP CHECK RUN DATES 06/10/2016 - 06/10/2016
 BOTH JOURNALIZED AND UNJOURNALIZED OPEN AND PAID

BANK CODE: GEN
 Vendor name: Engineered Protections Systems, Inc
 Address: 750 Front NW
 City/State/Zip: Suite 200 Grand Rapids MI, 49504-4400

Vendor Code: eps
 Ref #: 90047851
 Post Date: 06/10/2016
 CK Run Date: 06/10/2016
 Disc. Date: / /
 Due Date: 06/10/2016

Invoice: a706906
 PO: 0.0000
 Disc. %: 0.0000
 Sep CK: 1099

Bank: GEN
 Hold: N
 Invoice Description: alarm monitoring
 Gross Amount: 174.21
 Discount: 0.00
 Net Amount: 174.21

GL NUMBER: 101-218-93100
 DESCRIPTION: Maintenance Services
 AMOUNT: 174.21

eps: 90047852
 Grand Rapids MI, 49504-4400
 06/10/2016 s461198
 06/10/2016 000008491
 / / 0.0000
 06/10/2016
 GEN ALARM SYSTEM REPAIRS
 N
 AMOUNT: 151.00
 AMT RELIEVED: 151.00

Paid: 151.00
 GL NUMBER: 101-218-93100
 DESCRIPTION: ALARM SYSTEM REPAIRS
 VENDOR TOTAL: 325.21

fahey: 90047853
 Fahey Schultz Burzych Rhodes PLC
 4151 Okemos Road
 Okemos MI, 48864
 06/10/2016 32151
 06/10/2016 0.0000
 / /
 06/10/2016
 GEN legal fees - kaba issue
 N
 N
 Y
 AMOUNT: 5,610.00
 5,610.00
 0.00
 5,610.00

Paid: 5,610.00
 GL NUMBER: 101-223-82600
 DESCRIPTION: Legal Fees
 VENDOR TOTAL: 5,610.00

hassel: 90047854
 Hasselbring Clark
 5858 S Aurelius
 Lansing MI, 48911
 06/10/2016 52492
 06/10/2016 0.0000
 / /
 06/10/2016
 GEN twp copier copies and maint
 N
 N
 N
 AMOUNT: 1,815.63
 1,815.63
 0.00
 1,815.63

Paid: 1,815.63
 GL NUMBER: 101-249-93300
 DESCRIPTION: Equipment Maintenance
 VENDOR TOTAL: 1,815.63

BANK CODE: GEN
 Vendor name Iron Mountain
 Address PO Box 27128
 City/State/Zip New York NY, 10087-7128

Vendor Code	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	CK Run Date	PO	Hold		Discount
	Disc. Date	Disc. %	Sep CK		Net Amount
	Due Date		1099		
iron	06/10/2016	mpu 9205	GEN	FILE STORAGE FEE FOR MAY, 2016	181.54
90047857	06/10/2016	000008505	N		0.00
	/ /	0.0000	N		181.54
Paid	06/10/2016		N		

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-209-80700	FILE STORAGE FEE FOR MAY, 2006	181.54	181.54
	VENDOR TOTAL:		181.54

i&b	DESCRIPTION	AMOUNT	AMT RELIEVED
90047858	J&B Medical 50496 West Pontiac Trail Wixom MI, 48393	16.96	16.96
	VENDOR TOTAL:		16.96

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-75500	BAG TAGS	16.96	16.96
	VENDOR TOTAL:		16.96

porter	DESCRIPTION	AMOUNT	AMT RELIEVED
90047895	Jim Porter 7275 West Main Kalamazoo MI, 49009	82.50	82.50
	VENDOR TOTAL:		82.50

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-250-87000	Mileage	82.50	82.50
	VENDOR TOTAL:		82.50

BANK CODE: GEN
 Vendor name Kal County Fire Chiefs Assoc
 Address 7275 West Main
 City/State/Zip Attn Mark Barnes Kalamazoo MI, 49009

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
		CK Run Date	PO	Hold		Discount
		Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
kcfca	90047864	06/10/2016	oshtemo	GEN	FIRE SCENE ACCOUNTABILITY SYSTEM	334.41
		06/10/2016	000008493	N		
		/ /	0.0000	N		0.00
		06/10/2016		N		334.41

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-76600	COMMAND BOARDS	170.55	170.55
206-340-76600	EXTRA RED AND WHITE PASSPORTS	31.38	146.44
206-340-76600	DIVISION BOARDS	132.48	132.48
		334.41	449.47

VENDOR TOTAL:		334.41
kcitvt	Kalamazoo City Treasurer	1,245.53
90047859	241 West South Street	0.00
	Kalamazoo MI, 49007	1,245.53

VENDOR TOTAL:		1,245.53
GL NUMBER	DESCRIPTION	AMOUNT
101-000-21450	Due to Other Governmental Units	1,245.53

VENDOR TOTAL:		1,245.53
kcitvt-w	Kalamazoo City Treasurer	248.02
90047860	415 E Stockbridge	0.00
	Kalamazoo MI, 49001	248.02

VENDOR TOTAL:		248.02
GL NUMBER	DESCRIPTION	AMOUNT
101-218-92000	Water	83.14
206-340-92000	Water	128.86
107-756-98100	Capital Outlay/Drake House	36.02
		248.02

VENDOR TOTAL:		248.02
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BANK CODE: GEN
 Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Ref # Address CK Run Date PO Hold Discount
 City/State/Zip Due Date Disc. % Sep CK Net Amount

kchsd	Kalamazoo County HCS	06/10/2016	14-0016860	GEN	hhw 1st qtr	
90047862	3299 Gull Rd	06/10/2016		N		1,307.83
	Kalamazoo MI, 49048	/ /	0.0000	N		0.00
Paid		06/10/2016		N		1,307.83

GL NUMBER DESCRIPTION AMOUNT
 101-249-95600 Household Hazard Waste 1,307.83

VENDOR TOTAL: 1,307.83

kct	Kalamazoo County Treasurer	06/10/2016	kct	GEN	MTT 3905-25-405-112	
90047863	201 West Kalamazoo Ave	06/10/2016	000008478	N		288.35
	Kalamazoo MI, 49007	/ /	0.0000	N		0.00
Paid		06/10/2016		N		288.35

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-96100	TWSP 2014 TAXES	42.91	42.91
206-340-96100	FIRE 2014 TAXES	87.90	87.90
211-344-96100	FIRE EQUIPMENT 2014 TAXES	21.97	21.97
101-506-92600	POLICE 2014 TAXES	109.87	109.87
101-249-96100	ADM FEE 2014 TAXES	9.07	9.07
101-249-96100	MTT INTEREST	3.45	3.45
101-249-96100	LIGHTS	13.18	13.18
		288.35	288.35

VENDOR TOTAL: 288.35

kct-p	Kalamazoo County Treasurer	06/10/2016	police	GEN	police contract	
90047861	201 West Kalamazoo	06/10/2016		N		85,490.83
	Kalamazoo MI, 49007	/ /	0.0000	N		0.00
Paid		06/10/2016		N		85,490.83

GL NUMBER DESCRIPTION AMOUNT
 207-310-80200 Protection Contract - KC 85,490.83

VENDOR TOTAL: 85,490.83

BANK CODE: GEN
 Vendor name: Lois Brown
 Address: 23039 Paulson
 City/State/Zip: Gobles MI, 49055
 Vendor Code: brown-1
 Ref #: 90047893
 Post Date: 06/10/2016
 CK Run Date: 06/10/2016
 Disc. Date: / /
 Due Date: 06/10/2016
 Invoice: 2nd qtr
 PO: 0.0000
 Disc. %: 0.0000
 Sep CK: 1099
 Hold: N
 Bank: GEN
 Invoice Description: retiree health prem reimbursement
 Gross Amount: 756.20
 Discount: 0.00
 Net Amount: 756.20

Paid
 GL NUMBER: 101-000-08300
 DESCRIPTION: Due From Retiree Medical Trust Fund
 AMOUNT: 756.20
 VENDOR TOTAL: 756.20

lowes
 90047869
 Lowe's Home Center
 PO Box 530954
 Atlanta GA, 30353-0954
 GEN: 908998
 N: 000008412
 N: 0.0000
 N: 06/10/2016
 N: 06/10/2016
 N: / /
 N: 06/10/2016
 DESCRIPTION: FILTERS, BULBS, GUIDES
 AMOUNT: 85.50
 AMT RELIEVED: 0.00
 85.50

Paid
 GL NUMBER: 101-218-76000
 DESCRIPTION: FILTERS, BULBS AND GUIDES
 AMOUNT: 85.50
 AMT RELIEVED: 35.06
 VENDOR TOTAL: 85.50

coash
 90047840
 Martha Coash
 25800 Wise Road
 Gobles MI, 49055
 GEN: 06102016
 N: 06/10/2016
 N: / /
 Y: 06/10/2016
 DESCRIPTION: minute transcriptionist
 AMOUNT: 700.00
 0.00
 700.00

Paid
 GL NUMBER: 101-805-70200
 DESCRIPTION: Salary
 AMOUNT: 700.00
 VENDOR TOTAL: 700.00

Vendor Code	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
Ref #	Address	CK Run Date	PO	Hold		Discount
	City/State/Zip	Disc. Date	Disc. %	Sep CK		Net Amount
		Due Date		1099		
menards 90047870	Menards 6800 West Main Street Kalamazoo MI, 49009	06/10/2016 06/10/2016 / /	13443 000008352 0.0000	GEN N N N	FIRE DEPARTMENT UTILITY SUPPLIES	42.53 0.00 42.53
Paid		06/10/2016				
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-72800	DISINFECTANT WIPES				23.56	23.56
206-340-72800	TWIN BLADE KNIFE				10.98	10.98
206-340-72800	UTILITY KNIFE BLADE PACK				7.99	7.99
					42.53	42.53
menards 90047871	Menards 6800 West Main Street Kalamazoo MI, 49009	06/10/2016 06/10/2016 / /	16595 000008473 0.0000	GEN N N N	DEF FLUID FOR 582	23.94 0.00 23.94
Paid		06/10/2016				
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-86700	DEF FLUID FOR 582				23.94	23.94
menards 90047872	Menards 6800 West Main Street Kalamazoo MI, 49009	06/10/2016 06/10/2016 / /	17181 000008488 0.0000	GEN N N N	T & P VALVE	14.89 0.00 14.89
Paid		06/10/2016				
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-93100	T & P VALVE				14.89	14.89
menards 90047873	Menards 6800 West Main Street Kalamazoo MI, 49009	06/10/2016 06/10/2016 / /	17334 000008506 0.0000	GEN N N N	MATERIALS FOR TRAINING (FORCED ENTRY)	70.77 0.00 70.77
Paid		06/10/2016				
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-76000	MATERIALS FOR TRAINING (FORCED ENTRY)				70.77	70.77

VENDOR TOTAL: 152.13

BANK CODE: GEN
 Vendor name: Mika Meyers Becket & Jones PLC
 Address: 900 Monrice Ave NW
 City/State/Zip: Grand Rapids MI, 49503
 Vendor Code: mmbj
 Ref #: 90047874
 Post Date: 06/10/2016
 CK Run Date: 06/10/2016
 Disc. Date: / /
 Due Date: 06/10/2016
 Invoice: 601228
 PO: 0.0000
 Disc. %: 0.0000
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: Y

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
legal fees - sanitary sewer			3,088.50	3,088.50
				0.00
				3,088.50

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
TRASH LINERS			103.82	103.82
				0.00
				103.82

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
legal notices			5,242.79	5,242.79
				0.00
				5,242.79

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
TRASH LINERS			103.82	103.82
				0.00
				103.82

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
legal notices			5,242.79	5,242.79
				0.00
				5,242.79

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
TRASH LINERS			103.82	103.82
				0.00
				103.82

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
legal notices			5,242.79	5,242.79
				0.00
				5,242.79

Invoice Description	Bank	GEN	AMOUNT	Gross Amount
TRASH LINERS			103.82	103.82
				0.00
				103.82

BANK CODE: GEN
 Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Address CK Run Date PO Hold
 City/State/Zip Disc. Date Disc. % Sep CK Net Amount
 1099

mrc	MRC Industries, Inc.	06/10/2016	48816	GEN	cleaning - may	1,175.97
90047876	2538 South 26th Street	06/10/2016	0.0000	N		0.00
	Kalamazoo MI, 49048	/ /		N		1,175.97
		06/10/2016		N		

Paid						
GL NUMBER	DESCRIPTION	AMOUNT				
206-340-93100	Building Maintenance	130.66				
101-218-93100	Maintenance Services	522.65				
107-756-93100	Maintenance Services	522.66				
		<u>1,175.97</u>				

VENDOR TOTAL: 1,175.97

culp	Nancy Culp	06/10/2016	05162016	GEN	conf expenses	492.40
90047845	9836 West M Avenue	06/10/2016	0.0000	N		0.00
	Kalamazoo MI, 49009	/ /		N		492.40
		06/10/2016		N		

Paid						
GL NUMBER	DESCRIPTION	AMOUNT				
101-249-87000	Mileage	167.40				
101-249-95800	Education/Dues	325.00				
		<u>492.40</u>				

VENDOR TOTAL: 492.40

nf	Networkfleet, Inc.	06/10/2016	411800	GEN	fd navigation service	119.65
90047889	PO Box 975544	06/10/2016	0.0000	N		0.00
	Dallas TX, 75397-5544	/ /		N		119.65
		06/10/2016		N		

Paid						
GL NUMBER	DESCRIPTION	AMOUNT				
206-340-85300	FD Network Fleet Monthly Fee	119.65				

VENDOR TOTAL: 119.65

BANK CODE: GEN
 Vendor name Niewoonder & Sons, Inc
 Address 2319 N Drake
 City/State/Zip Kalamazoo MI, 49006
 Vendor Code
 Ref #
 Post Date Invoice
 CK Run Date PO
 Disc. Date Disc. %
 Due Date

Invoice Description	Bank	Hold	Bank	Invoice	Post Date	Disc. Date	Disc. %	Due Date	GEN	AMOUNT	AMT RELIEVED	Gross Amount	Discount	Net Amount
CONTRACT MOWING OF CEMETERYS	GEN		GEN	198	06/10/2016									
	N		N	000008440	06/10/2016	/	0.0000			1,400.00	1,400.00	1,400.00	0.00	1,400.00
	N		N		/	/								
	N		N		06/10/2016									1,400.00

Paid

DESCRIPTION	AMOUNT	AMT RELIEVED	VENDOR TOTAL:
CONTRACT MOWING OF CEMETERYS	1,400.00	1,400.00	1,400.00

DESCRIPTION	GEN	AMOUNT	AMT RELIEVED
ATLANTIC REAR ACCESS	GEN	1,773.22	1,773.22
	N		
	N		
	N		

Paid

DESCRIPTION	AMOUNT	AMT RELIEVED
REAR ACCESS DR ON ATLANTIC W/DDA	1,773.22	1,773.22

DESCRIPTION	GEN	AMOUNT	AMT RELIEVED
ATLANTIC REAR ACCESS	GEN	31.32	31.32
	N		
	N		
	N		

Paid

DESCRIPTION	AMOUNT	AMT RELIEVED
REAR ACCESS DR ON ATLANTIC W/DDA	31.32	31.32

DESCRIPTION	GEN	AMOUNT	AMT RELIEVED
BLANKET PO GREENWAYS - NON-MOTORIZED T	GEN	1,086.88	1,086.88
	N		
	N		
	N		

Paid

DESCRIPTION	AMOUNT	AMT RELIEVED	VENDOR TOTAL:
BLANKET/GRNWS - NON-MOTORIZED TRL PLN'G	1,086.88	1,086.88	2,891.42

BANK CODE: GEN
 Vendor name: Patty Kay Woodaz
 Address: 10968 West L Ave
 City/State/Zip: Kalamazoo MI, 49009
 Vendor Code: 1099
 Invoice Description: rental deposit refund
 Post Date: 06/10/2016
 CK Run Date: 06/10/2016
 Disc. Date: / /
 Due Date: 06/10/2016
 Invoice PO: 06042016
 Disc. %: 0.0000
 Sep CK: 1099
 Gross Amount: 150.00
 Discount: 0.00
 Net Amount: 150.00

Paid
 GL NUMBER: 101-000-24800
 DESCRIPTION: Rent Deposits
 AMOUNT: 150.00
 VENDOR TOTAL: 150.00

p&n	DESCRIPTION	GEN	AMOUNT	Gross Amount	Discount	Net Amount
90047879	Prein & Newhof 3355 Evergreen Drive NE Grand Rapids MI, 49525	GEN	34646	20,887.30	0.00	20,887.30
Paid						

GL NUMBER	DESCRIPTION	AMOUNT
101-209-82000	Engineering Fees	575.00
101-249-82000	Engineering Fees	242.20
101-805-80100	GIS Expense	1,149.50
101-805-82000	Engineering Fees	3,727.10
490-000-82000	Engineering Fees	14,995.50
491-000-82000	Engineering Fees	198.00
		<u>20,887.30</u>

VENDOR TOTAL: 20,887.30

BANK CODE: GEN
 Vendor name Post Date Invoice Bank Invoice Description Gross Amount
 Address CK Run Date PO Hold
 City/State/zip Disc. Date Disc. % Sep CK Net Amount
 Due Date 1099

Vendor Code	Ref #	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount	Discount	Net Amount
ridge	90047881	Ridge Napa Auto Parts 1655 South Drake St Kalamazoo MI, 49006	06/10/2016	255177 & 273532	GEN	OUTSTANDING BALANCE DUE	17.09		17.09
			06/10/2016	000008507	N		17.09		17.09
			/ /	0.0000	N				0.00
			06/10/2016		N				17.09

GL NUMBER	DESCRIPTION	OUTSTANDING BALANCE DUE	AMOUNT	AMT RELIEVED
206-340-72800			17.09	17.09
ridge	Ridge Napa Auto Parts 1655 South Drake St Kalamazoo MI, 49006		COOLANT	
90047880				12.31
				0.00
				12.31

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-218-75300	COOLANT	4.92	4.92
107-756-75300	COOLANT	6.16	6.16
206-340-93100	COOLANT	1.23	1.23
			12.31

Vendor TOTAL: 29.40

Vendor Code	Ref #	Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount	Discount	Net Amount
horton	90047855	Robert Horton 398 Valencia Cove Ellenton FL, 34222	06/10/2016	05242016	GEN	retiree health reimbursement	247.14		247.14
			06/10/2016		N		247.14		0.00
			/ /	0.0000	N				247.14
			06/10/2016		N				247.14

Vendor TOTAL: 247.14

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
249-000-08300	Due From Retiree Medical Trust Fund	247.14	

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
s&t	S & T Lawn Service 3393 South 6th Street Kalamazoo MI, 49009		
90047882			248.00
			0.00
			248.00

Vendor TOTAL: 247.14

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
900-728-93300	MONTHLY LANDSCAPING MAINTENANCE	248.00	248.00

BANK CODE: GEN
 Vendor name Steensma Lawn & Power
 Address 7561 Stadium Drive
 City/State/Zip Kalamazoo MI, 49009

Vendor Code 90047887
 Ref #
 Post Date 06/10/2016
 CK Run Date 06/10/2016
 Disc. Date / /
 Due Date 06/10/2016

Invoice 337223
 PO 000008495
 Disc. % 0.0000

Bank GEN
 Hold N
 Sep CK N
 1099 N

Invoice Description	AMOUNT	AMT RELIEVED	Gross Amount
MOWER SPINDLE	177.33	177.33	177.33
MOWER SPINDLE	70.93	70.93	0.00
MOWER SPINDLE	88.66	88.66	177.33
MOWER SPINDLE	17.74	17.74	
	177.33	177.33	

Invoice Description	AMOUNT	AMT RELIEVED	Gross Amount
PARTS FOR HONDA MOWER	9.59	9.59	9.59
	9.59	9.59	0.00
	9.59	9.59	9.59

Invoice Description	AMOUNT	AMT RELIEVED	Gross Amount
REPAIR RR TIRE MOWER 810	38.46	38.46	38.46
	38.46	38.46	0.00
	38.46	38.46	38.46

Invoice Description	AMOUNT	AMT RELIEVED	Gross Amount
REPAIR RR TIRE MOWER 810 - TUBE	15.38	15.38	15.38
REPAIR RR TIRE MOWER 810 - TUBE	19.23	19.23	19.23
REPAIR RR TIRE MOWER 810 - TUBE	3.85	3.85	3.85
	38.46	38.46	38.46

VENDOR TOTAL: 225.38

Vendor name Tactron, Inc
 Address PO Box 87
 City/State/Zip Sherwood OR, 97140

Vendor Code
 Ref #

Post Date Invoice Bank Invoice Description
 CK Run Date PO Hold
 Disc. Date Disc. % Sep CK
 Due Date 1099

BANK CODE: GEN
 IC COMMANDER BOARDS

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED	Gross Amount
206-340-76600	MIDDLE COMMAND BOARD	225.00	225.00	562.02
206-340-76600	MAGNETIC TAGS	312.00	312.00	0.00
206-340-76600	SHIPPING AND HANDLING	25.02	25.02	562.02
		562.02		

VENDOR TOTAL: 562.02

weal
 90047890

Post Date Invoice Bank Invoice Description
 CK Run Date PO Hold
 Disc. Date Disc. % Sep CK
 Due Date 1099

BANK CODE: GEN
 LIEUTENANT BADGES

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED	Gross Amount
206-336-72500	NAME PLATE GOLD	120.00	120.00	917.00
206-336-72500	GOLD BADGE	390.00	390.00	0.00
206-336-72500	COLLAR PINS CLASS B	96.00	96.00	917.00
206-336-72500	COLLAR BUGLE CLASS A	96.00	96.00	
206-336-72500	CLASS A HAT BADGE #17	50.00	50.00	
206-336-72500	CLASS A HAT BADGE # 5913, 5918, 5920	165.00	165.00	
		917.00		

VENDOR TOTAL: 917.00

BANK CODE: GEN
 Vendor name: West Michigan Office Interiors
 Address: 3308 S Westnedge Ave
 City/State/Zip: Kalamazoo MI, 49008-4925
 Vendor Code: 101-249-97600
 Ref #: 90047891
 Post Date: 06/10/2016
 CK Run Date: 06/10/2016
 Disc. Date: / /
 Due Date: 06/10/2016
 Invoice: 258877
 PO: 000008479
 Disc. %: 0.0000
 Bank: GEN
 Hold: N
 Sep CK: N
 1099: N

Vendor name	Post Date	Invoice	Bank	Invoice Description	Gross Amount
West Michigan Office Interiors	06/10/2016	258877	GEN	CHAIRS AND MATS	1,810.00
3308 S Westnedge Ave	06/10/2016	000008479	N		0.00
Kalamazoo MI, 49008-4925	/ /	0.0000	N		1,810.00
	06/10/2016		N		

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-97600	DESK CHAIRS	1,419.00	1,419.00
101-249-97600	LIP CHAIR PAD	68.00	68.00
101-249-97600	FULL CHAIR PAD	278.00	278.00
101-249-97600	DELIVERY AND ASSEMBLY	45.00	45.00
		<u>1,810.00</u>	

VENDOR TOTAL: 1,810.00
 TOTAL - ALL VENDORS: 191,724.86



Memo



To: Libby Heiny-Cogswell, Township Supervisor and Township Board.
From: Mark Barnes, Fire Chief
Date: June 7, 2016
Re: Revision to our Mutual Aid Box Alarm System (MABAS) agreement.

On February 14, 2012, Oshtemo Township led the way in Kalamazoo County to update our countywide fire service mutual aid covenants by signing Michigan's Mutual Aid Box Alarm System (MABAS) agreement. All fifteen local communities that have a fire agency have now signed. However, as with most any service, time will dictate change.

Michigan has become mindful of gaps in our ability to provide specialized responses and the fact that most local municipalities simply cannot design, build and staff for these seldom used yet expensive services. Therefore, Michigan is expanding the MABAS agreement to include specialized services such as hazardous materials and technical rescue. Due to their significant expense, these services are not able to provide the first 8 hours for free as all other members do.



As an example, one of the most recognized shortfalls is our inability to provide in-depth rescue at a structural collapse. Michigan's Task Force-1 (Mi-TF1), which is a 501c3 organization, has been brought into the agreement to address that gap. This does not mean that local jurisdictions (i.e. Oshtemo) will be forced to call for these services. But they will be available should such a fateful day befall us.

In closing, we will NOT have any fiscal responsibility to build or sustain these response capabilities. This agreement simply signifies that they will be legally available to us, and if called, they will be able to capture their service provision costs to include the first 8 hours.



Consider this an insurance policy without a premium.

The following information has been provided by MI. MABAS to clearly annotate the changes.

The specific provisions of the Agreement that have been changed are:

- 1) A sentence has been added to the opening paragraph that reads,
“This Agreement supersedes any and all prior Agreements and amendments to the Michigan Mutual Aid Box Alarm System Association Agreement.”
- 2) A new definition has been added under Section II (Definition M) that reads,
“M. “Special Operations Teams” means MI-MABAS recognized teams of personnel with the requisite training and skill for Hazardous Materials Response, Technical Rescue Response (including Strike Teams and Michigan Task Force I) and Incident Management Teams.
- 3) Section 8 has been modified as follows: Changes are in red:

SECTION EIGHT

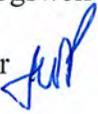
Compensation for Aid

Equipment, personnel, and/or services provided pursuant to this Agreement, absent a state or federal declaration of emergency or disaster, **excluding resources for Special Operations Teams**, shall be at no charge to the Requesting Party for the first eight hours. Any expenses recoverable from third parties shall be equitably distributed among Responding Parties. **Requests for a response from any MI-MABAS Special Operations Team shall require full and complete reimbursement to the responding Team for all expenses, including but not limited to, expenses for equipment, personnel, management and administration and all other services provided at an incident. The Executive Board shall adopt fee schedules that establish rates for Special Operations Team responses.** Nothing herein shall operate to bar any recovery of funds from any state or federal agency under any existing statutes. The Parties reserve the right to waive any charges to a Requesting Party.

Recommendation: That Oshtemo Township sign this revised MI. MABAS agreement.

Attachment: Amended Michigan Mutual Aid Box Alarm System Association Agreement v4.1.16.

MEMORANDUM

TO: Libby Heiny-Cogswell
FROM: James W. Porter 
DATE: June 9, 2016
SUBJECT: Revision to our Mutual Aid Box Alarm System (MABAS) Agreement

I have reviewed the proposed changes to our existing MABAS Agreement. I do not have any legal concerns regarding the proposed changes. The fact that we have the right to call the Special Operations Team does not obligate us to call it, and therefore, the determination of whether they are to be called, I believe, would be left up to our Fire Chief and the Township Supervisor. In a case like that, all this amendment is doing is notifying us that we would be responsible for the initial response costs not otherwise incurred under the MABAS Agreement.

**AMENDED MICHIGAN MUTUAL AID BOX ALARM SYSTEM ASSOCIATION
AGREEMENT**

Effective Date: _____

BETWEEN

**PARTICIPATING POLITICAL SUBDIVISIONS AS SIGNATORIES
TO THIS INTERLOCAL AGREEMENT**

This Agreement is entered into between the participating units of local government "Parties" that execute this Agreement and adopt its terms and conditions as provided by law. This Agreement supersedes any and all prior Agreements and amendments to the Michigan Mutual Aid Box Alarm System Association Agreement.

WHEREAS, the Constitution of the State of Michigan, 1963, Article VII, Section 28, authorizes units of local government to contract as provided by law; and,

WHEREAS, the Urban Cooperation Act, of 1967, 1967 PA 7, MCL 124.501, et seq., provides that any political subdivision of Michigan or of another state may enter into interlocal agreements for joint exercise of power, privilege, or authority that agencies share in common and might each exercise separately; and,

WHEREAS, the Parties have determined that it is in their best interests to enter into this Agreement to secure to each the benefits of mutual aid in fire protection, suppression, rescue and emergency medical assistance, hazardous materials control, technical rescue and/or other emergency support for an Emergency, Disaster, or other Serious Threat to Public Health and Safety; and,

WHEREAS, the Parties have determined that it is in their best interests to form an association to provide for communications procedures, training, and other functions to further the provision of said protection of life and property during an Emergency, Disaster, or other Serious Threat to Public Health and Safety; and

WHEREAS, the Constitution and people of the State of Michigan have long recognized the value of cooperation by and among the state and its political subdivisions;

NOW, THEREFORE, the Parties agree as follows:

SECTION ONE

Purpose

It is recognized and acknowledged that in certain situations, such as natural disasters and man-made catastrophes, no political subdivision possesses all the necessary resources to cope with every possible Emergency, Disaster or Serious Threat to Public Safety, and an effective, efficient response can be best achieved by leveraging collective resources from other political subdivisions. Further, it is acknowledged that coordination of mutual aid through the Michigan Mutual Aid Box Alarm System Association (MI-MABAS) is most effective for best practices and efficient provision of mutual aid.

SECTION TWO

Definitions

The Parties agree that the following words and expressions, as used in this Agreement, whenever initially capitalized, whether used in the singular or plural, possessive or non-possessive, either within or without quotation marks, shall be defined and interpreted as follows:

- A. "Agreement" means the MI-MABAS Agreement.
- B. "Michigan Mutual Aid Box Alarm System" ("MABAS") means a definite and prearranged plan whereby response and assistance is provided to a

Requesting Party by an Assisting Party in accordance with the system established and maintained by MI-MABAS Members;

- C. "Party" means a political subdivision which has entered into this Agreement as a signatory;
- D. "Requesting Party" means any Party requesting assistance under this agreement;
- E. "Assisting Party" means any Party furnishing equipment, personnel, and/or services to a Requesting Party under this agreement;
- F. "Emergency" means an occurrence or condition in a Party's jurisdiction which results in a situation of such magnitude and/or consequence that it cannot be adequately handled by the Requesting Party and such that a Requesting Party determines the necessity of requesting aid;
- G. "Disaster" means an occurrence or threat of widespread or severe damage, injury, or loss of life or property resulting from a natural or human-made cause, including fire, flood, snowstorm, ice storm, tornado, windstorm, wave action, oil spill, water contamination, utility failure, hazardous peacetime radiological incident, major transportation accident, hazardous materials incident, epidemic, air contamination, or similar occurrences resulting from terrorist activities, riots, or civil disorders;
- H. "Serious Threats to Public Health and Safety" means other threats or incidents such as those described as Disasters, of sufficient magnitude that the necessary public safety response threatens to overwhelm local resources and requires mutual aid or other assistance;

- I. "Division" means the geographically associated Parties which have been grouped for operational efficiency and representation of those Parties;
- J. "Training" means the regular scheduled practice of emergency procedures during non-emergency drills to implement the necessary joint operations of MI-MABAS;
- K. "Executive Board" means the governing body of MI-MABAS composed of Division representatives.
- L. "Effective Date" means the date on which the Agreement is first filed with the Department of State, the Office of the Great Seal, and each county where Parties are located.
- M. "Special Operations Teams" means MI-MABAS recognized teams of personnel with the requisite training and skill for Hazardous Materials Response, Technical Rescue Response (including Strike Teams and Michigan Task Force 1) and Incident Management Teams.

SECTION THREE

Establishment of the Association, the Divisions and Executive Board of MI-MABAS

A. Establishment of the Association

1. The Parties intend and agree that MI-MABAS is established as separate legal entity and public body corporate pursuant to the Michigan Urban Cooperation Act of 1967, 1967 PA, MCL 124.505(c) and this Agreement.
2. Name of MI-MABAS. The formal name of the Association is "Michigan Mutual Aid Box Alarm System Association".

3. Federal Tax Status. The Parties intend that MI-MABAS and all Divisions shall be exempt from federal income tax under Section 115(1) of the Internal Revenue Code of 1986, as amended, or corresponding provisions of any future tax code
4. State and Local Tax Status. The parties intend that the MI-MABAS and all Divisions shall be exempt from all State and local taxation including, but not limited to, sales, use, income, single business, and property taxes under the applicable provisions of the laws of the State.
5. Title to MI-MABAS Property. All property is owned by MI-MABAS as a separate legal entity. MI-MABAS may hold any of its property in its own name or in the name of one (1) or more of the Parties or Divisions, as determined by the Parties.
6. Principal Office. The principal office of the Association ("Principal Office") shall be at such locations determined by the MI-MABAS Executive Board.

B. Establishment of the Executive Board.

An Executive Board shall be established to consider, adopt, and amend needed rules, procedures, by-laws and any other matters deemed necessary by the Parties. The Executive Board shall consist of a member elected from each Division of MI-MABAS who shall serve as the voting representative of said Division of MI-MABAS matters, and may appoint a designee from his or her Division to serve temporarily in his or her stead. Such designee shall have all rights and privileges attendant to a representative of the Division. A President and Vice President shall be elected from the representatives of the

Parties and shall serve without compensation. The President and other officers shall coordinate the activities of the MI-MABAS Association.

SECTION FOUR

Duties of the Executive Board

The Executive Board shall meet regularly to conduct business and to consider and publish the rules, procedures, and bylaws of the MI-MABAS Association, which shall govern the Executive Board meetings and such other relevant matters as the Executive Board shall deem necessary.

SECTION FIVE

Rules and Procedures

Rules, procedures, and by laws of the MI-MABAS Association shall be established by the Member Units via the Executive Board as deemed necessary for the purpose of administrative functions, the exchange of information, and the common welfare of the MI-MABAS.

SECTION SIX

Authority and Action to Effect Mutual Aid

- A. The Parties hereby authorize and direct their respective Fire Chief or his or her designee to take necessary and proper action to render and/or request mutual aid from the other Parties in accordance with the policies and procedure established and maintained by the MI-MABAS Association.

- B. Upon a Fire Department's receipt of a request from another Party for Fire Services, the Fire Chief, the ranking officer on duty, or other officer as designated by the Fire Chief shall have the right to commit the requested Firefighters, other personnel, and Fire Apparatus to the assistance of the requesting Party. The aid rendered shall be to the extent of available personnel and equipment not required for adequate protection of the territorial limits of the Responding Party. The judgment of the Fire Chief, or his or her designee, of the Responding Party shall be final as to the personnel and equipment available to render aid.
- C. An authorized representative of the Party which has withheld or refused to provide requested assistance under this Agreement shall immediately notify the Requesting Party, and shall submit an explanation for the refusal.

SECTION SEVEN

Jurisdiction Over Personnel and Equipment

Personnel dispatched to aid a party pursuant to this Agreement shall at all times remain employees of the Assisting Party, and are entitled to receive benefits and/or compensation to which they are otherwise entitled to under the Michigan Workers' Disability Compensation Act of 1969, any pension law, or any act of Congress. Personnel dispatched intrastate to assist a party pursuant to this Agreement continue to enjoy all powers, duties, rights, privileges, and immunities as provided by Michigan Law. When Parties are dispatched pursuant to the Emergency Management Assistance Compact (EMAC), the Parties shall adhere to all provisions of the EMAC. Personnel rendering aid shall report for direction and assignment at the scene of the emergency to the Incident Commander of the Requesting Party.

SECTION EIGHT

Compensation for Aid

Equipment, personnel, and/or services provided pursuant to this Agreement, absent a state or federal declaration of emergency or disaster, excluding resources for Special Operations Teams, shall be at no charge to the Requesting Party for the first eight hours. Any expenses recoverable from third parties shall be equitably distributed among Responding Parties. Requests for a response from any MI-MABAS Special Operations Team may require full and complete reimbursement to the responding Team for all expenses, including but not limited to, expenses for equipment, personnel, management and administration and all other services provided at an incident. The Executive Board shall adopt fee schedules that establish rates for Special Operations Team responses. Nothing herein shall operate to bar any recovery of funds from any state or federal agency under any existing statutes. The Parties reserve the right to waive any charges to a Requesting Party.

SECTION NINE

Insurance

Each Party shall procure and maintain, at its sole and exclusive expense, insurance coverage, including comprehensive liability, personal injury, property damage, worker's compensation, and, if applicable, emergency medical service professional liability, with minimum limits of \$1,000,000 auto and \$1,000,000 combined single limit general liability and professional liability. The obligations of the Section may be satisfied by a Party's membership in a self-insurance pool, a self-insurance plan, or arrangement with an insurance provider approved by the state of jurisdiction. The

Executive Board may require that copies or other evidence of compliance with the provisions of this Section be provided by the Parties to the Executive Board.

SECTION TEN

Liability

Each Party will be solely responsible for the acts of its own employees, agents, and subcontractors, the costs associated with those acts, and the defense of those acts. The Parties shall not be responsible for any liability or costs associated with those acts and the defense of those acts for Parties outside of their political jurisdictions. It is agreed that none of the Parties shall be liable for failure to respond for any reason to any request for Fire Services or for leaving the scene of an Incident with proper notice after responding to a request for service.

SECTION ELEVEN

No Waiver of Governmental Immunity

All of the privileges and immunities from liability, and exemptions from laws, ordinances and rules, and all pensions, relief, disability, worker's compensation and other benefits which apply to the activity of Parties, officers, agency, or employees of any public agents or employees of any public agency when performing their respective functions within the territorial limits for their respective agencies, shall apply to the same degree and extent to the performance of such functions and duties of such Parties, officers, agents, or employees extraterritorially under the provision of this Agreement. No provision of the Agreement is intended, nor shall any provision of this Agreement be construed, as a waiver by any Party of any governmental immunity as provided by the Act or otherwise under law.

SECTION TWELVE

Term

- A. The existence of MI-MABAS commences on the Effective Date and continues until terminated in accordance with this Section.
- B. Any Party may withdraw, at any time, from this Agreement for any reason, or for no reason at all, upon thirty (30) days written notice to the Association. The withdrawal of any Party shall not terminate or have any effect upon the provisions of this Agreement so long as the MI-MABAS remains composed of at least two (2) Parties. Parties withdrawing from MI-MABAS and subsequently requesting a mutual aid resource from a MI-MABAS member may be subject to reasonable fees for that resource according to the fee schedule established, and periodically reviewed and updated, by the Executive Board.

- C. This Agreement shall continue until terminated by the first to occur of the following:
- (i) The Association consists of less than two (2) Parties; or,
 - (ii) A unanimous vote of termination by the total membership of the Executive Board.

SECTION THIRTEEN

Miscellaneous

- A. Entire Agreement. This Agreement sets forth the entire agreement between the Parties. The language of this Agreement shall be construed as a whole according to its fair meaning and not construed strictly for or against any party. The Parties have taken all actions and secured all approvals necessary to authorize and complete this Agreement.
- B. Severability of Provisions. If a Court of competent jurisdiction finds any provision of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of this Agreement shall remain in full force.
- C. Governing Law/Consent to Jurisdiction and Venue. This Agreement is made and entered into in the State of Michigan and shall in all respects be interpreted, enforced, and governed under the laws of the State of Michigan.
- D. Captions. The captions, headings, and titles in this Agreement are intended for the convenience of the reader and not intended to have any substantive meaning and are not to be interpreted as part of this Agreement.

- E. Terminology. All terms and words used in this Agreement, regardless of the numbers or gender in which they are used, are deemed to include any other number and any other gender as the context may require.
- F. Recitals. The Recitals shall be considered an integral part of this Agreement.
- G. Amendment. The Agreement may be amended or an alternative form of the Agreement adopted only upon written agreement and approval of the governing bodies of all Parties. Amendments to this Agreement shall be filed with the Department of State, the Office of the Great Seal, each county of the State where a Party is located, and any other governmental agency, office, and official required by law. The undersigned unit of local government or public agency hereby adopts, subscribes, and approves this Agreement to which this signature page will be attached, and agrees to be a party and be bound by the terms.
- H. Compliance with Law. The Association shall comply with all federal and State laws, rules, regulations, and orders applicable to this Agreement.
- I. No Third Party Beneficiaries. Except as expressly provided herein, this Agreement does not create, by implication or otherwise, any direct or indirect obligation, duty, promise, benefit, right of indemnification (i.e., contractual, legal, equitable, or by implication) right of subrogation as to any Party's rights in this Agreement, or any other right of any kind in favor of any individual or legal entity.
- J. Counterpart Signatures. This Agreement may be signed in counterpart. The counterparts taken together shall constitute one (1) agreement.
- K. Permits and Licenses. Each Party shall be responsible for obtaining and maintaining, throughout the term of this Agreement, all licenses, permits, certificates, and governmental authorizations for its employees and/or agents

necessary to perform all its obligations under this Agreement. Upon request, a Party shall furnish copies of any permit, license, certificate or governmental authorization to the requesting party.

- L. No Implied Waiver. Absent a written waiver, no fact, failure, or delay by a Party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its right to require strict performance of this Agreement.
- M. Notices. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid to the person appointed to the governing board by the governing body of the participating agency.

Political Entity

Chief Executive Official

Date

A.d.
EFFECTIVE June 15, 2016

OSHTEMO BOARDS formal Board positions

*Bold Font Indicates Proposed Appointment. Others are Continuing

TITLE	# / Mtgs.	Members	Dates	Term/End Date
Friends of the Parks	6	Pam Jackson	2nd Wednesday of	12.31.2016 1st Term
Two Year Term		Deb Everett (TB Liason)	Jan, Mar, May, Ju, Se, Nov	12.31.2016 1st Term
		Matthew Hunt	@ 4:30 pm	12.31.2019 2nd Term*
		Dennis Patzer		12.31.2016 1st Term
		Wes Freeland		12.31.2019 2nd Term
		Libby Heiny-Cogswell (TB Liason)		12.31.2016 1st Term
*will finish term of C. Ladd				12.31.2019 1st Term
<hr/>				
Joint Boards Meetings	3	Karen High (Staff, as needed)	3rd Tuesday, 6 pm	
		Township Board	Feb, May, Sept	
		Planning Commission		
		Zoning Board of Appeals		
		DDA		
		Friends of the Parks		
		Julie Johnston (Staff)		
<hr/>				
KABA (Kalamazoo Area Building Authority)	24	Deb Everett (Twp Brd Liason)		
		Libby Heiny-Cogswell(Board Alternate)		
<hr/>				
KATS Policy (Kalamazoo Area Transportation Study)	12	Libby Heiny-Cogswell (Primary)	4th Wed @ 9am (or as scheduled)	
		Deb Everett (Alternate)		
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KATS Technical (Kalamazoo Area Transportation Study)	12	Julie Johnston (Staff)	2nd Thursday @ 9:00 a.m.	
		Marc Elliott, (Staff)		
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Kalamazoo Regional Water & Wastewater Commission	10	Libby Heiny-Cogswell, Regional Chair		
		Nancy Culp, Alternate		
		Jim Porter (Staff)		
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Planning Commission	24	Pam Jackson	2nd & 4th Thursday@7pm	12.31.2016 1st term
Three Year Term		Millard Loy	(typically)	12.31.2016 2nd term
		Mary Smith		12.31.2017 1st term
		Wiley Boulding, Sr.		12.31.2017 2nd term
		Kimberly Avery		12.31.2018 1st term
		Fred Antosz		12.31.2018 2nd term
		Dusty Farmer (TB Liason)		
		Julie Johnston (Staff)		
		Jim Porter (Staff Attorney)		

Memo



To: Oshtemo Charter Township Board

From: Julie Johnston, AICP
Planning Director

Date: June 7, 2016

Mtg. Date: June 14, 2016

Subject: Tentative Approval of Preliminary Plan – Mystic Heights

OBJECTIVE

Tentative approval (Step 2) of the preliminary plan for the Mystic Heights site condominium.

BACKGROUND

Project Overview

The proposed development is a 40 unit residential site condominium located on the east side of Van Kal Avenue. It is situated on 40 acres of land between Stadium Drive and M Avenue in the southwest corner of the Township. The proposed building sites vary between 24,550 square feet (0.56 acres) and 56,150 square feet (1.29 acres) in size, with an average of around 31,700 square feet (.73 acres). There is no minimum lot or building site size in the RR: Rural Residential District; the density is limited to one unit per acre without public water.

The minimum building site width is 100 feet measured at the building setback line, and none of the building sites have a frontage smaller than 100 feet. Building envelopes have been drawn in each of the proposed units showing the required setback distances. Based on setback requirements alone, there is room for construction on each parcel.

The development will be served by private well and septic systems as public water and sewer are not available in this area. County Health Department approval will be necessary prior to Step 2 approval.

Project History

The Mystic Heights Site Condominium (formerly Van Kal Site Condominium) was presented to the Planning Commission between April and May of 2015 and was finally denied by the Planning Commission on May 28, 2015 by a four to three vote. The 2015 history is as follows:

- April 9th – Planning Commission held a public hearing for Step 1 of the site condominium process. Concerns were raised at the meeting with regard to the design of the project and its lack of consideration for the topography and natural features of the site. In addition, there was some concern about the distribution of the public hearing notice. The Planning Commission tabled the application until the May 14, 2015 meeting to provide the applicant an opportunity to address their concerns and to allow the Township to re-notice the public hearing.
- May 14th – The applicant requested the Planning Commission table the public hearing until the May 28th meeting to allow them to continue making alterations to the site condominium plan. The public in attendance was allowed to speak under the agenda item “Public Comment on Non-Agenda Items.”
- May 11th – Attorney Porter provided an ordinance interpretation to the Planning Commission regarding the Statement of Purpose in the RR: Rural Residential District.
- May 28th – The applicant presented a revised site condominium plan at the May 28th Planning Commission meeting. The loop street was changed from a rectangle shape to a more pentagon shape to better reflect the topography of the site. The sizes and shapes of the building sites altered slightly to accommodate this new street shape, but the number of units proposed remained the same. In addition, two limited common elements were placed at the northeast and southeast corners of the site where no development will occur. These corner elements are to assist with the protection of natural features and steep slopes. These areas are also portions of the site that cannot be incorporated into adjacent units due to the 4:1 depth to width ratio requirement for lots. (Units cannot be four times deeper than they are wide.)

The Planning Commission denied the application, indicating that the development maximizes the greatest number of building sites at the expense of the natural features on the site. Section 290.005.D.3.d.(2) of the Site Condominium Ordinance indicates that “*existing natural features which add value to residential developments and enhance the attractiveness of the community should be preserved, insofar as possible, in the design of the condominium project.*” The Planning Commission did not feel the design of the site condominium met the intent of this ordinance.

At the conclusion of this process, meetings were held between the applicant and representatives from the Township to discuss how to bring the tentative preliminary plan more into compliance with the intent of the ordinance. At the conclusion of these discussions, the applicant submitted the current site condominium plan for the Planning Commission’s consideration. At the April 28, 2016 public meeting, the Planning Commission decided to recommend approval of the plan to the Township Board.

Proposed Development

Section 290.005.D.3 contains standards for the tentative preliminary plan to achieve in order to be approved. These are reviewed here.

a. **Streets** – The proposed street layout consists of public roads and has been illustrated to conform to County Road Commission standards. A street extension is shown to the north, the direction most likely to see expansion. The extension that was currently on the plan to the east has been removed as a result of layout changes to better relate to natural features. The Road Commission of Kalamazoo County has completed a preliminary review of the road layout and found it acceptable. A more formal review of the proposed road will occur during development of the Step 2 plan and the final engineering plans. The preliminary review by the Road Commission indicates a few adjustments to be made but nothing too substantial.

b. **Building Sites** – There is no minimum size requirement for building sites in the RR district. Rather, development must maintain a density of no greater than one lot or building site per acre. The proposed development satisfies this requirement as 40 units are proposed on the 40 acres of development. The development creates no land locked parcels.

Building envelopes have been shown on the plan illustrating setback requirements. While the sites are large enough to accommodate a home within the setbacks, the sites will be further limited by the topography and natural features that exist, as well as the need to provide level land area for two drain fields. Accommodating development on these sites will require extensive grading and tree removal to ensure suitable space is available for home and drain field construction.

c. **Drainage** – The plan illustrates the general flow of stormwater from many of the units to the two proposed drainage basins. For several units, either a drainage swale will be developed in the rear of the building site or the site will be graded to direct stormwater runoff. The condominium documents will need to have language reflecting this to ensure stormwater is managed as the building sites are individually developed.

As designed, it is not anticipated that the residential development would generate enough drainage to cause significant adverse impacts on surrounding properties. However, this cannot be clearly determined until specific building and grading plans are resolved for each individual building site.

d. **Pathway** – The applicant is providing sidewalks in the development.

e. **Landscaping** – A 20 foot landscape buffer will be maintained along Van Kal Avenue, including both canopy and understory trees and shrubs. Street trees will also be placed along the internal roadway every 50 linear feet of frontage.

f. **General Provisions** – The Site Condominium Ordinance contains some general provisions the plan must meet. These include the following:

1. *Privately-held reserve strips controlling access to streets shall be prohibited.*

No reserve strips are planned.

2. *Existing natural features which add value to residential development and enhance the attractiveness of the community (such as streams, watercourses, historic spots,*

woods, natural terrain habitat for threatened or endangered species and similar irreplaceable assets) should be preserved insofar as possible in the design of the condominium project.

There are natural features, including steep slopes and substantial wooded areas, making up the majority of the proposed development. These were the key elements of discussion and debate during the previous Planning Commission meetings.

The difference between the current and previous condominium plans is the addition of wording to protect trees and to provide some landscape buffer areas. The new plan provides a 20-foot buffer along the rear property line of building sites at the perimeter of the property, where trees will not be removed. This will provide some buffering to the property owners to the north, east and south of the subject site.

In addition, there will be a restriction to preserve trees over a 12-inch diameter, except in the building envelope, as necessary for the construction of improvements, and/or as necessary to facilitate drainage. Finally, the two limited common elements are also areas where no development will occur. The two areas combined total approximately 1.75 acres in size and have been set aside for protection of natural features and preservation of steep slopes.

- 3. Lands subject to flooding or otherwise determined by the Township Board to be uninhabitable should not be developed for residential, commercial or industrial purposes. Such lands within a condominium project may be set aside for other purposes such as parks and/or open space.*

Grading and drainage are typically resolved as part of Step 2 in the site condominium process. However, because of the concerns previously raised by the Planning Commission and because such concerns and the feedback thereof could impact site layout, staff felt it appropriate to raise the issues in Step 1 prior to extensive engineering work and detailing. Without clear grading plans, engineering details and individual site assessments from Kalamazoo County Department of Health and Community Services, the exact impact cannot be determined. However, it is fairly clear that in order to establish suitable building sites with the layout proposed and accommodate the drain fields for each property, substantial grading and tree removal will be required, particularly building sites 7 - 18 and 26 - 28.

Existing / Surrounding Conditions

The existing property is vacant, and the majority of the site is heavily wooded with a mix of deciduous and evergreen trees. The western portion of the site is not as heavily wooded and appears to have been previously used as a pasture or other clearing. As the site moves east, the existing topography also becomes more intense, rising over 80 feet from the entry to the eastern boundary.

Most of the properties surrounding the subject site are larger, rural residential properties characterized by a substantial amount of open land.

Agency Reviews

The applicant has submitted the tentative preliminary site condominium plan to a variety of different offices and agencies for preliminary review.

- The Oshtemo Township Fire Department has reviewed the plans and indicated they have no concerns.
- The Township Engineer has been engaged in the staff review process from the outset. He continues to express concerns related to grading and stormwater management, which will need to be more clearly addressed in Step 2 of the process.
- The Kalamazoo County Department of Health and Community Services has conducted a pre-preliminary review including a site visit and soil borings. They provided the applicant with the results of their inspection and their requirements for the on-site utility design.
- The Road Commission of Kalamazoo County has provided a preliminary approval of the road design.

INFORMATION PROVIDED

Tentative Preliminary Plan
Planning Commission Minutes from 04-28-2016
Previous Planning Commission Minutes from 2015

To review previous plans, staff reports and correspondence, please see the Planning Commission packet from 04-28-2016 at:

<http://www.oshtemo.org/wp-content/uploads/2016/04/pc-agenda-04282016.pdf>

STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE

Consideration of tentative approval of the Mystic Heights site condominium preliminary plan (Step 1) per *Section 290.005.D* of the Site Condominium Ordinance.

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD APRIL 28, 2016

Agenda

**PUBLIC HEARING: STEP 1 SITE CONDOMINIUM REVIEW (MYSTIC HEIGHTS)
PLANNING COMMISSION CONSIDERATION OF AN APPLICATION FROM SCOTT CARLSON, ON BEHALF OF VAN KAL PARTNERSHIP, LLC, FOR A SITE CONDOMINIUM, UNDER STEP 1 TENTATIVE PLAN APPROVAL FOR A 40-UNIT RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT NAMED MYSTIC HEIGHTS. THE SUBJECT PROPERTY IS LOCATED AT 3839 SOUTH VAN KAL AVENUE IN THE RR: RURAL RESIDENTIAL DISTRICT. (PARCEL # 3905-31-155-030)**

**PUBLIC HEARING: NON-CONFORMING USES, STRUCTURES AND LAND
PLANNING COMMISSION REVIEW OF PROPOSED AMENDMENTS TO CHAPTER 62 OF THE TOWNSHIP ZONING ORDINANCE REGARDING THE REGULATION OF NON-CONFORMING USES, STRUCTURES AND LAND.**

**PUBLIC HEARING: DRIVE-THROUGH STACKING SPACES
PLANNING COMMISSION REVIEW OF PROPOSED AMENDMENTS TO CHAPTER 68 OF THE TOWNSHIP ZONING ORDINANCE REGARDING OFF-STREET PARKING OF MOTOR VEHICLES, SPECIFICALLY SECTION 68.300, PARAGRAPH G, CONCERNING DRIVE-THROUGH STACKING SPACES.**

**PUBLIC HEARING: AREA REQUIREMENTS
PLANNING COMMISSION REVIEW OF PROPOSED AMENDMENTS TO CHAPTER 66 OF THE TOWNSHIP ZONING ORDINANCE REGARDING AREA REQUIREMENTS, DWELLING STANDARDS, AND RESIDENTIAL OCCUPANCY, SPECIFICALLY SECTION 66.201: DIMENSIONAL REQUIREMENTS FOR PARCELS, LOTS AND BUILDINGS SITES IN THE RR: RURAL RESIDENTIAL DISTRICT.**

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, April 28, 2016, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Millard Loy, Chair
Fred Antosz
Kimberly Avery
Wiley Boulding Sr.
Dusty Farmer
Mary Smith

MEMBER ABSENT: Pam Jackson

Also present were Julie Johnston, Planning Director, James Porter, Attorney, and Martha Coash, Meeting Transcriptionist. Approximately 40 other persons were in attendance.

Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Loy at approximately 7:00 p.m., and the "Pledge of Allegiance" was recited.

Agenda

Chairperson Loy asked if there were any additions, deletions or corrections to the Agenda. Hearing none, he asked for a motion for approval.

Mr. Antosz made a motion to approve the agenda as presented. Ms. Smith supported the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

Chairperson Loy asked if anyone from the audience cared to comment on non-agenda items. Hearing no one, he moved to the next item on the agenda.

Approval of the Minutes of April 14, 2016

The Chairperson asked if there were any additions, deletions or corrections to the minutes of April 14, 2016.

Hearing none, Chairperson Loy asked for a motion to approve the minutes as presented.

Mr. Antosz made a motion to approve the minutes of April 14, 2016. Ms. Smith supported the motion. The motion was approved unanimously.

**PUBLIC HEARING: STEP 1 SITE CONDOMINIUM REVIEW (MYSTIC HEIGHTS)
PLANNING COMMISSION CONSIDERATION OF AN APPLICATION FROM SCOTT
CARLSON, ON BEHALF OF VAN KAL PARTNERSHIP, LLC, FOR A SITE
CONDOMINIUM, UNDER STEP 1 TENTATIVE PLAN APPROVAL FOR A 40-UNIT
RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT NAMED MYSTIC HEIGHTS.
THE SUBJECT PROPERTY IS LOCATED AT 3839 SOUTH VAN KAL AVENUE IN THE
RR: RURAL RESIDENTIAL DISTRICT. (PARCEL # 3905-31-155-030)**

Chairperson Loy moved to the next item on the agenda, review of the application for the 40-unit site condominium development named Mystic Heights, located at 3839 South Van Kal Avenue in the RR: Rural Residential District, Parcel #3905-31-155-030.

Ms. Johnston indicated the Township's Insurance Attorney recommended the Board meet in Closed Session prior to holding the public hearing on this item since it is currently in litigation.

Ms. Smith made a motion to move to Closed Session. Ms. Farmer supported the motion. The motion was approved unanimously.

Attorney Porter told the audience the Board would return to Open Session to consider the application and hold a public hearing after the Closed Session.

The Board moved to Closed Session at 7:07 p.m.

Ms. Smith made a motion to return to Open Session. Ms. Avery supported the motion. The motion was approved unanimously.

The Board returned to Open Session at 7:35 p.m.

Chairperson Loy asked Ms. Johnston to review the application.

Ms. Johnston said the proposed development is a 40 unit residential site condominium located on the east side of Van Kal Avenue. It is situated on 40 acres of land between Stadium Drive and M Avenue in the southwest corner of the Township. The proposed building sites vary between 24,550 square feet (0.56 acres) and 56,150 square feet (1.29 acres) in size, with an average of around 31,700 square feet (.73 acres). There is no minimum lot or building site size in the RR: Rural Residential District; the density is limited to one unit per acre without public water.

She provided the following history of the project, saying the Mystic Heights Site Condominium (formerly Van Kal Site Condominium) was presented to the Planning Commission between April and May of 2015 and was finally denied by the Planning Commission on May 28, 2015 by a four to three vote.

April 9th – Planning Commission held a public hearing for Step 1 of the site condominium process. Concerns were raised at the meeting with regarding to the design of the project and its lack of consideration for the topography and natural features of the site. In addition, there was some concern about the distribution of the public hearing notice. The Planning Commission tabled the application until the May 14, 2015 meeting to provide the applicant an opportunity to address their concerns and to allow the Township to re-notice the public hearing.

May 14th – The applicant requested the Planning Commission table the public hearing until the May 28th meeting to allow them to continue making alterations to the site condominium plan. The public in attendance was allowed to speak under the agenda item “Public Comment on Non-Agenda Items.”

May 11th – Attorney Porter provided an ordinance interpretation to the Planning Commission regarding the Statement of Purpose in the RR: Rural Residential District.

May 28th – The applicant presented a revised site condominium plan at the May 28th Planning Commission meeting. The loop street was changed from a rectangle shape to a more pentagon shape to better reflect the topography of the site. The sizes and shapes of the building sites altered slightly to accommodate this new street shape, but the number of units proposed remained the same. In addition, two limited common elements were placed at the northeast and southeast corners of the site where no development will occur. These corner elements are to assist with the protection of natural features and steep slopes. These areas are also portions of the site that cannot be incorporated into adjacent units due to the 4:1 depth to width ratio requirement for lots. (Units cannot be four times deeper than they are wide.) The protection and preservation of these areas will need to be defined in the condominium documents.

The Planning Commission denied the application, indicating that the development maximizes the greatest number of building sites at the expense of the natural features on the site. Section 290.005.D.3.d.(2) of the Site Condominium Ordinance indicates that “*existing natural features which add value to residential developments and enhance the attractiveness of the community should be preserved, insofar as possible, in the design of the condominium project.*” The Planning Commission did not feel the design of the site condominium met the intent of this ordinance.

Ms. Johnston said at the conclusion of this process, meetings were held between the applicant and representatives from the Township to discuss how to bring the tentative preliminary plan more into compliance with the intent of the ordinance. At the conclusion of these discussions, the applicant submitted the current site condominium plan for Mystic Heights for the Planning Commission’s consideration.

She noted the difference between the current and previous condominium plans is the addition of wording to protect trees and to provide some landscape buffer areas. The new plan provides a 20-foot buffer along the rear property line of building sites 1 - 9 and 19 - 20, where trees will not be removed. This will provide some buffering to the property owners to the north and south of the subject site.

Also, she said there will be a restriction to preserve trees over a 12-inch diameter, except in the building envelope, as necessary for the construction of improvements, and/or as necessary to facilitate drainage. Finally, the two limited

common elements are also areas where no development will occur. The two areas combined total approximately 1.75 acres in size and have been set aside for protection of natural features and preservation of steep slopes.

Ms. Johnston concluded by saying the applicant has made some revisions to the proposed layout and provided some protections with regard to tree preservation on the site. The Commission will need to consider whether or not the proposed amendments to the plan satisfy the criteria of the Ordinance and respond to the concerns raised at the previous public hearings. Based on these considerations, she said there appeared to be three possible courses of action the Planning Commission may take, as follows:

1. Make a recommendation to the Township Board approving the tentative preliminary plan for the Mystic Heights Site Condominium, as presented.
2. Make a recommendation to the Township Board to approve the tentative preliminary plan for the Mystic Heights Site Condominium, with the following conditions:
 - a. As the project develops, each individual building site will submit a grading plan as part of their building permit application that will be reviewed and approved by the Township Engineer. The grading plans will include 2-foot contours.
 - b. A 20-foot natural preservation area will be required along all building sites, including drainage basins, which abut the subject site property lines.
3. Deny the request based on the previous concerns of the Planning Commission, indicating that the current plan does not do enough to satisfy Section 290.005.D.3.d.(2) of the Site Condominium Ordinance, which states that "*existing natural features which add value to residential developments and enhance the attractiveness of the community should be preserved, insofar as possible, in the design of the condominium project.*"

However, Ms. Johnston noted the applicant does not want to move forward under the second choice, so the Board would need to proceed with either option 1 or 3.

Chairperson Loy asked whether Board Members had questions for Ms. Johnston.

In answer to a question from Mr. Antosz, Ms. Johnston said grading for the septic tile fields for each site would need approval by the County. The County will have an opportunity to review the plan during Step 2 of the process.

Ms. Smith noted the applicant said 17 of the sites have greater than a 10 foot differential from front to back of the lot. She wondered who would monitor the builders when they bulldoze, especially on the eastern side.

Ms. Johnston said that would be addressed in Step 2 of the process. Engineering drawings would go to the Township Board. Each builder would submit building plans to KABA who would make sure drainage won't affect neighbors. They often consult with the Township Engineer who will look at the overall plan when it is submitted for Step 2 approval.

Attorney Porter noted the Township Engineer provides a very good and thorough process, and if concerned will visit the site.

There were no further questions from the Board. Chairperson Loy asked if the applicant wished to speak.

Mr. Patrick Lennon, representative of Van Kal Partnership, said the process for application for the site condominium project began over a year ago with submission of the first plan. Since the original plan was not embraced by either the Commission or the community they worked hard to develop a better plan even though the original plan met the Township Ordinance requirements.

He said the plan was denied by one vote in May of 2015. At that point the applicant initiated a legal process but did not give up on their commitment to the project. They specifically targeted the greatest areas of concern for improvement, focusing on buffering the project from other properties. They tried to limit the clearing and changed the drainage swales approach to a meandering ditch, which preserves more trees. They feel the plan preserves vegetation and satisfies the targeted areas of concern.

Mr. Lennon said the lawsuit was adjourned while they hope for approval on the revised plan. He said they are doing their best to make the plan compatible with the community and sensitive to their concerns. He said the plan meets the requirements of the Ordinance, respectfully requested the Board approve the application, and looked forward to working through Step 2 of the process.

Ms. Smith asked who has jurisdiction over environmental issues, including flora and fauna and whether petition has been made for any studies. She also asked if there is a forestry management plan.

Mr. Lennon said decisions on environmental issues are made by the state. The applicant has done informal surveys of the property. They are willing to consider a formal study as part of Step 2. To date, a forestry management plan has not been done.

Ms. Farmer noted the number of homes has not changed from 40 from the original plan and wondered if any consideration had been given to that.

Mr. Lennon did not feel the number of homes was a particular issue in the feedback that was received and noted the Ordinance allows this number of lots.

Mr. Antosz and Ms. Farmer disagreed, saying the applicant had been encouraged to look at fewer homes as an alternative. Ms. Smith concurred, noting the applicant had responded by saying fewer lots could not be economically justified.

Mr. Lennon said it was a matter of degree, that preservation and drainage were their understanding of primary challenges. Retention areas will act as open spaces and they feel the plan is balanced.

Ms. Farmer said 40 homes on 40 acres is within the Ordinance, but fewer lots might have been able to fulfill other parts of the Ordinance.

Ms. Smith commented she had hoped for a more sensitive use of the land, mentioning Snake Hill, but noted the applicant is within their legal rights.

Chairperson Loy moved to a Public Hearing on this matter and asked if there were audience members who cared to address the Board.

Ms. Jan Thomas, 45537 Winchester Circle, Mattawan, thanked the Board for hearing the public's concerns and commented 40 additional homes will result in destruction of the environment. She saw no sign of any changes made to the proposal. She referenced a letter resubmitted to the Board in opposition to the project and signed by 41 residents of the area. Her concerns included stripping of the land to accommodate 40 homes, that the meandering ditch can't save trees, how the project will be monitored, how it will affect the water table and the quality and quantity of water. She noted the dried up pond in the area, that the area from Red Arrow Hwy to 44th Street includes 21 homes, most with acreage and that 40 additional homes will mean 80 additional vehicles traveling on Van Kal which is already a problem. The project does not fit the RR designation and peace and tranquility will be gone.

Mr. Art Diani, 4115 Van Kal, said his property is on the south edge of the proposed project and will be bordered by 10 of the new homes. He read from the RR: Statement of Purpose and said the project does not fit the criteria and the property is not suitable for a traditional subdivision, citing 290.2. He said the plan does not preserve, it destroys. All the drain fields that will be needed will require demolition of the hills on the property. He doubted trees will be preserved and wondered what preserving trees over 12" in diameter means. He did not feel the plan for buffering was sufficient, said the project would destroy the environment and quality of life, and asked the Commission to vote the project down again.

Mr. Derrick Millard, 22192 Salisbury Drive, expressed his concern regarding drainage and contamination. He felt development should only be done where city water and sewers are present. The developers care only about dollars in their pockets, not about those living in the area. If the plan were for 10 houses it would be fantastic, but with one house per acre, pressure on drainage and roads will be greatly increased. He said pressure is on the Planning Commission so developers can make a lot of money.

Mr. Wade Lawrence, 10749 West N Avenue, said his property borders the north boundary of the property and he shares the concern about 40 additional wells sharing the same aquifer and the effect that will have on the ability to get water when the Pond View pond no longer exists. 40 septic systems will be uphill from his water source. He was also concerned about the increased traffic on Van Kal. He wants to live in an area where he can see the stars and listen to the birds sing but these concerns carry no legal weight. He referred to the Statement of Purpose for RR, saying the project is out of character with other residences and not in keeping with the residential character. 20 foot buffer zones are not sufficient. He asked the Commission to reject the application.

Mr. William Nederhoed, 45960 Van Kal (22nd St.), said he had been an electrical inspector for years and lives across from the proposed plat. He pointed out the area is served by Midwest Energies, that it is not within the jurisdiction of Consumers Power Co. They are at the end of the line and experience a lot of power outages and he was concerned whether there is an adequate line to add the 20 more 200 amp services that would be required. He is concerned with brown/black outs if the system cannot accommodate the additional needed amperage.

Ms. Kim Case-Lawrence, 10249 West MN Avenue, was concerned, as a veterinarian, regarding alteration of the environment. According to the CDC, parasitism such as Lyme disease becomes more of a problem in areas where people build that haven't been inhabited before. Clear cut areas cause deer and mice to live in more concentrated areas and she was worried about the long lasting impact. She thanked the Commission for their consideration.

Ms. Judy Diani, 4115 Van Kal, said the site condominium plan still has 40 home squished together with a marginal 20 foot buffer around the perimeter, which does not seem to follow the intent of the RR: Statement of Purpose. Because of the 80 foot rise on the property the development will become a major earth moving project; leveling and changing the topography does not meet the RR District intent and should not be allowed. The plan is still a traditional, urban style subdivision, suitable for flat open land and does not respect the site's rural character and natural features. The meandering ditch for drainage will destroy the natural area as trees and vegetation are removed; adjacent tree roots will probably be killed in the digging process which will further kill vegetation in the so-called preserved natural area. The ditch will not be sufficient to protect adjacent property on either side from runoff of an 80 foot hill, causing overflow or washout. She researched properties in Oshtemo Township that border Van Kal from Red Arrow Highway to L Avenue, a stretch of 2 miles. The average lot or dwelling size on Van Kal is 10.3 acres. The proposal is for lots that average .73 acres. Clearly these subdivision lots do not fit in with the surrounding rural residential dwelling sites or lifestyle. She said when you add the intent of the Subdivision Ordinances and RR: Statement of Purpose to the quantitative property data, it becomes compelling the project doesn't fit and does not follow the Ordinance or RR: Statement of Purpose, which will have consequences now and in the future for this beautiful rural residential area. She urged the Commission to reject the project.

Mr. Ted Boyer, 45732 Van Kal (22nd St.), lives across from the proposed development. As a teacher for more than 30 years he wants life to be better for children. He asked why the applicants want to disrupt lives and destroy the environment and concluded it was not their purpose to make society better but to make money. He asked the Commission to reflect on this when they vote.

Ms. Victoria Bronson, 3848 S. 1st Street, lives on 10 acres due west of the proposed site on a heavily wooded lot that includes wild orchids, trillium and other protected plants, toads and butterflies. She cares for wild birds and watches the stars at night. If this project goes forward the area will be destroyed. It is about the bottom line, not about preserving the environment. Air quality will be destroyed with tree removal. She feels sorry for generations to come.

Mr. Michael Foley, 4000 S. 1st Street, said the Ordinance does not satisfy what is stated in the Master Plan. The goal is to preserve the RR: character. He cited pages 69 and 93 in the Master Plan and said the high density of the project, 40 homes on 40 acres, should be served by public sewer and water.

Mr. Ed Bartz, 4235 Van Kal (22nd St.), said the design of this project was meant for a corn field, not a heavily wooded area. He urged Commissioners to vote no..

Mr. Larry Westrate, 22055 Salisbury Drive, told the Board he had not received official notification of this meeting and though he may not be within 300 feet of the proposed project, he lives across the street from it and should have been notified. He agreed with previous speakers in urging the Board to deny approval to the applicant. He was concerned with an increase in traffic, saying Van Kal is a truck route and currently has lots of traffic due to the substation, which is providing an example of what the future holds. Although the speed limit is 45 mph, it is not obeyed and people ignore the three bus stops. He was also concerned about water table levels especially since he put in a new well a few years ago and had to go from 25 to 55 feet. 40 additional septic tanks will also be a problem. He asked Commissioners to deny the proposal.

Mr. Chad Houston, 1814 N. VanKal (22nd St.), spoke about the character, natural features, and forest community that will be destroyed by this project. He said if developers simply leave a few oaks the community will be gone. When they start cutting oaks, disease caused could easily wipe out every oak on the property. There is not a good meld between governmental agencies to address the Endangered Species Act. Wild Lupine used to cover 25% of the Township. There are endangered butterflies in this area. Whippoorwills, who require oak forest with intact leaf litter, Eastern Box Turtles and Blue Curly populations are all a concern. He wondered if anyone will look to see what endangered species will be impacted before the habitat is illegally destroyed.

Mr. Kevin VanDyke, 3795 Van Kal (22nd St.), said he supported what has already been said and that although he lives right there, he feels he has no voice in the process. He purchased his property for a quiet place to raise his family and this change threatens his mental health. He said the plan looks a little different from the previous one, but

feels it has just been rebranded for marketing purposes. He wished the developer's response showed they really care about the community but doesn't see it.

Mr. John Robyn, 3517 Van Kal (22nd St.), said the plan does not look different than the first one, is a travesty and is a disaster environmentally. The land will be clear cut. 40 – 80 cars coming out of a single drive will be the cause of a traffic death. The developers are not concerned about residents or the environment, only about money. He asked how in good conscience the Board could allow this to continue.

Ms. C. Boyer, 45732 Van Kal (22nd St.) said the project needs to be defeated. The land is too precious and should be preserved at all cost. She cited *National Geographic* statistics regarding how much of the earth's forest is being lost every day. This is not just about Oshtemo Township, but the whole planet. We have to leave something for future generations. Trees absorb greenhouse gases in our complex, fragile ecology, and must not be destroyed. Conservancy should not be in the hands of developers; once trees are gone, they are gone.

There were no further comments from the public. Chairperson Loy closed the Public Hearing and moved to Commissioner Comments.

Attorney Porter applauded people for reading the RR classification and Statement of Purpose documents and referred to his May 11 memo to the Planning Commission regarding Ordinance interpretation, explaining the language of the Ordinance could not be bypassed. He said he did not disagree with some of the statements from audience members that the Ordinance does not carry out the stated purpose of the Master Plan, but asked the Commission to apply the Ordinance and only the Ordinance. He said that was the Commission's responsibility and they need to stick to that.

Chairperson Loy noted the Commission had received letters from Ms. Jan Thomas and Ronald and Pat Sims and a memo from Attorney Porter on interpretation.

Ms. Smith told the audience she appreciated all the people who turned out to express their concerns. It is obvious there need to be changes to the Ordinance. She encouraged attendance at the second meeting of each month, on fourth Thursdays, when the Board considers changes to the Ordinance.

Ms. Farmer agreed and said she appreciated the Ordinance is not reflective of the Master Plan. She said she looks forward working on that in the future but it could not be done in the middle of this issue. She appreciated the sense of community over this issue and said it is like pulling teeth to have a relationship with developers. An issue like this can be divisive and can tear a community apart. Her decision tonight will be based on knowing it will go to the Township Board after having been dealt with by the Planning Commission for a year.

Mr. Antosz said he understood residents' concerns, but the Commission has no control over traffic or animal species, and has to base their decision on the Ordinance. He would have liked to see the applicant propose a smaller community and hopes they will abide by the 20 foot buffer zone wherever they can.

Mr. Boulding, Sr. said he appreciated the thoughts and concerns of neighbors and that the development will affect him as well, since he has lived in the area since 1992 and also enjoys the nature there. The Board's action must be tempered by the Ordinance, palatable or not. He thanked everyone for coming and assured them their voices would be welcome in the future. If a change can be made in the Ordinance that is beneficial to all it is time to do that.

Chairperson Loy said this was not an easy decision to make, and he feels for the neighbors, but the Board has to go by the Ordinance. He noted sewer, septic and roads are handled by the County and it is up to them that lots are capable of handling septic – each lot will need to be submitted to the County for approval. He echoed Ms. Smith's invitation to attend meetings in the future. He has been on boards over many years and they try to do the best they can with what they have. This decision has to be made in accordance with what the Ordinance stated at the time the property was purchased.

Ms. Farmer felt if no one attends their meetings they must be doing something right, but clearly tonight is a reflection of a failure regarding the Statement of Purpose and Master Plan. She said she understood that is not helpful now.

Ms. Smith said the Township faces expensive problems in Westport and Country Club Estates due to the wells and septic systems and needs to address problems to the west edge of the Township. She reiterated her invitation to attend Planning Commission meetings held on the 4th Thursday of every month.

Hearing no further comments, Chairperson Loy asked if there was a motion to approve the Site Condominium as presented.

Ms. Farmer made a motion to recommend approval to the Township Board of the Mystic Heights Site Condominium at 3839 South Van Kal Avenue as proposed. Mr. Antosz supported the motion. The motion was approved unanimously.

**PUBLIC HEARING: NON-CONFORMING USES, STRUCTURES AND LAND
PLANNING COMMISSION TO REVIEW PROPOSED AMENDMENTS TO CHAPTER 62
OF THE TOWNSHIP ZONING ORDINANCE REGARDING THE REGULATION OF
NON-CONFORMING USES, STRUCTURES AND LAND.**

Chairperson Loy moved to the next item on the agenda and asked Ms. Johnston to review the proposed amendments to Chapter 62 of the Township Zoning Ordinance regarding the regulation of non-conforming uses, structures and land for the Board.

Ms. Johnston noted the Planning Commission reviewed the proposed amendments at previous meetings.

She said currently, *Section 62: Nonconforming Uses* does not address parcels or lots that were lawfully recorded but no longer meet out Zoning Ordinance requirements. Instead, these nonconforming lots are regulated by *Section 66.200: Dimensional requirements for parcels, lots and building sites* found in *Section 66.000: Area Requirements*.

Often these parcels or lots do not meet the width requirements for frontage on a public right-of-way, making them nonconforming and unbuildable. Many communities provide language within their zoning ordinance to address these types of parcels or lots. In some instances, denying the use of a lawfully recorded property could be considered a “taking.” Staff recommended language be added to this Section to address these types of properties.

In addition, she said, the Section has been reorganized to address more clearly all of the different types of nonconformity: land, uses and structures. She recommended the Commission recommend approval to the Township Board of the proposed amendment to Chapter 62 of the Township Ordinance concerning regulation of Non-Conforming Uses, Structures and Land.

Chairperson Loy asked if there were any comments from the public. Hearing none, he moved to Board Deliberations. Hearing no comments from Commissioners, the Chair asked for a motion.

Mr. Antosz made a motion to recommend approval to the Township Board of the amendments to Chapter 62 of the Township Ordinance regarding the regulation of non-conforming uses, structures and land as proposed. Ms. Smith supported the motion. The motion was approved unanimously.

PUBLIC HEARING: DRIVE-THROUGH STACKING SPACES
PLANNING COMMISSION REVIEW OF PROPOSED AMENDMENTS TO CHAPTER 68
OF THE TOWNSHIP ZONING ORDINANCE REGARDING OFF-STREET PARKING OF
MOTOR VEHICLES, SPECIFICALLY SECTION 68.300, PARAGRAPH G
CONCERNING DRIVE-THROUGH STACKING SPACES.

Chairperson Loy moved to the next item on the agenda and asked Ms. Johnston to review the proposed amendments to Chapter 68 of the Township Zoning Ordinance.

Ms. Johnston said the current Off-Street Parking Ordinance does not address the number of stacking spaces a drive through window should provide. Given the number of facilities recently reviewed requesting drive through facilities, Planning Staff felt some regulatory control over drive-through lanes should be considered.

She said at the March 24 meeting, the suggested amendment was presented to require five stacking spaces for each drive through window, each space measuring 10 feet by 20 feet. During discussion, a suggestion was made to delineate between restaurants and all other establishments that might utilize a drive through lane. The requested change was made to include a minimum of five 10 foot by 20 foot stacking spaces, measured from the serving window for food establishments and a minimum of three 10 foot by 20 foot stacking spaces for all other drive through establishments.

Ms. Johnston requested the Commission recommend approval to the Township Board of the proposed amendment to Chapter 68 of the Township Zoning Ordinance regarding off-street parking, specifically Section 68.300, paragraph G, concerning drive-through stacking spaces.

Chairperson Loy asked if there were any comments from the public. Hearing none, he moved to Board Deliberations.

Ms. Smith asked Ms. Johnston to clarify from where the stacking spaces at drive-through windows are measured.

Ms. Johnston said they are measured back from the food service window and can typically hold seven cars.

Chairperson Loy felt that would help relieve the pressure. Hearing no further comments from Commissioners, the Chair asked for a motion.

Ms. Smith made a motion to recommend approval to the Township Board of the proposed amendments to Chapter 68 of the Township Ordinance regarding off-street parking of motor vehicles, specifically section 68.300, Paragraph G concerning drive-through stacking spaces. Ms. Avery supported the motion. The motion was approved unanimously.

**PUBLIC HEARING: AREA REQUIREMENTS
PLANNING COMMISSION TO REVIEW PROPOSED AMENDMENTS TO CHAPTER 66
OF THE TOWNSHIP ZONING ORDINANCE REGARDING AREA REQUIREMENTS,
DWELLING STANDARDS, AND RESIDENTIAL OCCUPANCY, SPECIFICALLY
SECTION 66.201: DIMENSIONAL REQUIREMENTS FOR PARCELS, LOTS AND
BUILDINGS SITES IN THE RR: RURAL RESIDENTIAL DISTRICT.**

Chairperson Loy moved to the next item on the agenda and asked Ms. Johnston to review the proposed amendments to Chapter 66 of the Township Zoning Ordinance.

Ms. Johnston said the Plan very clearly indicates that while public utilities, specifically public water, have been provided in portions of the Rural Residential area down West Main Street, it was not done to spur development but to resolve a specific environmental problem. But the Township Zoning Ordinance is contradictory to this

statement because density in the RR District depends on whether a site has public water.

The current Ordinance language essentially states that if your site has public water and you either subdivide or develop a site condominium, a density of 1.5 dwelling units per acre is allowed. As an example, a parcel with a total of 30 acres would be allowed to build 45 units if the site topography allowed. This calculation is based on gross acreage for the site.

Ms. Johnston said in an effort to better support the Oshtemo Township Master Land Use Plan and the original intent when the RR: Rural Residential District was first adopted, Staff recommended the area requirements be amended to require any density higher than 1.5 acre lots be required to develop under the open Space Community Special Exception Use.

She noted the Planning Commission will have an opportunity to make any final changes to the requested amendments at the public hearing and requested the amendment be forwarded to the Township Board with a recommendation of approval.

Chairperson Loy asked if there were questions for Ms. Johnston.

Ms. Smith thought there should be different standards for the east vs. west side of the Township to acknowledge the different rural residential density on the west side. She wondered if it could be by street delineation or tied to the presence of a sewer system.

Ms. Johnston said something could be included as part of the Master Plan update in the next 12 months. This issue can be a focus of the update. She said it might be necessary to create a RR1 and RR2, depending on lot and parcel sizes, character of area and septic/city water.

Attorney Porter agreed with Ms. Johnston that the issue needs to be looked at as a community and urged a careful look at what other communities do. He felt the Township is moving in the right direction – this change in the Ordinance helps in the interim while we do an investigation. This can be one of the main topics in the Master Plan update.

Ms. Smith asked how we can assure our Ordinances keep up with the Master Plan since they are the law that must be followed and wondered if this change will be in effect temporarily.

Ms. Johnston said we have to make sure any Ordinance that needs to be changed so that the Master Plan translates to code is done – we have to rely on code. This change will allow development but in a way that is sensitive.

Ms. Smith wondered if RR1 and RR2 should be done first.

Ms. Johnston said we need to investigate and be very thoughtful – we cannot be too onerous in regulations in order to avoid lawsuits. More than density and number of units is involved.

Ms. Smith asked if the Ordinance could be changed after Phase 1 of a project.

Attorney Porter said if a total development of four phases was approved it would lock in to current law. If the phases were approved separately, then it would depend on what Ordinance requirements were in effect at the time of approval of each phase, although there may be established rights with continued development.

Ms. Avery wondered about higher density if a well is present.

Ms. Johnston said cautiousness would be needed assigning density and infrastructure. A future land use plan would need to work well with the code.

Attorney Porter agreed and said whatever is developed would need to be affordable and dependable.

Chairperson Loy asked for public comment.

Mr. Chad Houston, 1814 Van Kal, said it was unfortunate others in the audience did not stay since this item directly impacts the previous topic. He wagered if the residents in the western third of the Township were polled, most would be in favor of a larger minimum lot size. He liked the idea of two RR districts as you travel east to west in the Township and thought utility availability as a criterion made sense. He would like to see a better grasp in the Ordinance of what a “natural feature” is. Rather than saving trees in isolation he would like more focus on terms such as “Forest Community” or “Oak Savannah” or “Beech Natural Forest.”

Hearing no further public or Board comments, Chairperson Loy asked for a motion.

Mr. Antosz made a motion to recommend approval to the Township Board of the proposed amendments to Chapter 66 of the Township Ordinance regarding area requirements, dwelling standards, and residential occupancy, specifically Section 66.201, dimensional requirements for parcels, lots and building sites in the RR: Rural Residential District. Mr. Boulding, Sr. supported the motion. The motion was approved unanimously.

Old Business

Since there was no old business to consider, Chairperson Loy moved to the next agenda item.

Any Other Business

Ms. Johnston indicated the next two items were a continuation of the minor Ordinance amendments the Planning Department would like to discuss with the Planning Commission.

a. Parking lot aisle widths – Section 68.300

Ms. Johnston said the Fire Chief requested the Planning Department present an ordinance amendment to the Planning Commission requiring all drive aisle widths (regardless of traffic direction) within parking lots to be 24 feet. The current ordinance language requires 24 feet for two-way and 20 feet for one-way traffic. The request stems from the size of their fire truck and the attached equipment when it is completely employed.

She said from Staff research, it was determined the total width of the fire equipment utilized by the Oshtemo Fire Department is 18 feet. Research was conducted of neighboring jurisdictions and jurisdiction that have similarities to Oshtemo Township to compare drive aisle widths. Oshtemo's requirements were found to be at the high end of the jurisdictions surveyed. In addition, a small number of communities require a "fire lane" to be shown on the site plan, but most don't require a specific dimension for this lane.

Staff's primary concern with this request is the increase in asphalt on a site. The change in the code would require all lanes to be 24 feet in width but the Fire Department would not need to access all parking aisle drive lanes on the site. We would therefore be requiring additional asphalt in areas where it may not be needed. An alternative may be to have the Fire Marshall determine the best location for a fire lane and ensure that this drive aisle meets the 24-foot requirement.

After some discussion the Planning Commission felt the needs of the Fire Department and the concern with adding more asphalt could be achieved by drafting new language that would:

1. Maintain the current 20-foot requirements for one-way traffic lanes.
2. Have the Fire Marshal delineate 24 foot fire lanes on site plans regardless of the directional traffic of the drive aisle.

Ms. Johnston will draft language to reflect this compromise.

b. Business Research Park open space requirements – Section 39.406

Ms. Johnston said during the discussion with Western Michigan University regarding the development of the Business Technology Research Park (BTR) 2.0, concerns were raised about the Business Research Park (BRP) District language

related to open space. The current requirement refers to total ground coverage per individual site, as follows:

39.406 *Development Standards.*

(d) Total ground coverage shall not exceed 50 percent of the individual site.

The difficulty with phrasing the requirement in this way is two-fold:

1. The Township Zoning Ordinance does not have a definition for ground coverage. While seemingly self-explanatory, ground coverage is defined differently in many ordinances. Some include sidewalks and some do not, some define it as any impervious surface while some just count the building, etc. Without a definition, we would have to count everything that is not naturally occurring on the site, which could considerably reduce the buildable footprint.
2. By regulating through “ground coverage” on individual sites, we are precluding, or making it extremely difficult, to provide dedicated public open space within a BRP development. For example, the current design for BTR 2.0 has approximately 16 acres set aside as dedicated public open space, meaning the land will be owned and maintained by the condominium association separate from the individual buildable sites. Based on the current ordinance language, none of this land could be counted toward the open space requirements of the individual sites. Each individual buildable site would continue to be required to have 50 percent open space, limiting the overall buildable area of each site and the entire development.

Based on these concerns, Planning staff recommended changing the development standard to the following:

50 percent of the entire development shall be retained as open space. This open space can be developed as dedicated open space that is owned and maintained by an association, or provided on each individual parcel, lot or building site within the development, or a combination of these options. In no case, shall an individual parcel, lot or building site have less than 20 percent open space.

Ms. Johnston said the revised language will provide some flexibility within the regulation to allow each developer an opportunity to plan open space as either dedicated to public use or as natural features on the individual sites. It also provides some continued requirements on each individual buildable site, eliminating the possibility of an entire parcel, lot or buildable site being 100 percent covered. She asked if the Commission was comfortable with presenting this proposed change in the development standard at a Public Hearing.

It was the consensus of the Board that this proposed change should be brought to a Public Hearing.

Next, Ms. Johnston provided two updates to the Board.

Existing Signs in the Village Form-Based Code Overlay District

She said at the March 24th meeting, Planning staff presented a request to amend the Village Form-Based Code Overlay District that would allow the continuation of otherwise prohibited signs on nonconforming buildings until such time as the structure comes into compliance with the Architectural Standards of the Overlay District. Essentially, signs on existing structures that currently do not conform to the Architectural Standards would be allowed to continue, including changing out panels for internally lit box signs, until such time that the building is renovated and comes into compliance with all of the requirements of the Overlay District.

There was extensive discussion at the meeting regarding the desire for compliance with the sign requirements, but acknowledging the significant differences between the Village Core and the East Corridor, South Corridor and Village Fringe. Planning staff is working on revised language that would take this discussion into consideration. In addition, staff will discuss the concerns with the Downtown Development Authority at their May meeting, to have revised language back to the Planning Commission for the May 26th meeting.

Landscape Ordinance

Ms. Johnston said planning staff has completed the recommended amendments to *Section 75: Landscaping*. Staff has also authored an alternate approach to landscaping for the Planning Commission's consideration. These two amendments are not included in this packet of information because staff wanted an opportunity to create a landscaping plan utilizing both approaches to compare and contrast the options. Also, the creation of a landscape plan will help to provide a visual outcome of the Ordinance regulations. These plans are currently in the process of being developed and will be ready for the May 26th meeting.

PLANNING COMMISSIONER COMMENTS

Mr. Antosz thought it would be helpful to have a work session in order to learn more about the DDA.

Ms. Johnston will bring that up at the next DDA meeting in May.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Loy adjourned the Planning Commission meeting at approximately 9:46 p.m.

Minutes prepared:
April 30, 2016

Minutes approved:
May 12, 2016

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A PUBLIC HEARING AND MEETING HELD APRIL 9, 2015

Agenda

PUBLIC HEARING: PLANNING COMMISSION TO REVIEW APPLICATION OF TIM WOODHAMS, ON BEHALF OF MAR-BO INVESTMENTS, INC., FOR TENTATIVE APPROVAL OF A PRELIMINARY SITE CONDOMINIUM PLAN (STEP 1) FOR A 40-UNIT RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT NAMED VAN KAL SITE CONDOMINIUM. THE SUBJECT PROPERTY IS LOCATED AT 3839 SOUTH VAN KAL AVENUE IN THE RR RURAL RESIDENTIAL DISTRICT. (PARCEL #3905-31-155-030).

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, April 9, 2015, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairperson
Fred Antosz
Wiley Boulding, Sr.
Dusty Farmer
Millard Loy
Mary Smith

MEMBERS ABSENT: Pam Jackson

Also present were Karen High, Zoning Administrator, James Porter, Attorney, and Martha Coash, Meeting Transcriptionist. Approximately 30 other persons were in attendance.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairperson Schley at approximately 7:00 p.m. and the "Pledge of Allegiance" was recited.

AGENDA

The Chairperson asked for a motion to approve the agenda.

Mr. Loy made a motion to accept the agenda as presented. Mr. Boulding, Sr. seconded the motion. The motion passed unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairperson Schley asked if anyone in attendance wished to comment on non-agenda items.

There were no public comments on non-agenda items. Chairperson Schley moved to the next item on the agenda.

APPROVAL OF THE MINUTES OF MARCH 26, 2015

The Chairperson asked if there were any additions, deletions or corrections to the minutes of the Meeting of March 26, 2015. Hearing none, he asked for a motion to approve the minutes as presented.

Mr. Loy made a motion to approve the minutes of the March 26, 2015 meeting. Mr. Antosz seconded the motion. The motion was approved unanimously.

Chairperson Schley moved to the next item on the agenda.

PUBLIC HEARING: STEP 1 SITE CONDOMINIUM REVIEW (VAN KAL SITE CONDOMINIUM. PLANNING COMMISSION TO REVIEW APPLICATION OF TIM WOODHAMS, ON BEHALF OF MAR-BO INVESTMENTS, INC., FOR TENTATIVE APPROVAL OF A PRELIMINARY SITE CONDOMINIUM PLAN (STEP 1) FOR A 40-UNIT RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT NAMED VAN KAL SITE CONDOMINIUM. THE SUBJECT PROPERTY IS LOCATED AT 3839 SOUTH VAN KAL AVENUE IN THE RR RURAL RESIDENTIAL DISTRICT. (PARCEL #3905-31-155-030).

Chairperson Schley said the next item on the agenda was a review of the application for tentative approval of a preliminary site condominium plan (step 1) for a 40-unit residential site condominium development named Van Kal Site Condominium, located at 3839 South Van Kal Avenue in the RR Rural Residential District. He asked Attorney Porter to address procedural issues.

Attorney Porter explained the zoning ordinance regulations for single family dwellings are applicable in this instance. Although referenced in the staff report, site plan review issues are not being addressed at this time. He noted that state law requires that residential site condominiums be considered in the same way that subdivisions are considered.

He said if there is concern about the site itself, including such items as natural features, flooding, habitability, the question is whether those issues have been addressed by ordinance. He noted this is a preliminary design step. Some of the questions people may have are not intended to be answered at this point. They will be answered in a later step when engineered drawings are prepared.

Chairperson Schley asked Ms. High to provide background for consideration.

Ms. High said for the benefit of the large audience in attendance, she would read the memo provided to Commissioners regarding this project. The report is included here by reference. She concluded by showing several slides from the county-wide mapping system that provided an aerial view of the proposed site's topography, soils present on the site, the zoning of the area, the proposed layout of the streets and lots, and a conceptual grading plan showing the impact resulting from grading for the proposed roads.

Chairperson Schley thanked Ms. High and asked if Commissioners had questions.

Mr. Antosz asked whether the applicant was aware of the encouragement from the Township regarding open spaces in developments.

Ms. High said the applicant was made aware of that desire and said it was considered.

Attorney Porter referenced the ordinance itself regarding how open space is encouraged and said there are "carrots" to that effect in the ordinance.

Mr. Antosz asked whether each unit would have its own septic tank, drain field and well and if so, what size they would be, and whether Township Engineer Mark Elliott had seen the plans.

Ms. High confirmed that each unit would have its own tank, field and well and that according to the Health Department a working figure to use for the size of a drain field is 6,000 square feet, but the actual size would depend on the size of the residence and number of bedrooms of each house. She said she also learned that the 6,000 square feet drain field must be as close to absolutely level as possible.

Attorney Porter noted that is not a criterion for Step I of the project.

Ms. High said Mr. Elliott has seen the plans but relies on the Health Department in regards to approval of septic systems.

Mr. Antosz asked about the length of the streets and how they are measured.

Ms. High said the maximum length of a block, considering intersecting streets on either sides of the street, is 1000 feet. The plan has a street that is 1372 feet in length but it is interrupted by a cross street, so it does not exceed the maximum.

Mr. Boulding, Sr. asked about specifics for Steps II and III of the review and how they would be monitored.

Chairperson Schley indicated the Planning Commission would not have a role in Steps II or III, that the Township has other mechanisms to follow through on those steps. The County Road Commission and other entities as well as Township staff come into play.

Ms. High and Attorney Porter concurred there is monitoring by Township staff at both Steps II and III.

The Chairperson confirmed with Ms. High that relative to density issues, 40 units is the maximum allowed for 40 acres because there will be no public water or sewer available. Ms. High explained that if there were public water and sewer available, the maximum allowed would be one and one half units per acre.

Chairperson Schley noted the standards are proportional to the service at the site. He asked Ms. High for other examples of plats/condo sites in RR zoned areas of the Township.

Ms. High noted Pondview Estates, to the north of the proposed site, has both half acre and one acre lots, but does not have the topography of the proposed site. She said the Tuscany subdivision, which is of a similar size to the proposed site, has lots averaging three quarters of an acre. The proposed Van Kal Site Condominium has half and three quarter acre units and two that are over an acre.

Chairperson Schley asked whether other plats with topography similar to the property in question have designs similar to the rather regimented design being proposed.

Ms. High said they did not; that when staff saw the proposed layout they thought the land involved must be rather flat because the roads are so straight and rectilinear, and the units are evenly sized. She added that the roads did not appear to follow the contour of the land. Some subdivisions in the area have open space that was preserved where the topography is steep.

The Chairperson asked Attorney Porter to clarify whether Section 82 Site Plan Review standards should be judged appropriate for this application.

Attorney Porter confirmed that this Section does not apply to residential Site Condominiums, it applies to commercial, industrial or multi-family dwellings.

The Chair asked if the general standards in Section 78.520 which speak to storm water management standards are applicable.

Attorney Porter said it would be applicable when we get to Step II to address road run-off and large drainage basins. It would not be applicable for single family lots. It is directed to larger developments, not to the lots themselves.

The Chair asked whether this section of the ordinance shouldn't be applicable in this scenario if it speaks to all land uses.

Attorney Porter said from a specific design point, no, but from the general meaning of the ordinance, yes. In that case the applicant needs to be told our understanding is the general plan for roads and drainage basins do not meet the ordinance and the applicant should be asked how they are handling a change to "x or y" but not get into specific design. We would need to give a general indication if the plan does not meet the conceptual idea in the ordinance.

Chairperson Schley noted the proposed project is in an RR zoned area and said each individual zone in the ordinance has a statement of purpose. He wondered if the application could be looked at in that context regarding character issues.

Attorney Porter said it could be if the use is questionable. In looking at the statement of purpose, intents and desires are referenced, but if the ordinance does not provide requirements for general purpose, it does not control.

Chairperson Schley asked how the Township's tree clearing policy applies.

Ms. High said a clear cutting permit was adopted over a year ago. It applies to properties not going through a site condominium or subdivision review process, or not going through site plan review. The goal was to require clear cutting permits for those project that did not have to come before the Planning Commission. It was understood that tree preservation needs to be addressed, but the specific ordinance did not apply so that the Planning Commission could address the issue more comprehensively.

Chairperson Schley asked the applicant to speak since there were no further questions from Commissioners.

Mr. Tim Woodhams of Civica Engineering, 1503 East Centre Street, spoke to the Board and said the proposal as presented is a permitted use in the Township's RR zone. He said he understood and appreciated the desire from those in the community for open space in the development, but that it was not a cost feasible option. In order to build 40 units and get everything to meet Health Department requirements, the trees had to go.

He walked through 18 items listed in Section 290.005 of the General Ordinance that are required for tentative approval and explained how they have met or plan to meet them. He said if the project is tentatively approved, the Road and Drain Commission would closely review drainage and grading and that the Township Engineer would review the Drain Commissioner's review.

He also indicated items addressed in the Kalamazoo County Road Commission letter and the list of Township Staff concerns would be addressed in Step II drawings. He discussed the centerline survey of Van Kal, noting the way they plan to address

sight distance with a "flat both ways profile" and a deceleration lane would be OK with the Road Commission.

Mr. Woodhams said the grading and storm water issues would be part of other agency's reviews and noted quite a bit of cutting and filling will be required to achieve a max. 7% grade. Section 78.500, Stormwater Management, will be in the Road and Drain Commissioners' hands.

He noted the Township Staff report, since the Site Plan Review issues did not apply, recommended approval of the proposal. He added that it should receive the Commission's approval since, if followed to the letter, the proposal complies with zoning requirements.

As far as tree removal, he said they tried to minimize it in the plan; they showed a standard template as to how they expect trees would be removed from individual lots, but it will be up to each prospective home owner to decide how they build on the lots.

Attorney Porter disagreed that "other agencies" would be the sole authority to decide on grading and storm water issues; Township ordinances would need to be addressed.

Ms. High emphasized that the Staff Report did not recommend approval of the proposal. It notes that the plan does not address existing natural features and topography.

Attorney Porter said although the 18 criteria were addressed by the applicant, those are items to be shown on the plan. Section D addresses the criteria to analyze features of the plan once received and said the design, as proposed, could be laid out on a corn field.

Chairperson Schley said that as the Commission moves forward it will make various judgments.

Mr. Woodhams said the attractiveness of the development would be similar to those in Texas Township where homes are selling in the \$500,000 range.

Attorney Porter asked how the applicant will attempt to preserve natural features.

Mr. Woodhams said that will be a struggle. The developer will need to remove many trees, but would like to develop a plan with the Township's input.

Chairperson Schley asked if alternative concepts to the regimented plan proposed had been evaluated.

Mr. Woodhams said alternative layouts had been done, but they couldn't accommodate enough lots in order to recover the value of the property. The challenge is finding enough room for tile fields and wells on 40 units.

Chairperson Schley asked Mr. Woodhams if he agreed that Step I under general provisions speaks to the preservation of natural features.

Mr. Woodhams agreed that is the case. He said the existing Mystic development is similar in topography to the 40 acres being proposed for development.

Chairperson Schley asked how much attention was paid to the statement of purpose for the RR zone in development of the proposal and whether Mr. Woodhams agreed the concept proposed is a non-traditional subdivision.

Mr. Woodhams replied that the proposal conforms to the ordinance as written.

The Chairperson said he disagreed with Mr. Woodhams' assertion that the Mystic development is similar in topography to the proposed development site.

Mr. Woodhams said the topography does not preclude designing roads to meet Road Commission standards. It does not feel like you are walking up a steep hill, it is a reasonable slope.

Chairperson Schley noted the applicant proposal is generic with respect to tree preservation and again asked how much consideration was given to natural features.

Mr. Woodhams explained a certain swath of trees must be cut down to accommodate roads and sidewalks, utilities, tile field and house. He added that it doesn't matter what it looks like, the trees will all have to be cut. He said he would want to work with the Township on enforceable tree preservation after input from his client and noted again that builders will clear lots for each of the homes.

Attorney Porter clarified again the difference between a subdivision and site condominiums: a site condo looks just like a subdivision, it is just developed under a different statute.

Ms. Smith asked if there is a minimum square footage required for homes in the development.

Mr. Woodhams said there is no requirement, but the likely builder will probably build homes similar to ones in another plat they built in Texas Heights #9, mostly 3500-4000 square feet. There is no actual minimum at this time. He anticipated it would be around 2400 square feet.

Ms. High noted homes, by statute, must be no smaller than 1,000 square feet.

There were no further questions from the Board. Chairperson Schley opened the meeting to Public Comments, requesting that remarks be limited to four minutes from each speaker.

Ted Boyer, 45732 Van Kal (22nd St.), had both a complaint and concerns. He said the proposed plat driveway will be located directly across from his property and although public hearing notices, by statute, are to be sent to all parties within 300 feet of proposed development, he did not receive a notice – that apparently notices were not sent to residents of Almena Township in Van Buren County even though they live within 300 feet of what is being proposed. He considered that both negligent and thoughtless. He felt there would have been a larger turnout of concerned neighbors if all who should have received notices had gotten them.

His concerns were: 1) he and his wife are concerned about road safety and feasibility and wondered if a study had been done, including the number of cars that travel Van Kal now. 40 condos will have a major traffic impact; widened turn lanes will be needed. It is his understanding there is a requirement to notify the state for a safety and feasibility study. 2) He asked whether an environmental impact study regarding harmful chemicals was planned; he also wondered where the sewage would go.

Attorney Porter said the mailing list will be looked at to determine any problems with notification and thanked Mr. Boyer for informing the Board.

Mr. Art Diani, 4115 Van Kal (22nd St.), spoke on behalf of him and his wife Judy. He had nine points of concern with the proposed development: 1) the impact of individual septic systems; 2) drinking water and individual wells; 3) traffic increase on Van Kal, particularly with the rise in the road that interferes with visibility; 4) problems resulting from clear cut erosion of the 40 acres known as “Snake Hill”; 5) the necessity of two large drainage ditches and possible resulting impending trouble; 6) substantial streetlights and resulting magnetic fields; 7) a bad precedent since there is currently no subdivision from Stadium Drive to M-43; 8) negative impact on endangered lupines, pine and hardwood trees, and the natural wildlife corridor; and; 9) a negative impact on the quality of life for residents. He concluded by saying this would not be a good fit for the neighborhood and that there are numerous other subdivisions for people to live in if that is their desire.

Ms. Chris Dinkins, 13393 Honeysuckle, said her aunt and uncle, Tim and Sue Gordon, passed away several years ago and entrusted her to keep the 40 acre property undeveloped. They were the parents of her cousin Tim Gordon, the child who was killed by a vehicle at the rise on Van Kal some years ago, near the proposed entrance to the development. When she sold the property it was with the understanding that it would be a horse farm. If she had known this would happen she would never have sold the property. She apologized to the neighbors and said she hoped the application would not be approved.

Mr. Derrick Millard, 22192 Salisbury Drive, said he and his wife live close to the property and are totally opposed to its development. He believes there will be a water shortage in the near future. There is already plain, visible evidence it is occurring. He cited the drop in water level in ponds over the last 10 years, particularly one on 44th St. near Van Kal, which used to support ducks, geese and herons, that has all but dried up. 40 new homes will affect the water level and contamination. He is also concerned about increased traffic and noted the dangerous junction. He wondered if that had been considered and suggested a small roundabout be installed for even current traffic levels. Van Kal is narrow in places and more homes will mean less visibility. He proposed that any sizable developments should be hooked up to city water and sewers so as not to use natural resources of the countryside.

Mr. Wade Lawrence, who owns property on the north side of the proposed development, said he was concerned about water and agreed with the earlier speaker regarding the pond that is no longer a pond on M avenue. The water table is down and he thinks there is a correlation with the fact that it was necessary to install a new well on his property recently. He commented there is only one road provided in the plan for ingress and egress and said better emergency vehicle access is needed. He noted there is a stand of lupine that is the only food source for the Karner Blue butterfly, which is an endangered species. He concluded by saying he is concerned with fielding lifestyle complaints from people who move to the country but do not want the sounds and smells of the country. For example he has horses that produce manure which will smell in the summer and roosters that crow at dawn. Historically, this type of conflict has been a problem with new country developments.

Mr. William Nederhoed, 45960 Van Kal (22nd St.), told the Board there are two graves with 3-foot tall gravestones on the site that date back to the 1800s and shouldn't be disturbed. He said he had been an electrical inspector for a long time, including for years in Oshtemo Township, and he is unsure whether Midwest Energies has an adequate line to add the 40 200-amp services that would be required. This area is at the end of Midwest's line and he foresees low voltage and other service problems.

Mr. Al Geresy objected to the time limit for citizens to speak, and believed Mr. Woodhams should be held to the same limit. He also commented the Board says it wants to save trees, but seems willing to forgo that goal if more dollars come to the Township through development.

Mr. Larry Westrate, 22055 Salisbury Drive, said he and his wife live east of the property on Van Kal and are opposed to this development. He asked for a show of hands from attendees who did not receive the public hearing notification letter. Approximately five people raised their hands. He said he had been a witness to the accident scene when Tim Gordon was killed and noted traffic is a major problem in that area. More police presence is needed and noted that whenever he does see an officer there, a motorist is being pulled over. The traffic there is loud and will only increase with the addition of 40 units, which will be very detrimental. He said there is no street light at

Salisbury and Van Kal. He also said when he had to replace his well recently, they had to go 50 feet down rather than the previous well's depth of 23 feet.

Mr. Michael Foley, 4000 S. 1st Street, said he felt a lot of time was spent on adhering to the Ordinance and little time on the Master Plan. He is concerned about a high density project being placed in a low density area. The project was designed to maximize the number of units to be built. 40 wells and septic systems will cause problems. The Master Plan talks about protecting ground water sources by connecting to public utilities – he doesn't understand where this seems to be going. Lights and noise from 40 homes will have a negative impact, inconsistent with a rural area. He referred to the area as currently having 7.1 acres per home on a total of 360 acres. He noted the development would have 40 lots with less than an acre each and that this is inconsistent with the Master Plan.

Mr. Chris Tiller, 3776 S. 1st St., agreed with Mr. Foley, saying the slopes and grades on the 40 acre property are huge and he doesn't see how the plan presented will fit into the property.

Mr. Kevin VanDyk, 3795 Van Kal Avenue, said the 40 acre piece borders his property on two sides and he agrees with most of what was said by previous speakers, especially Mr. Foley. He bought his property for the peace and serenity it offers and this development will devalue his property and other property in the area. He asked Commissioners to please consider the intent of the law.

Mr. John Robyn, 3517 Van Kal, indicated his property is immediately northwest of the proposed development which cannot be called RR. To build as proposed the land will have to be butchered. He challenged the figures used in the proposal. Such a development was not what those as a community were looking for when they moved there and he said he was vehemently opposed to the proposal.

Mr. Chad Hughson, 18 N. Van Kal, said he owns 35 acres and considers himself a community representative. The grading and removal of forest on land formed by glaciation, once removed, will be gone forever. Major tracts of forest are being lost in Oshtemo Township. He talked about hydrological impacts and asked how it could be shown that the change in flow won't negatively impact the ponds. He said water flowing from that area to the south is a unique feature and is the start of the watershed for the Paw Paw River. He asked that the Commission consider doing an environmental impact study of all areas and noted the Drain Commissioner would not consider the impact of the project on the entire region. He also cited the endangered Carner Blue Butterfly and the lupine in the area that is its only food source. He also mentioned the state-threatened Blue Curly plant, which also grows in the affected area. The pristine corridor along the Kalamazoo/Van Buren County line should be considered.

Ms. Chris Dinkins, 13393 Honeysuckle, spoke again to say this is country land and the proposed development does not belong there.

Ms. Jan Thomas, 45537 Winchester Circle, thanked everyone for coming to the meeting to save the land. She lives across the street and fears water run-off and contamination from concentrated development. She said it is a terrible thing to disturb the land and that there are already water problems. It looks like the development does not belong there.

Hearing no further public comment, Chairperson Schley said the Planning Commission would deliberate.

Attorney Porter said he was concerned about the public hearing notice distribution and felt the due process issue needs to be looked at. He apologized for not providing notice as required and said the Township would need to incur the expense of re-noticing. It was agreed notice of a public hearing to offer the opportunity for input would be sent to all who were missed in the first notice as well as all those who did receive notice.

Mr. Woodhams suggested tabling the item to determine who was missed, so re-noticing could be done as appropriate.

Chairperson Schley said that although he would like the Board to talk about the issue while information is fresh, citizens not present are of great concern, and asked for a motion to table to a date certain.

Ms. Farmer made a motion to table further consideration of this item until the regularly scheduled meeting of May 14, 2015. Mr. Loy supported the motion. The motion carried unanimously.

Ms. High offered to accompany Commissioners on a site visit prior to May 14.

Attorney Porter cautioned that only one Commissioner at a time should make such visits and that they should not talk to each other, neighbors or property owners about this issue; it needs to be talked about as a group.

Chairperson Schley assured the audience and the applicant that the Board wants to deliberate with them and that they will follow the required process.

OLD BUSINESS/OTHER BUSINESS

Chairperson Schley asked if there was old business or other business to come before the Commission. There was none, so the Chairperson moved to the next item.

PLANNING COMMISSIONER COMMENTS

Ms. Farmer said one of her goals from the beginning of her term was that the Ordinances reflect the Master Plan. She now realizes they also need to reflect the statement of purpose. She urged this be completed as quickly as possible.

Mr. Loy noted he would be absent from the April 23 meeting.

Chairperson Schley appreciated everyone's patience with a long meeting. Good work was done in allowing the process to occur as defined. Hearing public comment is important.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Schley asked for a motion to adjourn.

Mr. Loy made a motion to adjourn. Ms. Farmer seconded the motion. The motion carried unanimously.

Chairperson Schley adjourned the Planning Commission meeting at approximately 9:22 p.m.

Minutes prepared:
April 10, 2015

Minutes approved:
April 23, 2015

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

MINUTES OF A MEETING HELD MAY 14, 2015

Agenda

PUBLIC HEARING: PLANNING COMMISSION TO REVIEW APPLICATION OF TIM WOODHAMS, ON BEHALF OF MAR-BO INVESTMENTS, INC., FOR TENTATIVE APPROVAL OF A PRELIMINARY SITE CONDOMINIUM PLAN (STEP 1) FOR A 40-UNIT RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT NAMED VAN KAL SITE CONDOMINIUM. THE SUBJECT PROPERTY IS LOCATED AT 3839 SOUTH VAN KAL AVENUE IN THE RR RURAL RESIDENTIAL DISTRICT. (PARCEL #3905-31-155-030).

PUBLIC HEARING: PLANNING COMMISSION TO CONDUCT SPECIAL EXCEPTION USE AND SITE PLAN REVIEW OF THE APPLICATION OF JAKES FIREWORKS INC. FOR TEMPORARY OUTDOOR SALES FROM JUNE 20 TO JULY 5, 2015 IN HARDING'S MARKET PARKING LOT LOCATED AT 6430 WEST STADIUM DRIVE WITHIN THE VC VILLAGE COMMERCIAL DISTRICT (PARCEL #3905-26-465-022).

PUBLIC HEARING: PLANNING COMMISSION TO CONSIDER SPECIAL EXCEPTION USE REQUEST OF THE APPLICATION FROM KA-BOOMER'S ENTERPRISES INC. FOR ESTABLISHMENT OF A TEMPORARY OUTDOOR SALES USE LASTING LONGER THAN ONE DAY LOCATED IN THE PARKING LOT OF AN EXISTING COMMERCIAL CENTER (MENARD'S) AT 6800 WEST MAIN STREET IN THE C LOCAL BUSINESS DISTRICT. (PARCEL #3905-14-155-029).

PUBLIC HEARING: PLANNING COMMISSION TO CONSIDER SPECIAL EXCEPTION USE REQUEST OF THE APPLICATION FROM OSHTEMO CHARTER TOWNSHIP FOR ESTABLISHMENT OF A PRIVATE, SHARED, COMMERCIAL ACCESS DRIVE TO BE LOCATED NEAR THE SOUTHEAST CORNER OF 9TH STREET AND STADIUM DRIVE WITH ACCESS FROM ATLANTIC AVENUE AND PROPERTIES WITH FRONTAGE ON 9TH STREET. THE SUBJECT PROPERTY IS LOCATED WITHIN THE VC VILLAGE COMMERCIAL. (PARCEL #3905-35-205-132).

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, May 14, 2015, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairperson
Fred Antosz
Wiley Boulding, Sr.
Dusty Farmer

Pam Jackson
Millard Loy
Mary Smith

MEMBERS ABSENT: None

Also present were Greg Milliken, Planning Director; James Porter, Attorney; and Martha Coash, Meeting Transcriptionist. Approximately ten other persons were in attendance.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairperson Schley at approximately 7:00 p.m. and the "Pledge of Allegiance" was recited.

AGENDA

The Chairperson noted that the applicant for item number six, regarding a public hearing for the review of the Van Kal Site Condominium, asked that it be removed from the agenda and tabled until the May 28, 2015 meeting. He explained to the audience that the applicant heard the comments from the public and the Planning Commission and was going to look at the condo project in a little different fashion. In light of expected changes to the plan it would not be valuable to discuss the original plan at this point. He said there would be a new and complete public hearing on this matter at the May 28 meeting, and noted the public comments made to date are on record, but that if those in attendance would like to speak further, they could do so under the "Public Comment on Non-Agenda Items" portion of the agenda. Chairperson Schley asked for a motion to approve the agenda with the removal of item six.

Mr. Loy made a motion to accept the agenda as presented with the removal of item six. Ms. Smith seconded the motion. The motion passed unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairperson Schley asked if anyone in attendance wished to comment on non-agenda items.

Ms. Julie Rogers, 3428 Marlene Avenue, County Commissioner representing the 5th District, told the Board she had heard from many of her constituents who live on Van Kal Avenue about this issue and that there was not one positive comment. She and others are concerned about the two-week turnaround time for the next public hearing, which will be just after the holiday weekend. Since she ran for the County Commission in 2012, the hot topic in the area is the concern over sewers. This area of the Township already has issues without adding another 40 homes, and there is probably no intent for the Township to add sewers in that area any time soon. She noted a high volume of traffic in that area and said she has almost been hit herself several times; additional

homes will add to that problem. She said she would try to be back at the meeting in two weeks with further comments, but would put them in writing. She thanked the Board for listening to her comments.

Mr. Wade Lawrence, 10749 West M Avenue, expressed his displeasure that there was no notification that this item would not be on the agenda. He asked rhetorically if he had called and said he couldn't make it tonight if the meeting would be rescheduled around him. He said there is a perception among residents that there is some favoritism going on with the developer. He added that cancelling at the last minute is discourteous if nothing else. At the last meeting there were due process issues raised and he said he would raise those same issues for the May 28 meeting. 15 days' notice is required for the public, this allows 14 days and not only did he not receive notification that this issue would not be discussed at this meeting, but he would raise the due process issue regarding whether there is sufficient notification for people to attend on May 28. People had to rearrange schedules to attend tonight and if nothing else, this was very discourteous on the part of the Planning Commission.

Attorney Porter explained that it was the developer who requested the public hearing be rescheduled to a date certain, following due process requirements.

Chairperson Schley added the Planning Commission followed proper application process. The applicant has the right to withdraw the application or ask that it be tabled at any time, including on the evening of its review. He noted that has happened in the past at times, due to the wisdom of the applicant, when more time was needed to make modifications to the proposal. In this case, the applicant met with planning staff very recently. They would have hoped that would have occurred sooner, but it wasn't able to occur sooner. The applicant has the right, without any bias of any member of the Planning Commission, to ask that consideration of the proposal be postponed. He wished it had been possible to get notice to everyone sooner, but he wanted everyone to understand that if the applicant had attended the meeting and simply stood up and asked that consideration of the application be postponed, they would have been required to grant that request. The Chairperson resumed the opportunity for public comments.

Mr. Art Diani, 4115 Van Kal, seconded Mr. Lawrence's comments, saying this smells like a backroom deal or that it is politically motivated. People are very, very upset; 50 people were planning to attend the meeting tonight. The last minute cancellation was very destructive to their schedules. Postponing for four weeks, then again for two weeks on short notice does not look good. It suggests some sort of under the table deal. He said he understood a moratorium on building in their area had been discussed because of the sewage problem, but it seems that was thrown out the window. He noted there are some very disappointed and upset taxpayers over this issue.

Ms. Judy Diani, 4115 Van Kal, expressed her frustration. A lot of people were planning to attend this meeting to express serious concerns about the proposed project

regarding the environment, water quality and sewage. She did not hear until late in the afternoon, by chance, that the issue would not be on the agenda and wondered why there was not at least a phone chain or something to alert people. She tried to call as many people as possible to let them know of the change, but said people shouldn't be treated like this. Next time will be the third time residents will be coming to a meeting for this process and she wondered why applicants are more important than more than 50 people who live in the area. They are coming in to propose a plat and she wondered why their idea of a plat is more important than all the people who have lived there for many years. They are concerned about the possibility of clear-cutting trees and bulldozing before the plat is approved. She hoped the Board understands residents' frustration and thanked the Board for listening.

Chairperson Schley thanked the audience for their comments.

Mr. Milliken asked if there might be a contact person Township personnel could contact in order to start a phone chain if there is a further postponement, which could occur. He said they noted the postponement for tonight's meeting on the website and posted it on the door, but did not have phone numbers or e-mails for residents in order to broadly distribute the information.

Ms. Diani said she would be willing to be the contact.

Attorney Porter said the law is pretty well established in Michigan that if you have public notice and then table to a date certain there is no requirement under the law to re-notice or re-publish. If it is necessary to table again, although there is no requirement to re-notice or re-publish, he would not be comfortable with that. He noted publication costs are very expensive.

Hearing no further public comments on non-agenda items, Chairperson Schley moved to the next item on the agenda.

APPROVAL OF THE MINUTES OF APRIL 23, 2015

The Chairperson asked if there were any additions, deletions or corrections to the minutes of the Meeting of April 23, 2015. Hearing none, he asked for a motion to approve the minutes as presented.

Mr. Loy made a motion to approve the minutes of the April 23, 2015 meeting. Ms. Farmer seconded the motion. The motion was approved unanimously.

Chairperson Schley moved to the next item on the agenda.

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD MAY 28, 2015

Agenda

PUBLIC HEARING: PLANNING COMMISSION TO REVIEW APPLICATION OF TIM WOODHAMS, ON BEHALF OF VAN KAL PARTNERSHIP, LLC, FOR TENTATIVE APPROVAL OF A PRELIMINARY SITE CONDOMINIUM PLAN (STEP 1) FOR A 40-UNIT RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT NAMED MYSTIC HEIGHTS. THE SUBJECT PROPERTY IS LOCATED AT 3839 SOUTH VAN KAL AVENUE IN THE RR RURAL RESIDENTIAL DISTRICT. (PARCEL #3905-31-155-030).

PUBLIC HEARING: PLANNING COMMISSION TO CONDUCT PUBLIC HEARING TO REVIEW THE APPLICATION FROM KEN AND JONI SLUYS FOR REZONING OF THE SOUTHERN PORTION OF A 2.58 ACRE PARCEL LOCATED AT 5527 PARKVIEW. REQUEST IS TO REZONE PROPERTY FROM RR RURAL RESIDENTIAL TO R-2 RESIDENCE DISTRICT (PARCEL #3905-36-130-094).

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, May 28, 2015, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Terry Schley, Chairperson
Fred Antosz
Wiley Boulding, Sr.
Dusty Farmer
Pam Jackson
Millard Loy
Mary Smith

MEMBERS ABSENT: None

Also present were Greg Milliken, Planning Director; James Porter, Attorney; and Martha Coash, Meeting Transcriptionist. Approximately 35 other persons were in attendance.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairperson Schley at approximately 7:00 p.m. and the "Pledge of Allegiance" was recited.

AGENDA

The Chairperson asked for a motion to approve the agenda.

Mr. Loy made a motion to accept the agenda as presented. Mr. Antosz seconded the motion. The motion passed unanimously.

PUBLIC COMMENT ON NON-AGENDA ITEMS

Chairperson Schley asked if anyone in attendance wished to comment on non-agenda items.

There were no public comments on non-agenda items. Chairperson Schley moved to the next item on the agenda.

APPROVAL OF THE MINUTES OF MAY 14, 2015

The Chairperson asked if there were any additions, deletions or corrections to the minutes of the Meeting of May 14, 2015. Hearing none, he asked for a motion to approve the minutes as presented.

Mr. Boulding, Sr. made a motion to approve the minutes of the May 14, 2015 meeting. Ms. Farmer seconded the motion. The motion was approved unanimously.

Chairperson Schley moved to the next item on the agenda.

PUBLIC HEARING: PLANNING COMMISSION TO REVIEW APPLICATION OF TIM WOODHAMS, ON BEHALF OF VAN KAL PARTNERSHIP, LLC, FOR TENTATIVE APPROVAL OF A PRELIMINARY SITE CONDOMINIUM PLAN (STEP 1) FOR A 40-UNIT RESIDENTIAL SITE CONDOMINIUM DEVELOPMENT NAMED MYSTIC HEIGHTS. THE SUBJECT PROPERTY IS LOCATED AT 3839 SOUTH VAN KAL AVENUE IN THE RR RURAL RESIDENTIAL DISTRICT. (PARCEL #3905-31-155-030).

Chairperson Schley said the next item on the agenda was a review of the application for tentative approval of a preliminary site condominium plan (step 1) for a 40-unit residential site condominium development named Mystic Heights, located at 3839 South VanKal Avenue in the RR Rural Residential District. He noted it first came before the Board on April 9, was rescheduled for May 14, and was tabled to the May 28 agenda at the request of the applicant.

Attorney Porter indicated he had provided the Planning Commission with oversight and direction as to what they need to address as a Planning Commission in a memo previously distributed.

Attorney Porter indicated that at the end of the last meeting, the Chairperson requested some direction as to which issues the Planning Commission should address among the myriad of issues raised regarding Mystic Heights. First of all, keep in mind that this is a preliminary review under Section V of the Ordinance.

Therefore, the Planning Commission should consider the following items included in Section V. 3 of the Ordinance:

- a. The street requirements of the Ordinance;
- b. Building site requirements, size and lot dimensions;
- c. Are there non-motorized facilities provided;
- d. Did the applicant address the general provisions which are as follows:
 1. No reserve strips;
 2. Preservation of natural features insofar as possible. Keep in context -- the fact that they are developing a site condominium.
 3. Address concerns regarding flooding;
 4. Does it meet all other Township Ordinance requirements?

Attorney Porter identified several issues that had been raised during the What shouldn't the Planning Commission focus on? For traffic issues, the Township relies upon the Kalamazoo County Road Commission to make these determinations. For concerns regarding drainage basins, the Township relies on the Kalamazoo County Drain Commissioner's office to approve these facilities. For issues related to wells and septic tanks, the Township relies on the Kalamazoo County Health Department to permit and oversee public health regulations with regard to wells and septic.

Attorney Porter stated that these issues are not decided in a vacuum. The Township and Planning Commission decides them jointly with multiple county agencies, using their expertise.

Attorney Porter recommended that the Commission focus on the Zoning Ordinance as it exists – not what the Commissioners might envision as being applicable in the future, but the Ordinance as it exists today.

Chairperson Schley asked Mr. Milliken to review the request.

Mr. Milliken noted the discussion involves a 40 unit residential site condominium located on the east side of VanKal Avenue on 40 acres of land between Stadium Drive and M Avenue in the SW corner of the Township. Although this is carried over from previous discussion in April, it is considered a new public hearing.

He reviewed the process for site condominium review, saying it is a three step process, and this is step one. He explained that step one is conceptual plan review stage. It requires a public hearing at the PC and recommendation to the Township Board, who will make the final decision. Ultimately, the Township Board makes the decision. The purpose of step one is to evaluate the proposal for compliance with

zoning requirements and consistency with overall requirements of the Ordinance. It does not require significant engineering detail or analysis.

Mr. Milliken indicated that step two is the final preliminary plan. This is where all the engineering detail is provided as well as approvals from the other agencies and jurisdictions. Road profiles, grading detail, drainage plans, stormwater calculations, etc. are all provided and confirmed at this stage along with review and approval from Road Commission, Health Department, and Drain Commissioner. This step requires Township Board approval. Step three is the final plan. This occurs following installation of the infrastructure. It involves approval of the installation and the sign-off of the various required agencies. It also involves the various legal documents required for the development.

Mr. Milliken said the proposed plan has been modified from the plan previously presented and includes the following elements. Rather than a rectangular block, a more natural loop shape is established for the road system in order to reflect the topography of the site. The intention is to follow the natural grade and result in less disturbance to the area. As a result, two natural areas are left protected in the northeast and southeast corners. These are areas that could not be developed due to 4:1 ratio. Language regarding their protection will need to be in the condominium documents. These are the only areas guaranteed to be preserved, although the applicant has indicated protection language is to be provided within developable units through the condominium documents for developable sites.

Mr. Milliken stated that the 40 units vary between .56 and 1.29 acres in size. There is no minimum lot size for development in the RR district. Density is set at one unit per acre. The minimum lot width is 100 feet. No unit in the proposed development has frontage smaller than 100 feet. The development is served by private well and septic. This will be reviewed by the Health Department.

Mr. Milliken stated that the roads will be public roads and will require approval of the Road Commission. The road layout shows an extension to the north to provide connectivity in that direction. A previous extension to the east was removed with the redesigned plan as it would not be able to be installed in compliance with Road Commission requirements and still provide natural resources protection. He indicated he was disappointed in this removal, but he understood the challenges such a connection would present both due to land assembly and topography to the east. As a trade-off for reducing the impact of the development, Staff was comfortable with this modification.

The Township Engineer provided a review of the previous plan. In a recent conversation regarding the updated plan, the Engineer indicated he thought it would have a reduced impact on the natural resources and the site, although it was difficult for him to make further judgments without the details he would typically review in step 2.

Mr. Milliken continued indicating that as Mr. Porter pointed out, the standards of approval for Step 1 are provided in Section 290.005.D.3 of the Ordinance. It includes four sections. The first is streets. The streets are public roads and have been laid out to public road standards. A connection has been proposed to the north and will require a turnaround. The second is lots. The development satisfies the density and frontage standards of the Ordinance. The applicant has indicated a willingness to restrict the clearing and grading of units in order to limit impact of development on the property. The third is pathways, and sidewalks are provided in the development.

Mr. Milliken said the fourth standard is a general provision section. He indicated that no reserve strips are provided and flooding is not anticipated to be an issue in this development. This standard does address natural features, and natural features are an issue at the site as there are steep slopes and trees particularly on the east side of the lot. With this plan, the NE and SE corners are more protected and less disturbance will be created as a result of the infrastructure placement than the previous plan. He said the question is whether that is enough to meet the requirements of the Ordinance.

Mr. Milliken concluded by saying he would be happy to answer any questions the Board might have

Ms. Jackson confirmed the 20 foot landscape buffer shown on the plan along Van Kal from the road east is what is required.

In answer to a question from Ms. Jackson regarding whether trees would be preserved in the enhanced preservation of topography mentioned in the revised proposal, Mr. Milliken said that question might better be posed to the applicant.

Chairperson Schley asked if there is a difference between private sub-divisions and site condominium agreements, such as plat restrictions, with regard to enforcement of restrictions versus Township Ordinances since it would not typically be judged appropriate for the Planning Commission to accept ordinance requirements being met in some areas through private restrictions.

Attorney Porter said typically enforcement of private restrictions is more likely to occur in condo situations because they are more likely to form associations for enforcement of association agreements.

The Chairperson asked how the Commission could consider any protections that are not in the documents provided other than by the record of the applicant.

Attorney Porter said nothing could be considered but the proposal in front of the Board. The Township Board will look at what is proposed at the next stage. At this stage, he said he did not see anything in the Ordinance regarding consideration of Stage 2 concerns.

Mr. Milliken noted one issue in Step 2 is drainage. Some swales and other drainage features will be required as part of some lots as part of the stormwater plan and part of the master deed and bylaws. That is something that as site plans come through, it will be the responsibility of the building and planning departments to be sure the building sites are developed in concert with the master deed and bylaws consistent with what was approved. Similarly if there was some other added condition included, that would be added to that sort of review as well.

Chairperson Schley directed a question to Attorney Porter about the collective statements made for Step 2 drainage issues that seem to be in conflict with Attorney Porter's past statements. He did indicate if Planning Commissioners had some knowledge or expectation that they were concerned that certain parts of the ordinances eventually could be met, they could consider their knowledge base that there might be concerns that could occur. He asked if this was a more specific re-direction of that instruction.

Attorney Porter said Commissioners may express concerns previously raised. He thinks the new plan was developed in direct response to their concerns regarding potential problems and that is within the Commission's authority. The question becomes at what point it is a requirement versus a recommendation. The way the proposal was originally designed, he thinks there were several people on the Commission who felt problems that would exist would not allow approval. Planning Commissioners can still express concerns with the new plan if they feel the problems may still exist.

Mr. Milliken explained he just used drainage as an example.

Ms. Farmer referred to the memo from the Township Engineer regarding his concerns.

Attorney Porter pointed out the Engineer's report was prepared based on the previous plan layout, which impacted his response and suggested the Commission not rely on it for the revised proposal.

Ms. Farmer said one concern the Engineer raised regarded trees greater than 12 inches in diameter, from zoning ordinance section 82.

Attorney Porter said when you read all the Township Ordinances together there are rules on how you read statutes, laws, and ordinances. The more specific ordinance is the sub-division ordinance which would take precedence in this situation over section 82, so he does not believe that provision is applicable in this case. Sometimes even staff has to agree to disagree.

In response to a question from the Chairperson regarding why there was not a memo from the Engineer pertaining to the revised proposal, Mr. Milliken said the Engineer did not have adequate time to fully review and prepare such a response.

Ms. Smith asked if the Planning Commission function in decision making should be based only on Ordinance 467 or also 206, since it is a rural residential district under consideration.

Attorney Porter said it is based primarily on the sub-division/site condominium ordinance. The basis for criteria comes out of the overall zoning ordinance. Unless the Planning Director specifically points out discrepancies for the Commission from the ordinance, the Commission may assume the proposal meets ordinance requirements. He said the assumption can be made, listening to him tonight, that it generally meets the requirements. Attorney Porter said if you feel there is something applicable in one of the other ordinances that needs to be addressed, that issue should be raised.

In answer to a request for additional clarification from Ms. Smith, Attorney Porter said he suggested Commissioners look at the RR zone statement of purpose and what he would call the "black letter law" as to what is permitted. Attorney Porter said in his opinion there is nothing within RR district black letter law that indicates the applicant is not in compliance. The law is very clear in the State that if you have a general statement of purpose, but not all those ideals are specific in the ordinance itself, you are required by law to follow the ordinance specifics.

Mr. Milliken said he focused on the site condominium ordinance for his analysis.

Ms. Smith said she understood from Attorney Porter that it was up to the Planning Commission to interpret the Statement of Purpose in the context of the ordinance itself.

Attorney Porter said it is ultimately up to the Planning Commission, but that he or Mr. Milliken would point out any areas of violation of the ordinance or any areas in which the applicant was not in compliance.

In answer to a question from Mr. Boulding, Sr., Mr. Milliken said the four items needing to be detailed in the revised plan according to review by the Road Commission, were 1) a dimension needed to be labeled more clearly, 2) a sketch needed to be added, 3) a right turn lane was not properly drawn, and 4) dimensions for private utilities were not shown.

Chairperson Schley noted the written staff report included excerpts of the minutes from the April 9 and May 14 meetings that reflected public comments. Mr. Milliken pointed out that Staff received several emails, copies of which were provided to the Commissioners.

Hearing no further questions from the Board, Chairperson Schley asked if the applicant wished to speak regarding the application.

Mr. Pat Lennon, 350 East Michigan Ave., Attorney for the applicant, indicated he was accompanied by Mr. Scott Carlson and Mr. Tim Woodhams, and that Mr. Mike Seelye was unable to attend the meeting but sent his regards.

Mr. Lennon said the main point he wanted to stress was their reaction to the process and what they hoped the Planning Commission would see as real improvement in the plan. He said Mr. Carlson and Mr. Seelye are invested in the area and are responsible land owners. They do not try to do projects to upset neighbors. He noted they are not asking for a variance or land use permit. Their approach was to find a parcel and tailor a development to fit it. Their reaction to unhappiness was to try to make it better and react to neighbors, staff and the Planning Commission. They took the feedback to heart and produced something that is a great improvement and that complies with the Township Ordinance, so they have a right to do it under the law. They added an additional curve to the road, changed the square to a loop following the topography, left the NE and SE corners untouched and want them preserved, and to build in architectural controls for homes to be developed with landscape plans to influence better preservation of natural features and trees. They would like the Board to consider where they started and what they are allowed to do. The Township knows these developers are responsive. Still to come are engineering and condominium documents and other agencies will have their say. They feel they have done the right thing in the right way. They are here to answer questions tonight and in the months ahead.

Chairperson Schley said he felt there was a lack of clarity in the staff presentation and in Mr. Lennon's comments regarding preservation issues. By parcel basis influence preservation is different than specific stipulations.

Mr. Lennon said he was blending two comments. Today they are committing to two corners but are making no further commitment at this point. A mechanism will oversee development of particular lots and will attempt to preserve more significant trees and vegetation. Specific trees on lots to be developed in the future cannot be identified now.

Chairperson Schley said in concept development we would be able to conclude from his comments that other than tweaks to grades and modifications to the entry road, there is not a specific broad scale assessment of natural features except for the corners.

Mr. Lennon said that would be premature; that they did produce a responsive plan regarding the road to mirror the topography. Describing specific elements of vegetation is premature.

Attorney Lennon said comments from the Commission and neighbors were taken seriously and considered.

In response to a question from Mr. Boulding, Sr., Mr. Woodhams, Civica Engineering, 1503 East Centre St., said the total area of the SE and NE corners was 1-1/2 – 2 acres.

In response to a question from Ms. Smith, Attorney Lennon indicated the condominium sub-division plan will identify the SE and NE areas that will not be developed and that homes will not be close.

Ms. Smith said there were extreme slopes with adjoining lots that will include set-backs, wells and septic systems and wondered if there will be walls to accommodate the slopes.

Mr. Woodhams said a plan will be submitted. Houses are typically built toward the front of lots with septic systems in the back yard and wells in the front yard. He noted whatever is done will need to be approved by the Health Department. There will be no grading in the corners.

In response to a question from Chairperson Schley regarding whether there will be a tile field in a flat area, Mr. Woodhams said the Health Department requires pre-grading at a 10% grade or more. He indicated the grade is not 10%. The majority of the topography steps down across lots and follows the topography with grading. He described a trenched underground absorption bed.

Attorney Lennon said all work would have to conform to requirements; the first plan and this one conform to the ordinance. They look forward to questions if there are more.

Chairperson Schley noted a May 5, 2015 supplemental document from staff was received.

Mr. Milliken said a number of email copies and letters have been received from residents.

Chairperson Schley also noted correspondence included in the packet from Ronald and Patricia Sims, Art and Judy Diani, and Derrick Millard and that emails had also been received from the Westrates, Heels and Sullers, and a letter received at tonight's meeting from Jan Thomas, endorsed by 23 signatures of residents agreeing with her comments. All comments were in opposition to the proposed project.

The Chairperson opened the meeting to public comment, reminding the audience that comments are limited to four minutes per speaker.

Ms. Julie Rogers, 3428 Marlene, County Commissioner for District 5, said she received numerous e-mails and calls from residents regarding this proposed project and that all were in opposition. She thanked the Planning Commissioners for providing a public comment period and asked that speakers remember to be respectful in their

comments. She said she had read a preliminary Health Department report in which it was noted borings in the area could not continue when they hit rock and said she has a question in to the Health Department and the Drain Commissioner for clarification.

Mr. Ted Boyer, 45732 22nd Street, Van Buren County, said the proposed plat driveway will be located directly across from his property. He felt it was absurd to create a mini-city in this location and was concerned with what would happen to the water table with the addition of 40 condos and 40 septic tanks and wells. He asked Commissioners to look to the future and said if approved, the project would level the ground, take out the hill and disrupt the whole environment, including wildlife. New residents will want nice lawns and landscaping which will take more water, affecting the water table, which will cause current residents to have to drill new wells. He said the land is extremely sandy, without much clay, and he is worried about pollution from septic tanks. He said both an environmental impact study and a traffic impact study are needed. 80 more people a day using the already busy roads will have an impact; there is no turn lane into the development.

Mr. Chris Tiller, 3776 S. 1st St., said the site condo definition bypasses certain federal and state rules and regulations in order to expedite the process. His home was built in the 1800s in a farming community. He does not understand how a 40 condo development qualifies for the rural residential designation. The Powell development has empty lots for condo development and other developments in the area already provide homes, 50-60 from Allen Edwin Allen builders. He wondered if these new condos are built, are they really going to come. He also expressed concern about noise and light pollution.

Mr. Wade Lawrence, 10749 West "M" Avenue, thanked the Commission for the meeting notice mailing. He said he and his wife concurred with the comments made at the last two meetings and tonight by other residents of the area and particularly mentioned traffic and wells. He said since Pond Estates was built, the pond no longer exists and that he had to drill a new well. 40 wells upstream will adversely affect his water availability and he is concerned about his drinking water. He said there are no guarantees on how residential lots will be developed – the project opens the opportunity for substantial grading and clearing; divorcing from responsibility is disingenuous. This project will cause a negative impact on the rural quality of life they expected when they moved to the area. While the rural residential designation definition does not have the force of law, this project contravenes the statement of purpose.

Ms. Judy Diani, 4115 VanKal, said her property was due south of the proposed land. She carefully read the Township Engineer's report and noted drainage ditches comprise 3.6 acres, which must mean runoff is a big concern, which will be exacerbated by tree removal. She wondered who would want to live next to a drainage ditch. She said the Health Dept. talks about the slope of the hill, that a grading plan is necessary for slopes exceeding 10%. She said the slope at the back is severe, from 2 – 20%. Houses will be higher and lower on the hill. Some septic systems will be higher and lower than some houses. A lot of the hill will need to be carved out to make it more

level. Steep sides for the property are not part of the plat, so what will happen? She said Mr. Woodhams said at the last meeting they would struggle to preserve natural features and that it feels like a reasonable slope. She said the same slope is at her house and it is steep and a plat does not fit, it needs to be flat. She provided written comments to Commissioners.

Mr. Art Diani, 4115 VanKal, said he is strongly concerned about this project and agrees with other residents' comments. He felt the revised plan changes were cosmetic and do not address all the concerns of topography, including grading and drainage issues. He was also strongly concerned about severe environmental impacts. He appreciated and thanked the Board for hearing residents' concerns.

Mr. Terry Hoay, 3499 VanKal, said he had lived here seven years and is strongly opposed to this project; he mentioned water and traffic concerns, saying the traffic there is already terrible and this development will make it worse.

Ms. Jan Thomas, 45537 Winchester Circle, Mattawan, provided the Commission with written comments, but highlighted her concerns about accountability and trees, wondering who will remove the trees and grade the property and how would it be monitored and enforced. She said they are tree-conscious, noting a residence across from the housing site is paying to bury electric lines in order to preserve trees. Widening of VanKal would make it necessary to remove at least many of these same trees. She said when turning on VanKal from Red Arrow Highway and 44th Street are 21 homes, some not seen, on large wooded parcels. If approved, 40 homes will be in the middle of this section on flat, stripped land, with street lights, curbs and gutters and catch ponds, 80 plus vehicles in and out, plus all the service vehicle traffic, garbage, lawn care, etc. The peace and tranquility and nature, the very reasons residents moved there, will be gone forever. The proposed 40 unit plan just does not fit in this area.

Mr. Kevin VanDyk, 3795 VanKal, said his property borders the property planned for development on the south and east. He purchased his property last year because it was quiet, secluded and provided a peaceful existence fundamental to his lifestyle. He is unable to reconcile this project with the Master Plan statements. He noted there is high residential interest in preserving the rural feel and felt the zoning ordinance should enforce the Master Plan. He did not understand how a development of this size and complexity fits the rural residential zoning definition. He wondered what the definition of "high density" is and urged Commissioners to consider the intent of the ordinances. He chose to make his home in the woods without improvements or services. He asked the Board to preserve the rural character, thanked the Commission for listening to his comments, and urged the developer to reconsider the impact on the area.

Mr. John Robyn, 3517 VanKal, said he lives at the northwest corner of the planned development. There are lots of hills and he noted water does not stop at the property line. There is a natural swale on his property and the water from the development will fill it. He spent \$4000 on a new well after Pond View Estates was built. He does not understand why this has to be done to the neighborhood. Residents care

about preserving what they have. He said if the development could not be stopped, the developers should be required to run sewer lines and not be allowed to put in septic systems or private wells. He said they are not welcome in the neighborhood and to leave them alone. He said there are endangered turtles in the area and asked if an environmental impact study was done or would be done.

Attorney Porter said an environmental impact study is not required in state law.

Hearing no further public comment, Chairperson Schley said the Planning Commission would take a break before moving to Board Deliberations.

After a break from approximately 8:30 to 8:36 p.m., Board Deliberations began.

Mr. Antosz commented the Master Plan is not under consideration here. The ordinance is based on the Master Plan.

Attorney Porter agreed the current zoning ordinance is not fully reflective of the Master Plan; if something is not, it is unfortunate, but the Planning Commission must follow the ordinance.

Chairperson Schley asked Attorney Porter if it is true that the comment regarding the site condominium process being more lax in requirements was due to State and Federal standards.

Attorney Porter said it is the choice of the developer whether to use the subdivision control act or the site condo act, but that state law says condo development is no different than any other development; the rules and regulations are a mirror image for each process. They are subject to the same review and scrutiny.

There were questions from Ms. Jackson and Ms. Farmer regarding whether it is appropriate to look at grading and drainage issues in step one or step two of the process.

Mr. Milliken said a lot of the reason for looking at these in step one was at his advice. Step one lays out the concept. Step two includes specific engineering work. His theory acknowledged there would be grading issues with the site and he thought it prudent to get those concepts viewed ahead of time so that through discussion if there will be an impact on the layout, it would be better to know sooner than later and not have to re-do step two. Complete information is not available for a lot of issues and are not part of step one, but are important elements for consideration.

Ms. Farmer said preservation of natural features needs to be looked at now; it would be a poor choice not to do so. Planning Commissioners should desire to know what will be done in order to make a decision. If there is a lack of information or a requirement to wait for step two, she did not see how they can go past the first step. She said she finds the public comments important but the Planning Commissioners

cannot consider traffic or groundwater issues because these issues are not in their jurisdiction. The Planning Commission can speak to natural features preservation and she sees no indication the developers would preserve them in any way.

Mr. Loy confirmed no work could begin until approval is granted by the Township Board.

Attorney Porter counseled recommending approval to the Township Board if the proposal complies with the ordinance and not recommending approval if it doesn't meet the ordinance requirements.

Mr. Antosz said he has been deliberating and based on Counsel and the ordinance, he feels the proposal meets the ordinance, but has strong concerns against it being in the RR district as it does not seem to fit in and he does not think the developers can preserve natural features as much as they think they can.

Mr. Boulding, Sr. said he was not convinced the project is a right fit for the property. A number of things make him uncomfortable; for instance, open-ended statements like "grading minimized to extent possible." He will need further convincing to move to a positive vote for development.

Ms. Jackson said she has a land conservation background and that is where her heart is, but she also believes in following local law, and though she has reservations she believes the proposal follows the Standards of Approval and would vote positively on the application.

Ms. Smith said there is a requirement for sidewalks for the condo development; normally if there are sidewalks there is something to walk to, like a bus stop or a library for instance, but in this rural area, it is likely to be 50 years before there will be something to walk to. She said the presence of ground water and sewer are not in the Board's jurisdiction, but if we knew then what we know now, sewer and water would have been installed before developments. She hopes in the future those will extend to the County line, but it will likely be a number of years before that will occur. She said she is opposed to the application.

Mr. Loy said according to what the ordinance states, he would vote in favor of the application at this point; the Township Board will make the ultimate decision. A yes or no vote will not affect the project now.

Chairperson Schley said the ordinance allows and has for some time allowed plats and subs in the RR district. He said he is most familiar with Oshtemo Wickford, a subdivision of ½ acre lots, somewhat rural characteristics, flat, and less intense than this application on storm treatment; it has a different character and adaptability than here; it has lots to its' west and at the east a golf course. As he described Wickford is in one way how he feels he must look at things; not just the specific technicalities of an

application, but what is around the “place” when considering land use and purpose statements, character natural features, suitability and trends.

He said here, this application within its property boundaries and to the extent of things like streets and other technical matters, the specific “technical” criteria under Part 290 are met. But purpose and suitability are a concern for him, and he believes ordinance in both Section 290 and at the primary zone of Rural Residential requires him to consider the broader “place” in considering this application. Part 290 “purpose” cites the criteria being an objective interest to review the sites proposed similarly to a general subdivision, and, including all requirements of the Township Zoning Ordinance. As the Planning Commission considers the purpose in Section 290, he believes he is also under further instruction to narrow his view, this being general instruction from Township legal counsel. Yet, such guidance, he believes, does not suggest that overall land use zoning be totally disregarded, and as one of the most tenured Planning Commissioners present, he can share that the Planning Commission has looked before to a use zone’s purpose with all the other criteria of ordinance together to consider the potential fit of a proposal into a surrounding area. If the overall zone’s purpose is inappropriate to consider, and if the issues of an area’s character and suitability are to be disregarded, then he doesn’t understand at all the logic of zoning. Further in consideration of any application, the Chairperson stated that the Commission has not typically in Oshtemo taken ordinance to be strictly just checklist fulfillments of only the technical compliance items, such as drawing scale, or setbacks complying, but always we have considered the impact of the collective complete applicable ordinance at hand and its intent.

Chairperson Schley continued, saying the Rural Residential District Purpose also gives intent of land use, and it is for a semi-rural lifestyle not suitable for traditional residential subdivisions as a result of topography or other features. In his own characterizations in discussion with the applicant previously, he believes he struggled to describe the previous concept plan as other than “regimented”. That reflected his honest view of the application. The applicant’s representative previously also variously described the previous solution in every way as being but with little consideration for the natural features present, and the applicant’s representative himself then gave the Board little in understanding but that this was previously a fairly typical traditional subdivision. Attorney Porter even suggested the previous design could have easily been placed in a flat corn field, and the modifications being considered tonight in the revised plan to the Chairperson still represents a more traditional subdivision than a plan likely to respect the rural character and to likely respect the site’s natural features. Even our Township Engineer, Marc Elliot, casts questions on how this can’t still not be a major earth work project when done – hinting it nearly all encompassing. This is not sufficient for the Chairperson. For him this application does not meet the Rural Residential District Purpose.

He said he also must add along with these comments a sincere disappointment that this revised application has failed so significantly in attempt to address Part 290 First Step Section 3, sub-point 2, General Provisions, in regards to preservation of woods and natural habitat, as he understands the applicant’s concept. The concept

solution, in his opinion, has placed “value” on a maximized execution to have the greatest number of lots, clearly at the expense of the natural features. Section 2 cites that natural features adding value to residential developments to be preserved are a general provision we can consider, and “value” here can include by intent of ordinance the richness of nature, not solely a maximum number of marketable lots.

Chairperson Schley said he would also be remiss to not consider the overall process here for he noted he is knowledgeable of those next steps for the proposal should the Planning Commission choose to recommend this onward. Eventually he believes the Miscellaneous Provisions of the Township ordinance will come to bare, and storm water management standards and Section 78.520 will eventually need to be addressed. The Chairperson noted he has real reservations that storm water management in this rural setting as proposed with concentrated storm basin designs can meet Sections, C, D and F of 78.250, where drainage is wanted to be comparable in function and appearance to common natural drainage and runoff, and that development reflects an encouragement to have considered surface and vegetated buffering, and the storm water solution being designed to be visually attractive.

So, he said he will be voting to not recommend this application to the Township Board out of step one.

The Chairperson said he must also share, however, for the neighbors here, that his position tonight is only on the specific concept at hand – meaning, as a Planning Commissioner, he must be guided by and respond appropriately to ordinance, and for the property owners, this applicant, their rights also under law that ordinance gives them. If this proposal had more sensitively given assertion that natural features were more respected, if the concept had been better delineated to fit in the “RR” zone purpose, and if the storm drainage approach had been understood not a next step concern, and if this was plainly more suitable to the character of that around it, he would have had to recommend such an application onward. He personally remains sympathetic to all voiced concerns the audience as neighbors have shared, but this site in his experience may have been able to meet our Oshtemo ordinance criteria as a lesser maxed out concept, and he doesn’t know if that would be at 40, 39, 35, 30 or only 20 sites, but somewhere a solution might so exist, and then it will be difficult to say no to it, for appropriately it could be right to say yes to such a proposal respecting ordinance. He said the neighbors here have described real concerns on aquifer levels, traffic safety, endangered species, sanitary impacts and even electrical capacity concerns were mentioned, but have also heard this Commission must consider our role being not omniscient in many of these matters, for we are as only one partial authority in review of such proposals, and required to fairly consider and apply ordinance in our Planning Commission’s review and considerations of the applications before us. For tonight he believes the Board has fairly and appropriately considered this application.

Hearing no further comments from Board members, the Chairperson indicated he would entertain a motion regarding the application.

Ms. Farmer moved to deny the revised application as presented. Mr. Loy seconded the motion. Chairperson Schley took a roll call vote.

Farmer – yes; Antosz; - no; Schley – yes; Boulding – yes; Smith – yes; Loy – no; Jackson – no. Motion carried: 4 – 3. The application was denied.

Chairperson Schley moved to the next item on the agenda.

PUBLIC HEARING: PLANNING COMMISSION TO CONDUCT PUBLIC HEARING TO REVIEW THE APPLICATION FROM KEN AND JONI SLUYS FOR REZONING OF THE SOUTHERN PORTION OF A 2.58 ACRE PARCEL LOCATED AT 5527 PARKVIEW. REQUEST IS TO REZONE PROPERTY FROM RR RURAL RESIDENTIAL TO R-2 RESIDENCE DISTRICT (PARCEL #3905-36-130-094).

The Chairperson noted that some years ago he provided professional services on the adjacent daycare owned by the applicants and asked Attorney Porter if that constituted a conflict of interest.

Attorney Porter said he saw no conflict.

Chairperson Schley asked Mr. Milliken to review the application for rezoning for the Board.

Mr. Milliken said the applicant owns a 2.58 acre parcel on the west side of South 11th Street just south of Parkview Avenue. Approximately two of the acres are zoned RR Rural Residential and approximately half an acre at the northern end of the property is zoned R4 Residence District. The applicant also owns the property to the north at the corner of 11th and Parkview that houses a day care center and is in the R4 district. The applicant wishes to rezone the RR portion of the parcel to the R2 Residence District. The parcel has 500 feet of frontage on 11th Street.

He continued, saying the property is currently vacant, though it has been farmed in previous years. The property to the south and west is a 125 acre farm field zoned RR Rural Residential. Property to the east, across 11th Street, is Oshtemo Township's Genesee Prairie Cemetery and is zoned RR Rural Residential. Property to the north fronts on Parkview Avenue and houses the Looking Glass Child Care. The applicants own the child care center, which is in the R4 zone. The child care center building was formerly a Masonic Temple. Though much of the area around the subject site is zoned RR, north of Parkview Avenue there is a mix of R2, R3 and R4 zoning districts.

Mr. Milliken said the RR district has a minimum lot size of 1.5 acres and a minimum frontage of 200 feet. Therefore, under current zoning, the parcel could not be divided. The R2 district also has a minimum requirement of 200 feet of frontage and has a minimum area of 50,000 square feet (1.15 acres). The smaller area requirement would allow the parcel to be divided in the R2 district.

Presented May 28, 2015

JAN THOMAS
45537 WINCHESTER CIRCLE
MATTAWAN, MI 49071

Speaking on behalf of Rustic Acres and Rustic Acres #2 residence, a small subdivision on the Van Buren County side of VanKal, across from the proposed 40 unit housing site.

Our common concerns are as follows:

WELLS & SEPTIC SYSTEMS:

The effects 40 wells and septic systems would have on our wells, both the quantity and quality of our water is of great concern. We also question the long term effects we may be facing in the future, on both wells and septic.

VANKAL TRAFFIC:

Traffic on VanKal has increased significantly over the last several years, as well as speeds to excess. We feel that it is imperative a traffic study be conducted. Forty homes equal 80 plus additional vehicles, which would definitely compromise exiting and entering our subdivision, as well as all driveways on VanKal directly across from the site. The problem would be greater in the winter due to highs and lows in the road, and icy conditions on VanKal. The same concerns for the VanKal - Almena Drive intersection. It has been accident prone for years. A caution light and many reflective signs have been installed, but it remains a dangerous intersection, 80 additional vehicles does not help that situation.

VanKal & Red Arrow intersection is another area of concern. It can be difficult due to heavy traffic, especially at peak hours, to pull out of VanKal onto Red Arrow. Eighty additional vehicles would certainly complicate the situation. A light there could be a problem due to the down hill curve on Red Arrow in wintry conditions.

PONDS:

We have homes in both Rustic Acres & Rustic Acres #2 that border 2 ponds, Scarborough East and Scarborough West, located directly across the street from the proposed housing site.

Our concerns are the effects 40 wells, septic systems, and land disturbance will have on our ponds and their water levels, now and in the distance future, as the water levels are already down substantially. The ponds support much wildlife such as Great Blue Heron, Sandhill Cranes, Egrets, Canadian Geese, many species of ducks, frogs, turtles, snakes as well as a watering hole for the many deer we have.

ACCOUNTABILITY:

Who would maintain responsibility for tree removal and general grading of the land for this 40 unit project? How would this be monitored and enforced?

TREES:

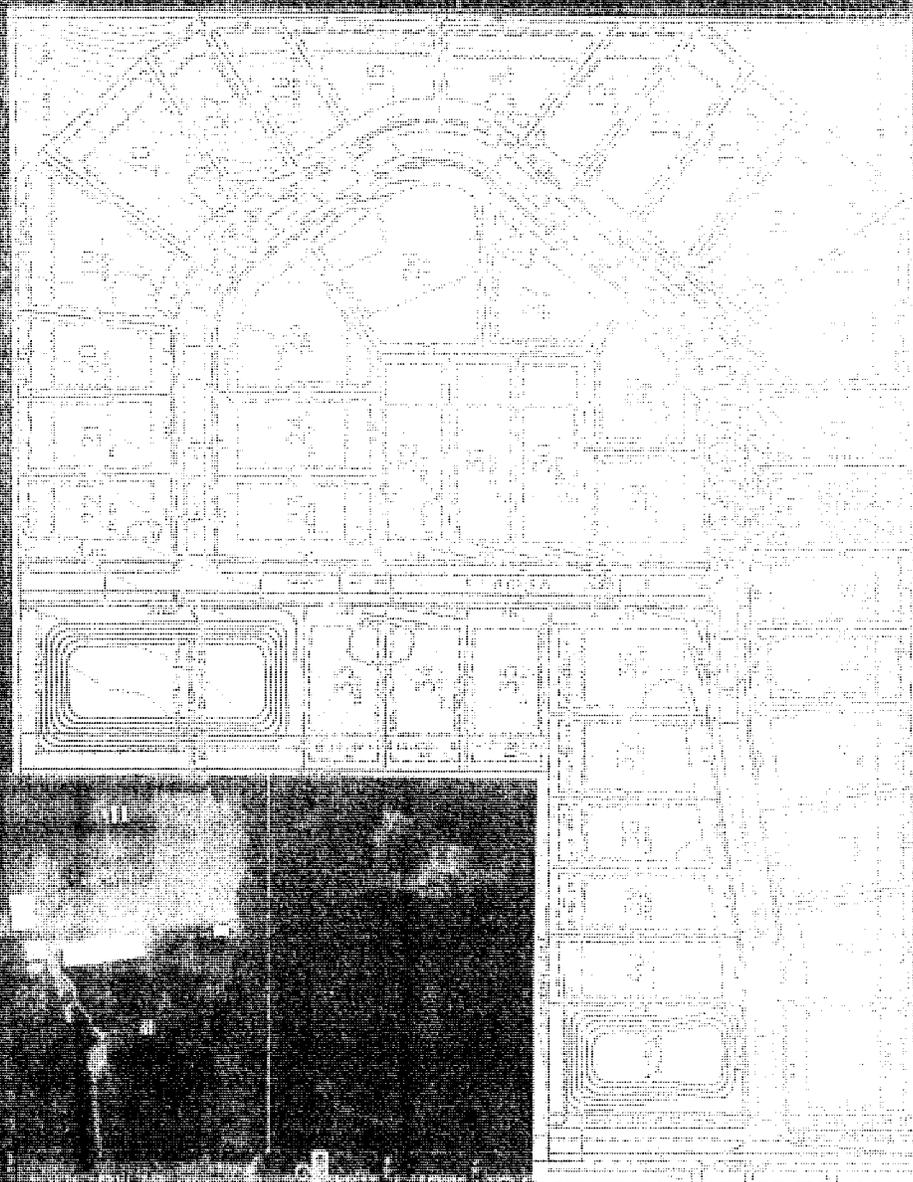
We are very tree conscious. The residence across from the housing site are paying the power company to have electric lines buried so trees will not be removed. Widening of VanKal at the sites entrance for a turn in and passing lane on the opposite side, would make it necessary to remove many, if not all, of these same trees.

LAST AND MOST CERTAINLY NOT LEAST:

When turning on VanKal from Red Arrow, on the Kalamazoo side between Red Arrow and 44th street you have 21 homes nestled, some not seen, on large wooded parcels. Right in the middle of this beautiful section of VanKal you would, if approved, have 40 homes on flat stripped land, with street lights, curb & gutters, catch ponds. Eighty plus vehicles in and out, plus all the service vehicle traffic, garbage, lawn care, etc.

Our peace, tranquility, as well as nature, will be gone forever. Those are the very reasons we moved to this area.

The proposed 40 unit housing plan, just does not fit in this area.



Presented April 28, 2014

JAN THOMAS
45537 WINCHESTER CIRCLE
MATTAWAN, MI 49071

I wish to thank all my friends and neighbors for coming to show support and encourage anyone to speak. As we see no significant changes to the proposal, the residence of Rustic Acres 1 & 2, a small subdivision, on the Van Buren side of VanKal, across from the Mystic proposal, are resubmitting our original letter of concerns and 41 names and signatures of those opposed to the plan.

We want to thank Julie Johnston for distributing copies of our letter and petition to the planning commission before this meeting.

CONCERNING MYSTIC HEIGHTS 40 ACRES:

The flat land will be stripped of most trees. The elevations will be completely stripped of all trees due to their reduction.

This has to happen to accomodate 40 homes, 40 septic, 40 wells, sidewalks, streets, streetlights, catch ponds, and areas with meandering drainage ditches. Trees won't and can't be saved to accomodate all of this. The land and all it's beauty will be destroyed.

OUR CONCERNS ARE:

How will all of this effect our water table. Our wells both quantity and quality of our water.

Many homes surround our two large ponds which support geese, sandhill cranes, herons, snakes and multiple species of ducks, frogs and turtles, as well as a watering hole for the deer.

The pond on 44th street dried up when the Pondview subdivision was built, so we fear for our ponds.

On either side of this property from Red Arrow to 44st street there is 21 homes, some not seen, on large wooded parcels. Other large wooded parcels also on 44th and 1st street surround the 40 acres, most are 10+ acres.

40 homes = 80 plus vehicles in and out, all the service vehicle traffic, garbage, lawn care, etc. Traffic on VanKal is already a problem.

Our peace, tranquility, as well as nature will be gone forever. The very reasons we all moved to this area.

The 40 home Mystic Heights plan does not fit in this area. We do not want it.

RESIDENTS OF RUSTIC ACRES & RUSTIC ACRES #2 OPPOSED TO THE MYSTIC HEIGHTS SITE CONDOMINIUM PROJECT AT 3839 S. VANKAL AVE., KALAMAZOO, MI

NAME & ADDRESS:

DATE:

- 1 Jim & Jan Thomas
45537 Winchester Circle
Mattawan, MI 5-31-2016
- 2 Jim & Jo Todd
45734 Winchester Circle
MATTAWAN, MI 5/31/16
- 3 Wendy & Chris Minor
45662 Winchester Cir.
Mattawan, MI 5/31/16
- 4 Barbara Cline
45420 Winchester Cir
Mattawan, MI 5/31/16
- 5 Nicole Cline
45420 Winchester Cir
MATTAWAN MI 49071 5/31/16
- 6 Adam Keller
45420 Winchester Cir
Mattawan MI 49071 5/31/16
- 7 Don & Julie Kehl
45364 Winchester Cir
Mattawan MI 49071 5/31/16
- 8 Nicholas & Katie Petruska
45331 Winchester Circle
Mattawan, MI 49071 5/31/16
- 9 Mitchell & Jacqueline Pierman
22116 Salisbury Dr
Mattawan MI 49071 5/31/16

- 10 Larry & Cheryl Weststrate
2205⁶ Salisbury Dr.
Mattawan, MI 49071 5-31-2016
- 11 Leonard P Jennings
45092 22 ST
MATTAWAN MI 49071 5-31-2016
- 12 Stphanie & Brent Walunas
22111 Salisbury Dr
Mattawan, MI 49071 5/31/16
- 13 Michael J & Julieanne Rhodes
22155 Salisbury Dr
Mattawan MI 49071 5/31/16
- 14 Angela & Darrell Fancy
45284 Winchester Circle
Mattawan, MI 49071 5/31/16
- 15 KYLE & Chelsea RICE
45496 Winchester Ct.
Mattawan, MI 49071 5-31-16
- 16 James & Janet Backer
22156 Salisbury Dr
Mattawan, MI 49071 6-2-16
- 17 Ruth & Derrick Millard
Model -
22192 Salisbury Dr. Mattawan, Mich.
49071 6-2-16
- 18 Paul & Nellie Halliday
45483 Winchester
Mattawan, MI 49071 6-2-16
- 19 William & Sandra Mederhoid
45960 22ND ST
Mattawan, MI 49071 6-2-16

20 Jerald & Patricia Sims
45520 VANKAL
MATTAWAN, MI 49071

6-6-16

21 Colin & Renee Ziska
45594 VANKAL RD
MATTAWAN MI 49071

~~6~~ 6/6/16

22 Dennis & Chrystal Sellon
2225 Salisbury Dr
Mattawan, mi 49071

6/6/16

23 Jessica & Buley
22189 Salisbury Drive
Mattawan Mich 49071

6-16-16

24 Lorraine Hymenetal
45024 22nd St. PO Box 344
Mattawan, mi 49071

6-7-16

25 _____

26 _____

27 _____

28 _____

29 _____

Julie Johnston

From: Judith Diani <dianifamily@hotmail.com>
Sent: Thursday, June 09, 2016 9:51 AM
To: Julie Johnston
Cc: wade lawrence; kevin vandyk; MEHDI; art
Subject: Van Kal Subdivision

Hi Julie,

I understand that you will include documents from concerned residents in the packet you are preparing for the Township Board meeting on June 14.

Please include my statement. I would really appreciate it.

Thanks.

Judy Diani

ORDINANCE

“EXISTING NATURAL FEATURES...SHOULD BE PRESERVED INSOFAR AS POSSIBLE IN THE DESIGN OF THE SUBDIVISION.”

The back half of the property which has a rise of 80 feet and known as part of Snake Hill (with all of its virgin mature trees and vegetation) is the unique natural feature of this property. Bulldozing and clear cutting this hill in order to build 26 septic systems with 26 x 2 drain fields is clearly not preserving this natural feature. **Therefore, this proposal is not in ordinance.** It seems very clear! These 26 homes are more than half of the 40 units proposed, and they will be in the back half of the property! You can't put this many homes on the back half of this hill property and preserve it!

Evidently, this ordinance has become open to interpretation. However, why isn't the interpretation more accountable to the majority of people in this rural residential area (who have consistently been attending the Planning Commission meetings for a year seeking your support) instead of only 2 property owners who have never lived in this area, and whose only support seems to be a lawsuit.

I know the Planning Commission has passed on a favorable recommendation, but if you read the minutes you will understand that they had reached their maximum effort. They clearly understood the community's frustration, but as volunteers, they did what they could, especially with a lawsuit hanging over their heads. They didn't want to make that decision for the township and passed it on to the elected board. I'm not sure whether the unanimous vote was about the proposal, or really about passing the decision to the Township Board.

We appreciate all of your efforts and courage in this decision. Our community with its rural residential character intact on the west side of Oshtemo township will thank you for years to come.

Judy Diani
Van Kal Resident

Memo



To: Oshtemo Charter Township Board

From: Julie Johnston, AICP
Planning Director

Date: June 7, 2016

Mtg. Date: June 14, 2016

Subject: Conditional Rezoning Request – 4221 South 9th Street

OBJECTIVE

The applicant is requesting the Township Board consider a conditional rezoning of a 10.82 acre parcel from the existing I-R: Industrial District, Restricted to the I-1: Industrial District as allowed by *Section 53.00: Conditional Rezoning* of the Zoning Ordinance. The subject parcel is addressed as 4221 South 9th Street, which is located on the east side of 9th Street just north of Technology Avenue. The conditional rezoning request is to develop a self-storage facility on the majority of the parcel, except for the western most two acres, which would develop with I-R permitted uses.

Conditional rezoning is a mechanism that allows anticipated concerns or unique circumstances to be addressed or managed by attaching conditions to a rezoning request. The conditional rezoning process follows the same steps and procedure as a traditional rezoning with the exception that the applicant may offer conditions that place additional restrictions or limitations on their property.

BACKGROUND

Requested Conditions

For the May Planning Commission meeting, the applicant volunteered a number of conditions be attached to the conditional rezoning. The largest majority of these conditions were related to the property and ultimately, the development of the self-storage facility. Planning staff reviewed these conditions and provided some additional recommendations in the staff report dated May 19, 2016, which was prepared for this application.

After careful consideration by Township Attorney Porter and discussion with Planning staff and the applicant, it was decided that the conditional rezoning should focus primarily on the use. It was determined that the conditions related to site development could be handled as part of the requirement for special exception use and site plan approval, which is a requirement of the I-1: Industrial District if the rezoning was approved.

Planning staff presented this new direction to the Planning Commission at the public hearing, essentially eliminating all of the conditions previously outlined in the staff report. The revised recommendation from staff was as follows:

“Staff recommends approval of the Conditional Rezoning to the I-1 District for the property located at 4221 South 9th Street to develop a self-storage facility, with I-R: Industrial District, Restricted uses located within the two acres immediately adjacent to the 9th Street right-of-way.”

The Planning Commission agreed with Attorney Porter’s assessment and forwarded the above recommendation of approval to the Township Board.

Subject Property

The property subject to the rezoning request is 10.82 acres with approximately 246 feet of frontage on the South 9th Street. The property is currently owned by Thomas and Carole DeBoer, and the applicant has an option to purchase pending various approvals. The owner has given consent to this application.

The previous use of the property was V & V Lumber, which has been out of business for approximately five years. The current I-R District does not permit the use desired by the applicant. After discussion with Planning staff, the applicant was informed that a traditional rezoning to the I-1 District for this parcel was unlikely and therefore the requested use of a self-storage facility would not be permitted. This prompted the applicant to seek the conditional rezoning.

V & V Lumber developed approximately the first 650 linear feet of the property east of South 9th Street. The remaining 500 linear feet to the east property line remained undeveloped. Originally, six large warehouse buildings were located on the property. The recent development of the transmission lines installed by ITC necessitated the removal of two buildings along the southern boundary of the property, leaving four buildings on site.

The ITC electrical transmission line traverses the property along the southern boundary the full length of the parcel. At the right-of-way line for South 9th Street, the utility easement is 102 feet in width, gradually increasing to 180 feet in width at the east property line. The easement agreement forbids the placement of buildings or other above ground structures that the utility feels would interfere with their use of the easement. The parcel at its widest point is 378 linear feet and reduces to 370 linear feet at the eastern property line. At the western parcel line, the easement reduces this buildable width to 276 linear feet and to 190 linear feet at the eastern property line.

The narrowing of the parcel where buildings can be constructed increases the depth to width ratio of the parcel from 3:1 to 4:1. While some site activities would be allowed within the easement, such as parking, the significant encroachment of the ITC easement may impose some development challenges on the parcel.

Considerations

The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards which must be consider when reviewing a rezoning request. However, there are some generally recognized factors that the Planning Commission reviewed and deliberated before making their recommendation to the Township Board. These considerations are as follows:

1. Master Plan Designation

The Future Land Use Plan for this area indicates Transitional Mixed Use District for the first approximately 500 feet on both sides of South 9th Street. The Research Office designation is indicated adjacent to the Transitional Mixed Use District. Please see the attached Future Land Use Map. The intent of these two districts are as follows:

Transitional Mixed Use:

“This transitional mixed use area is envisioned to continue to have a mix of uses as it serves as a transition between these various areas of higher intensity development. Although it is not envisioned that new residential development will be included, office, institutional, health care, financial, research and development, studio, and similar type uses would be considered appropriate. The intent is to serve as a lower intensity transition between the commercial areas to the north and south while providing a reflective, attractive gateway to the community.”

Research Office:

“The Research Office designation is located on 9th Street at the southern gateway to the Township. It is partially within the DDA district, includes several recent developments, and has land available for further development / redevelopment. This portion of the Township has traditionally provided many important jobs to the Township, and it is important that this remain an employment center for the Township. It is envisioned that development in this area will continue to provide high quality employment opportunities to residents. Uses might include offices, research and development, life science, corporate center, light industrial with limited impact outside the building, indoor recreation facilities, public or quasi-public institutions, financial institutions, and health care facilities.”

While a self-storage use is not specifically indicated in the Master Plan, the design of the concept plan provided as part of the conditional rezoning application affords some compatibility with the future land use designations. The two acres adjacent to South 9th Street and intended for development under the I-R District aligns with the Transitional Mixed Use District planned for this area. Uses permitted within the I-R District include packaging of products, medical facilities, professional offices, research, financial institutions and clinics, which is similar to the uses in the Transitional Mixed Use designation.

The remaining acreage intended for the self-storage facility would fall within the Research Office District. Per the Master Plan, self-storage is generally planned in areas intended for General Industrial activities. In fact, the General Industrial District indicates the following:

“The designation includes both light and general industrial uses (including those industrial uses described in the Research Office Industrial designation above), warehouse and distribution facilities, and heavy commercial and storage facilities.”

The difficulty when reviewing future land use designations is deciding which district is most appropriate for a use like self-storage. Master Plans and Zoning Ordinances historically categorized mini or self-storage in industrial districts. However, there has been a shift in thinking over the past several years that this use is actually more of a commercial venture than an industrial use. For example, the City of Kalamazoo allows mini-storage within the Commercial, Community District as a Special Use.

The Research Office Future Land Use District that the subject property is mostly designated as allows for light industrial uses as long as they have limited impact outside the building. The Planning Commission determined that the proposed use, specifically with the condition that I-R uses be developed along 9th Street, met the intent of the Master Plan.

2. Consistency of the Zoning Classification in the General Area

The zoning classification that surrounds the subject site on all sides is the I-R: Industrial District, Restricted. As stated previously, the uses allowed in this district are packaging of products, medical facilities, professional offices, research, financial institutions and clinics. Wholesaling, storage and/or warehousing of commodities is also allowed as a permitted use. Moving north on South 9th Street, one parcel north of the subject site, is property zoned the I-1 District.

Industrial zoning has been a part of this area of the Township for many years. From historical records, staff found that the creation and district boundary designations for the I-R District occurred in 1989. The development of much of the industrial properties north of N Avenue transpired after this date. The Oshtemo Business Park, which is immediately south of the subject site and contains large office, research, warehousing and processing uses, was approved in 1998.

The requested change to the I-1 Industrial District with conditions is generally consistent with the surrounding zoning. The request to limit most of the site to one use, self-storage, reduces the impact of the varied uses that are allowed in the I-1 District. In addition, self-storage uses are a special exception use within the I-1 District, which will provide the Planning Commission the ability to address compatibility through the site plan review process. Finally, allowing the frontage of the parcel to be developed under the I-R District provides some consistency of zoning and development design along South 9th Street.

3. Consistency and Compatibility with General Land Use Patterns in the Area

The general land use pattern from the I-94 intersection moving north on South 9th Street is:

- Retail and commercial until West N Avenue, then;
- Larger industrial and office uses, particularly on the east side of South 9th Street until just before Atlantic Avenue, then;

- Commercial, office, and residential, including a Township park, moving north to Stadium Drive.

Immediately adjacent to the subject site to the north is a nonconforming residential home, a vacant building and Cort Furniture Rental distribution center. To the south of the proposed conditional rezoning is a parcel owned by ITC, which is being used as a staging area for the development of the transmission lines. Also to the south is the Oshtemo Business Park and the uses immediately adjacent are Bosch Auto Parts and Mophie, Inc. East of the property is a field that is still actively farmed but zoned as I-R. Finally, to the west of the subject site is an architectural office building, a company that manufactures HVAC and infiltration systems and a landscaping company.

Similar to the consistency with the zoning classifications outlined above, a commercial self-storage use is generally compatible with neighboring uses. Again, the redevelopment of the two acres that front South 9th Street will be important to the overall compatibility of the site. In addition, proper screening and landscaping of outdoor storage activities will be important to the harmonious establishment of this use.

4. Utilities and Infrastructure

Both water and public sewer are available on South 9th Street. A curb cut has already been established for this property and will continue to be utilized if it is redeveloped. The design of the drive on the concept plan provides safe access to the secured storage areas, which does not impede access to the site or cause traffic to back up into the drive aisle or South 9th Street.

5. Reasonable Use under Current Zoning Classification

Any vacant land or land to be redeveloped within the I-R District must be established as an Industrial-Office Development, which is a special exception use with specific development criteria. The intent of the development criteria is to create a “park-like atmosphere” for new business or industrial facilities. Some of the requirements under the special exception use include a lot coverage limitation of 50 percent, public roads if the site has more than one building site, and architectural and design standards that must be approved by the Planning Commission.

The difficulty with applying these requirements to the subject site is the ITC easement that runs east/west through the property. The inability to place structures within the easement makes development of this site challenging. While the easement area might be used to satisfy the 50 percent open space requirement (only 50 percent of site can be covered with impervious surface) of the Ordinance, it does not meet the spirit and intent of the Ordinance, which is to promote a “park-like” setting.

While compliance with the I-R District regulations is hypothetically possible, the Planning Commission felt the development of the self-storage facility with I-R uses along South 9th Street was a similarly reasonable use of the property.

6. Effects on Surrounding Property

The effect of a self-storage facility on the adjacent uses to the south is negligible. The large industrial-office uses found in the Oshtemo Business Park are oriented so the rear of the buildings are facing the proposed conditional rezoning. Most of the northern property line of the subject site is adjacent to the Cort distribution center parcel, which is largely undeveloped within the eastern half of the property.

The primary challenge of self-storage on this parcel will be its effects on the properties west of South 9th Street. As stated previously, the placement of an I-R District development immediately adjacent to South 9th Street helps to mitigate these concerns. However, the entrance to the storage facilities and the placement of outdoor storage, which cannot be screened by a structure because of its placement in the ITC easement, needs to be carefully considered. The Planning Commission will work closely with the applicant to try and mitigate any compatibility issues during site plan review.

INFORMATION PROVIDED

Planning Commission Packet from 05-26-2016
Planning Commission Minutes
Proposed Ordinance

STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE

The Planning Commission and staff recommend a motion of approval from the Township Board for the conditional rezoning of the 10.82 acres from I-R: Industrial District, Restricted to the I-1: Industrial District, with the condition that the western 2 acres be developed with uses permitted in the I-R: Industrial District, Restricted and that the remaining acreage be developed as a self-storage facility, as described in the attached Ordinance.

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

MINUTES OF A MEETING HELD MAY 26, 2016

DRAFT

Agenda

PUBLIC HEARING: CONDITIONAL REZONING (WEATHERVANE SELF-STORAGE) CONSIDERATION OF AN APPLICATION FROM WEATHERVANE FARMS DEVELOPMENT, INC. ON BEHALF OF THOMAS AND CAROLE DEBOER, FOR A REZONING WITH A VOLUNTARY SET OF CONDITIONS OF APPROXIMATELY 10.82 ACRES PURSUANT TO SECTION 53 OF THE TOWNSHIP ZONING ORDINANCE TO A SELF-STORAGE FACILITY AT 4221 SOUTH 9TH STREET FROM THE I-R: INDUSTRIAL DISTRICT, RESTRICTED TO THE I-1: INDUSTRIAL DISTRICT, MANUFACTURING/SERVICES DISTRICT. PARCEL NO. 3905-405-060.

Old Business:

Village Form-Based Code Overlay District

A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, May 26, 2016, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Millard Loy, Chair
Fred Antosz
Kimberly Avery
Wiley Boulding, Sr.
Dusty Farmer
Mary Smith

MEMBERS ABSENT: Pam Jackson

Also present were Julie Johnston, Planning Director, James Porter, Township Attorney, and Martha Coash, Meeting Transcriptionist. Approximately 10 other persons were in attendance.

Call to Order and Pledge of Allegiance

The meeting was called to order by Chairperson Loy at approximately 7:00 p.m., and the "Pledge of Allegiance" was recited.

Agenda

Chairperson Loy asked if there were any additions, deletions or corrections to the Agenda. Hearing none, he called for a motion to accept the Agenda as presented.

Mr. Antosz made a motion to accept the agenda as presented. Ms. Avery seconded the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

Chairperson Loy asked if any members of the audience cared to speak on non-agenda items. As no one responded he proceeded to the next agenda item.

Approval of the Minutes of May 12, 2016

Chairperson Loy asked if there were any additions, deletions or corrections to the minutes of May 12, 2016. Hearing none, he asked for motion to approve the minutes.

Mr. Boulding, Sr. made a motion to approve the minutes of May 12, 2016 as presented. Mr. Antosz seconded the motion. The motion was approved unanimously.

PUBLIC HEARING: CONDITIONAL REZONING (WEATHERVANE SELF-STORAGE) CONSIDERATION OF AN APPLICATION FROM WEATHERVANE FARMS DEVELOPMENT, INC. ON BEHALF OF THOMAS AND CAROLE DEBOER, FOR A REZONING WITH A VOLUNTARY SET OF CONDITIONS OF APPROXIMATELY 10.82 ACRES PURSUANT TO SECTION 53 OF THE TOWNSHIP ZONING ORDINANCE TO A SELF-STORAGE FACILITY AT 4221 SOUTH 9TH STREET FROM THE I-R: INDUSTRIAL DISTRICT, RESTRICTED TO THE I-1: INDUSTRIAL DISTRICT, MANUFACTURING/SERVICES DISTRICT. PARCEL NO. 3905-405-060.

Mr. Loy moved to the next item on the agenda and asked Ms. Johnston to review the request for conditional rezoning from Weathervane Farms Development, Inc.

Ms. Johnston explained the applicant was requesting the Planning Commission consider a conditional rezoning of a 10.82 acre parcel from the existing I-R: Industrial District, Restricted to the I-1: Industrial District as allowed by *Section 53.00: Conditional Rezoning* of the Zoning Ordinance. The subject parcel is addressed as 4221 South 9th Street, which is located on the east side of 9th Street just north of Technology Avenue. The previous use of the property was V & V Lumber, which has been out of business for approximately five years. The current I-R District does not permit the use desired by the applicant. After discussion with Planning staff, the applicant was informed that a

traditional rezoning to the I-1 District for this parcel was unlikely and therefore the requested use of a self-storage facility would not be permitted. This prompted the applicant to seek the conditional rezoning.

She said conditional rezoning is a mechanism that allows anticipated concerns or unique circumstances to be addressed or managed by attaching conditions to a rezoning request. The conditional rezoning process follows the same steps and procedure as a traditional rezoning with the exception that the applicant may offer conditions that place additional restrictions or limitations on their property.

Ms. Johnston said the property subject to the rezoning request is 10.82 acres with approximately 246 feet of frontage on the South 9th Street. The property is currently owned by Thomas and Carole DeBoer, and the applicant has an option to purchase pending various approvals. The owner has given consent to this application.

She explained the property previously housed V & V Lumber, which developed approximately the first 650 linear feet of the property east of South 9th Street. The remaining 500 linear feet to the east property line remained undeveloped. Originally, six large warehouse buildings were located on the property. The recent development of the transmission lines installed by ITC necessitated the removal of two buildings along the southern boundary of the property, leaving four buildings on site. She noted the ITC electrical transmission line traverses the property along the southern boundary the full length of the parcel. At the right-of-way line for South 9th Street, the utility easement is 102 feet in width, gradually increasing to 180 feet in width at the east property line. The easement agreement restricts the placement of buildings or other above ground structures that the utility feels would interfere with their use of the easement. The parcel at its widest point is 378 linear feet and reduces to 370 linear feet at the eastern property line. At the western parcel line, the easement reduces this buildable width to 276 linear feet and to 190 linear feet at the eastern property line.

Ms. Johnston said the narrowing of the parcel where buildings can be constructed increases the depth to width ratio of the parcel from 3:1 to 4:1. While some site activities would be allowed within the easement, such as parking, the significant encroachment of the ITC easement may impose some development challenges on the parcel.

She noted the applicant provided a concept plan and a list of 12 conditions for the Planning Commission's consideration. After talking with Attorney Porter, it was felt Condition #1 was appropriate to address at this meeting. The remaining conditions associated with the request to rezone to the I-1 District would be more appropriately addressed in the future during a special exception/site plan review process if Condition #1 were approved at this meeting.

Condition #1 would allow the property to be conditionally rezoned to the I-1: Industrial District. However, two acres immediately adjacent to South 9th Street would house uses consistent with the permitted uses in the I-R District. Allowing the front two

acres, which are adjacent to the public right-of-way, to develop under the I-R District would provide some buffering to the self-storage development as well as afford some consistency in uses along South 9th Street. Ms. Johnston said Staff has no concerns with this condition.

She said while a self-storage use is not specifically indicated in the Master Plan, the design of the concept plan provided as part of the conditional rezoning application affords some compatibility with the future land use designations. The two acres adjacent to South 9th Street and intended for development under the I-R District aligns with the Transitional Mixed Use District planned for this area. Uses permitted within the I-R District include packaging of products, medical facilities, professional offices, research, financial institutions and clinics, which is similar to the uses in the Transitional Mixed Use designation. The remaining acreage intended for the self-storage facility would fall within the Research Office District. Per the Master Plan, self-storage is generally planned in areas intended for General Industrial activities.

She said the requested change to the I-1 Industrial District with conditions is generally consistent with the surrounding zoning. The request to limit most of the site to one use, self-storage, will allow the Planning Commission to ensure compatibility through the site plan review process of the special exception use requirements. In addition, allowing the frontage of the parcel to be developed under the I-R District provides some consistency of zoning and development design along South 9th Street.

Ms. Johnston said the regulatory requirements of the I-R District and the restrictions placed on the property by the ITC easement make reasonable use and development of the property challenging under existing conditions. She recommended the board approve conditional rezoning of the 10.82 acre parcel to the I-1: Industrial District. However, the two acres immediately adjacent to South 9th Street would house uses consistent with the permitted uses in the I-R district.

Chairperson Loy asked if Commissioners had questions.

Mr. Antosz asked what would happen with the conditional rezoning if the purchase of the property does not occur.

Attorney Porter indicated the property would revert to the original zoning if the sale does not occur.

Hearing no further questions, the Chairperson asked if the applicant wished to speak.

Mr. Ian Kennedy, 3320 Bronson Blvd., who spoke on behalf of Weathervane Farms Development, Inc. agreed with the approach recommended by Ms. Johnston and said they felt they could work out a compatible agreement with ITC consistent with the proposed usage. He noted approval is needed from ITC for whatever goes on beneath the power lines and was confident that landscaping and screening plans can be worked out with both the Township and ITC. He added that ITC has signed off on a concept site

plan that was submitted to the utility company. He also noted ITC would not allow a fence or trees on the easement that would interfere with the power lines.

Chairperson Loy asked if any members of the public wished to speak.

Mr. Terry Schley, 7497 Watermark Drive, Allendale MI commented that he did not agree three items in the Staff memo: 1) the interpretation of Section 75.200 regarding buffering and planting; 2) that an I-R site with more than one building must have a public road; and 3) to achieve the spirit and intent of Section 75.100, which includes compatibility and buffering and screening of unattractive features when considering outside storage of large boats and motor homes, he asked that additional screening be required and felt an eight foot fence would not be adequate.

No other audience members wished to speak; the Chair moved to Board Deliberations.

Mr. Antosz said the property would be difficult to develop given the ITC easement. He and Ms. Farmer both said they had concerns about some of the issues that will be dealt with during a site plan review.

Ms. Smith asked if an 8 – 10 foot fence would change status with ITC.

Mr. Mike Fisher of Weathervane said ITC does not want anything added in the easement. A six foot fence already exists which will be shifted forward about 40 feet in the easement area. ITC will not allow anything taller or any trees to be planted there. He noted the topography drops down in that area which makes a difference; this issue will be addressed in the site plan.

Chairperson Loy entertained a motion on the recommendation.

Mr. Antosz made a motion to approve conditional rezoning of the 10.82 acres at 4221 South 9th Street to from I-R to I-1 and that the two acres immediately adjacent to South 9th Street will house uses consistent with the permitted uses in the I-R District. The motion was supported by Ms. Avery. The motion carried 5-1, with Mr. Boulding, Sr. dissenting.

Old Business

Village Form-Based Code Overlay District

Chairperson Loy asked Ms. Johnston to address the Board regarding the Village Form-Based Code Overlay District.

Ms. Johnston noted she had planned to talk with the DDA Board at its May meeting about possible changes to the east corridor architectural standards that were

discussed at the April 14 PC meeting. The May DDA meeting was cancelled due to lack of a quorum. She hopes to schedule a special meeting of the DDA in June and will talk with them at that time.

Chairperson Loy moved to the next item on the agenda.

Any Other Business

The Chairperson determined there was no other business to consider.

PLANNING COMMISSIONER COMMENTS

There were no comments from Commissioners.

ADJOURNMENT

Having exhausted the agenda, and with there being no further business to discuss, Chairperson Loy adjourned the Planning Commission meeting at approximately 7:30 p.m.

Minutes prepared:
May 28, 2016

Minutes approved:
_____, 2016



7275 W. Main Street, Kalamazoo, Michigan 49009-9334
 Phone: 269-216-5223 Fax: 269-375-7180

PLEASE PRINT

PROJECT NAME & ADDRESS Conceptual Site Plan - Weathervane Self Storage - 9th St.

PLANNING & ZONING APPLICATION

Applicant Name : Weathervane Farms Development, Inc.
 Company Weathervane Farms Development, Inc.
c/o Michael Fisher
 Address 7906 Gudl Road
Richland, MI 49083
 E-mail mike@weathervaneselfstorage.com
(269)207-2281 Fax _____
 Telephone _____
 Interest in Property Potential buyer under purchase
agreement.

Oshtemo Charter Township
 7275 W MAIN ST
 KALAMAZOO, MI 49009
 Phone : 269-375-4260
 OSHTEMO TOWNSHIP.ORG

Received From: WEATHERVANE
 Date: 04/18/2016 Time: 11:30:35 AM
 Receipt 123282
 Cashier LINDAI

OWNER*:

Name Thomas J. DeBoer & Carole L. DeBoer
 Address 122 Hutchinson St.,
Kalamazoo, MI 49001
 Email tom@woodworkspecialties.com
 Phone & Fax _____

ITEM REFERENCE	AMOUNT
1091 APP - REZONING/ZONING	
APP - REZONING/ZONING CONDITI	\$2,000.00
TOTAL	\$2,000.00
CHECK 8569	\$2,000.00
Total Tendered:	\$2,000.00
Change:	\$0.00

NATURE OF THE REQUEST: (Please check the appropriate item(s))

- Planning Escrow-1042
- Site Plan Review-1088
- Administrative Site Plan Review-1086
- Special Exception Use-1085
- Zoning Variance-1092
- Site Condominium-1084
- Accessory Building Review-1083
- Land Division-1090
- Subdivision Plat Review-1089
- Rezoning-1091
- Interpretation-1082
- Text Amendment-1081
- Sign Deviation-1080
- Other: Conditional Rezoning

BRIEFLY DESCRIBE YOUR REQUEST (Use Attachments if Necessary):

See letter attached as Exhibit A.

LEGAL DESCRIPTION OF PROPERTY *(Use Attachments if Necessary):*

See Exhibit B.

PARCEL NUMBER: 3905- 05-35-405-060

ADDRESS OF PROPERTY: 4221 South 9th Street, Oshtemo, Michigan

PRESENT USE OF THE PROPERTY: Vacant - former lumber yard.

PRESENT ZONING I-R **SIZE OF PROPERTY** 10.819 acres

**NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:**

Name(s)	Address(es)

SIGNATURES

I (we) the undersigned certify that the information contained on this application form and the required documents attached hereto are to the best of my (our) knowledge true and accurate. I (we) acknowledge that we have received the Township's Disclaimer Regarding Sewer and Water Infrastructure. By submitting this Planning & Zoning Application, I (we) grant permission for Oshtemo Township officials and agents to enter the subject property of the application as part of completing the reviews necessary to process the application.



Owner's Signature (* If different from Applicant)

4-14-16

Date



Applicant's Signature

4.14.16

Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney-1
- Assessor -1
- Planning Secretary - Original

PLEASE ATTACH ALL REQUIRED DOCUMENTS

Property

[Subject to Modification Pursuant to Title and/or Survey Work]

SEC 35-2-12 BEG PT N & S 1/4 LI 1316.4 FT N OF S 1/4 POST TH N ALG SD 1/4 LI 245.83 FT
TH S 89 DEG 40 MIN 20 SEC E 165 FT TH N PAR 1/4 LI 132 FT TH S 89 DEG 40 MIN 20 SEC E
1152.82 FT TO E LI NW 1/4 SE 1/4 TH S THEREON 369.84 FT TO SE COR NW 1/4 SE 1/4 TH S
89 DEG 58 MIN 30 SEC W 1317.93 FT TO BEG EXC W 50 FT FOR HWY* **12-92 1992
DESCRIPTION REVISION

The property address and tax parcel number listed below are provided solely for informational purposes, without warranty as to accuracy or completeness. If the information listed below is inconsistent in any way with the legal description listed above, the legal description listed above shall control.

Property Address: 4221 South 9th Street, Oshtemo, Michigan 49009

Tax Parcel No.: 05-35-405-060

Weathervane Farms Development, Inc.
7906 Gull Road
Richland, Michigan 49083

Oshtemo Charter Township
c/o Ben Clark, Zoning Administrator
7275 W. Main Street
Kalamazoo, Michigan 49009-9334

Re: **Rezoning Request – 4221 South 9th Street, Oshtemo, Michigan**
Parcel ID No. 05-35-405-060

Dear Mr. Clark:

On behalf of Weathervane Farms Development, Inc. (“**Weathervane**” or “**Applicant**”¹), I have enclosed with this letter a rezoning application for above-referenced parcel, along with a check in the amount of \$2,000 for the rezoning request fee. I have also enclosed for the Township’s review (1) a legal description of the parcel (herein referred to as the “**Property**”), and (2) a Conceptual Site Plan for Weathervane Self Storage – 9th Street (the “**Conceptual Plan**”). This application is further supported by the narrative statement below.

Narrative Statement in Support of Rezoning Request

Background

The Property is currently owned by Thomas J. DeBoer and Carole L. DeBoer. The DeBoers operated V & V Lumber on the Property. The Property has been vacant for approximately 5 years. Pursuant to an Offer to Purchase Real Estate dated March 31, 2016 the DeBoers anticipate selling the Property to Weathervane. Weathervane is currently in the due diligence phase of the purchase agreement, and Weathervane’s purchase is contingent, in part, upon Weathervane’s receipt of the zoning approvals necessary to allow the uses anticipated by the Conceptual Plan.

Weathervane operates flexible storage facilities for businesses, homeowners, collectors, students, and others. Weathervane has operated a storage facility in Richland, Michigan for 10 years, pictures of which are included with this letter. Weathervane prides itself in maintaining clean, safe, attractive, and productive facilities that serve as a necessary amenity for local residents and businesses.

Rezoning Request

The Property is zoned Industrial District Restricted (“I-R”). Applicant respectfully requests that the Township rezone the entire Property as Industrial District, Manufacturing/Service (“I-1”) so that it allows the uses anticipated by the Conceptual Plan.

¹ Weathervane may assign its interest in the Property to an affiliated entity; accordingly, Weathervane requests that this application and any approval thereof be transferable to its affiliated successors and assigns.

Weathervane believes that the Property's highest and best use is for self-storage, and furthermore such use is compatible with the surrounding properties. Specifically:

- The existence of a Permanent Electric Transmission Line Easement Agreement and the improvements associated with this easement result in a significant percentage of the southern portion of the Property being encumbered by a restriction on buildings or other above ground improvements. This agreement, which contains a depiction of the easement area, is included with this letter. The easement area is also outlined in the Conceptual Plan. The easement and the resulting construction of high tension power lines running east and west along the southern boundary of the property will limit its appeal from a development standpoint.
- Natural screening is in effect for the properties to the west, north, and east, through existing trees or berms. Weathervane anticipates developing a landscaping plan for the Property consistent with Section 75 of the Oshtemo Township Zoning Ordinance that will meet the objectives and functions of the Township's landscaping requirements. As evidenced by the enclosed pictures, Weathervane takes pride in operating facilities that are attractive both with regard to its structures and natural features.
- This rezoning allows uses comparable with the "Research Office" land use anticipated by the Oshtemo Township Master Plan. Accordingly, the proposed rezoning is consistent with the future land use recommendations in the Oshtemo Township Master Land Use Plan, as evidenced by Figure 6.3 to the Oshtemo Township Master Plan.
- The potential impact to neighboring property owners is minimal, as the majority of such owners are already engaged in compatible industrial uses.
- Weathervane will develop site and landscaping plans that will complement both the surrounding uses and the natural areas. Weathervane's anticipated use of the Property, while classed as "Industrial", is low impact.
- Weathervane prides itself in developing facilities that are safe and convenient for local residents.

Conditional Rezoning Request

Additionally, pursuant to Oshtemo Township Zoning Ordinance Section 53.000, Weathervane submits the following conditions associated with this rezoning request, specifically:

- The front portion of the parcel, highlighted in gray in the attached Conceptual Plan, will be limited to uses permitted in the I-R district. This condition will allow the front of the parcel to be developed in a manner consistent with the redevelopment of the surrounding parcels and in a way that preserves and enhances the attractive nature of the 9th Street corridor, while also allowing the entire Property to be devoted to productive use.
- The gate and fencing along the portion of the Property adjacent to 9th Street will be removed.
- Buildings 1 and 2 (as noted on the Conceptual Plan) will be removed.
- Buildings 3 and 4 (as noted on the Conceptual Plan) will be converted to specialty storage areas (e.g. climate controlled storage) for homeowners and businesses.
- 11 additional storage buildings will be constructed, the total area altogether which will not exceed 56,000 square feet.
- Outdoor storage (approximately 50 spots for boats, recreational vehicles, etc.) will be developed on the southern boundary of the Property, in the area subject to the utility easement. As noted above, structures are not permitted in this area. That, combined with the natural topography of the site, create an environment where such storage is the highest and best use for this area of the parcel. No inoperable or wrecked vehicles or semi-trailers will be stored in this area.
- The entrance driveway to the Property will be 26 feet wide, asphalt paved with concrete curbs and will feature decorative lighting.
- A 2 story, 1200 square foot office building will be constructed as depicted in the Conceptual Plan, complete with office space and security infrastructure on the 1st floor and a manager's quarters on the 2nd floor.
- Six foot security fencing will be installed on the site, complete with 2 sliding gates and 2 utility maintenance gates.

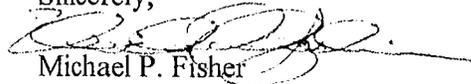
Conclusion

As a zoning matter, the rezoning will allow the Property to be used in an efficient manner (consistent and compatible with surrounding uses) despite the development challenges posed by the utility easement. On a practical level, it will enable Weathervane to develop this site in a manner that will promote efficiency, safety, and the best service for its retail customers, including Township residents.

If permitted to move forward, Weathervane anticipates closing on the Property and will develop site and landscaping plans for township approval and conduct site prep work during the first year of ownership. Additional work during this first year will include demolition of the two buildings adjacent to 9th Street; removing old fencing on the Property; balancing and restoring the topography of the site; and constructing the drive, entry, and signage along with installation of pads for the new buildings. As the buildings gain occupancy, Weathervane will add more, consistent with the Conceptual Plan, as demand requires. It is anticipated that all 11 additional storage buildings will be in place within 8 years.

Accordingly, Weathervane respectfully requests that the Township grant its request to rezone the entirety of the Property to "I-1" Industrial, and offers the conditions described above should the Township decide to grant its request. Please have this rezoning request placed on the planning commission's calendar for the earliest possible meeting (which we believe will be held June 14, 2016). If you require any further information or have any questions, please do not hesitate to contact me at (269) 207-2281.

Sincerely,



Michael P. Fisher
Weathervane Farms Development, Inc.
President

Biographies of Principals
For WeatherVane Self Storage Project
Oshtemo, Michigan

Patrick Carl: Pat was born in the area and graduated from Western Michigan University's Haworth College of business in 2005. Subsequently Pat worked in Trust Operations for Greenleaf Trust until 2009. Since leaving Greenleaf, Pat has worked as an entrepreneur with a focus on real estate development, and he currently manages the operations of the WeatherVane Self Storage facility in Richland. Patrick resides in Richland with his wife.

John Chipman: John is a lifelong resident of Southwest Michigan, and graduated from Michigan State University with a BSc in Materials and Logistics Management. In 1986 John started working for the family company, Landscape Forms, and after 14 years of assisting the company achieve remarkable growth, left the company to pursue entrepreneurial ventures. These initiatives include a custom cabinetry company and commercial real estate investment and management. John serves on the board of the Sherman Lake YMCA and is a director for Landscape Forms. He resides in Augusta with his wife and two children.

Michael Fisher: Mike was raised in the Kalamazoo area and graduated in 1984 from Grand Valley State University's Seidman College of Business with a BBA in Finance and Real Estate. Mike has developed numerous residential communities including WeatherVane Farms, CottageWood, ThistleWood, and WeatherStone Village. Mike has also developed and owns several commercial properties in the Richland area including WeatherVane Self Storage and the Kalamazoo Plug Building. Mike prides himself in developments that enhance his community and the surrounding areas. Mike and his wife live in the Richland area where they raised their four children.

Ian Kennedy: Ian is from Traverse City, but now resides in Kalamazoo with his wife and five children. After obtaining a BSc from Alma College and his law degree from the University of Notre Dame, Ian moved to Kalamazoo 12 years ago and began practicing law with a focus on real estate. Ian has been involved in many facets of real estate development, including both at the planning and management phases.

COPY

MI-KA-325.500

PERMANENT ELECTRIC TRANSMISSION LINE EASEMENT AGREEMENT

This Permanent Electric Transmission Line Easement Agreement (the "Agreement") is made this 13th day of March, 2015, by and between Thomas J. DeBoer and Carole L. DeBoer, husband and wife, with an address of 4221 South 9th Street, Kalamazoo, MI 49009 ("Grantor") and MICHIGAN ELECTRIC TRANSMISSION COMPANY, LLC, a Michigan limited liability company, with an address of 27175 Energy Way, Novi, Michigan 48377, and its successors and assigns ("Grantee").

WHEREAS, Grantor is the owner of certain real property more particularly described on the attached Exhibit "A" (the "Easement Area").

WHEREAS, Grantor desires to convey to Grantee a perpetual easement upon, under, across and through the Easement Area, upon the terms and conditions stated below.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, the Grantor and Grantee hereby agree as follows:

1. **Grant of the Easement.** Grantor hereby conveys, warrants and grants to Grantee, its successors and assigns, a perpetual easement (the "Easement") over, under, across and through the Easement Area with the right, privilege and authority for Grantee, its agents, employees, and contractors, to:

(a) access, construct, reconstruct, modify, upgrade, improve, maintain, operate, inspect, replace, repair, patrol and remove an electric transmission line or lines and Telecommunications Line or Lines (as later defined in this Section 1), consisting of poles, towers, crossarms, insulators, wires, guy wires, anchors and other necessary fixtures, structures, cables (including fiber optic cable related to the Telecommunications Line or Lines), and equipment for transmitting electricity and communications ("Grantee's Facilities"); and

(b) temporarily improve the surface of the Easement Area as reasonably necessary to place and operate Grantee's construction vehicles and equipment; and

(c) enter upon and cross the Easement Area to construct, operate, maintain, repair, inspect, replace, improve, modify, enlarge and remove similar facilities on other land(s); and

(d) have ingress and egress to the Easement Area on, over and across lands owned by the Grantor at reasonable location(s) mutually agreeable to Grantor and Grantee for the above-described purposes, except in the event that Grantee determines in its sole and absolute discretion that an imminent threat to Grantee's Facilities exists, then Grantee shall have immediate and unrestricted access to the Easement Area; and

(e) prohibit and/or remove, at Grantee's sole discretion, any existing buildings or other above ground structures (collectively referred to as "Structures"), excluding currently existing fences ("Permitted Fence") as provided for herein. In the event a Permitted Fence currently exists within the Easement Area as of the date of this Easement, Grantee may: (1) install and maintain a gating system in the Permitted Fence, of Grantee's choice, in order to obtain access to the Easement Area for the purposes of construction and maintenance of Grantee's Facilities as provided for herein; and (2) cause such Permitted Fence to be removed as Grantee deems necessary provided that Grantee restores such Permitted Fence to substantially the same condition as it existed prior to removal. Grantee may also prohibit and/or remove at Grantee's sole discretion any future construction of above-ground Structures located or proposed to be located within the Easement Area. Grantee may remove prohibited Structures from the Easement Area with seven (7) days prior notice to Grantor and without responsibility for any damage that occurs as a result of such removal. Notwithstanding anything to the contrary herein, in the event Grantee reasonably determines that the proposed Improvement interferes with Grantee's use of the Easement and/or prohibits access to the Easement Area to perform the activities permitted under the Easement, Grantee may exercise all rights hereunder immediately and without notice to Grantor; and

(f) at any time to cut, trim, remove, destroy or otherwise control any or all trees, bushes, or brush or other vegetation now or hereafter standing or growing upon or within the Easement Area, all at Grantee's sole and absolute discretion; and

(g) for purposes of this Agreement, the term "Telecommunications Line or Lines" shall be defined as Grantee's internal telecommunications line or lines (and not the telecommunications line of a third party telecommunications provider).

2. Repair, Restoration, and Crop Damage. Grantee shall:

(a) re-grade, repair and restore any portions of the Easement Area or other lands owned by Grantor damaged by Grantee's temporary placement of surface improvements for the Grantee's construction, operation, maintenance, repair, reconstruction and use of Grantee's Facilities; and

(b) repair or replace at Grantee's sole expense any actual damage located within the Easement Area or other lands owned by Grantor, that sustain damage arising from Grantee's construction, operation, maintenance, repair, reconstruction and use of Grantee's Facilities. Upon reasonable notice to Grantee that damage has been sustained, the parties shall work cooperatively to identify the damage and to determine the scope of repair or replacement work; and

(c) upon Grantee's completion of initial construction of Grantee's Facilities, Grantee shall reimburse Grantor the value of any growing crops damaged by Grantee's construction activities. If it becomes necessary to re-enter the described lands after initial construction for the continued operation, maintenance, repair, reconstruction and use of Grantee's Facilities, Grantee shall reimburse Grantor the value of any growing crops damaged by Grantee's activities.

3. **Covenants of Grantor.** Grantor hereby covenants, promises, agrees and acknowledges that at the execution and delivery of this instrument it is the lawful owner of the Easement Area and is seized of a good and indefeasible fee simple estate therein, and subject to existing easements of record will warrant and defend Grantee's and Grantee's successors' and assigns' right to the quiet and peaceable possession of the same for the purposes described herein, forever, against all persons lawfully claiming the same.

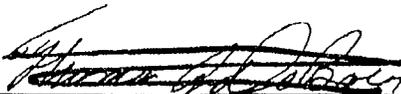
This conveyance shall be permanent, shall run with the land, and shall be binding upon the parties' successors and assigns.

4. **Limited Use/Non-Use.** Limited use or non-use of the rights granted herein shall not prevent later use to the full extent herein conveyed.

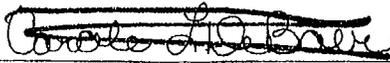
This Easement is exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to the provisions of MCLA 207.526(f).

[SIGNATURE ON NEXT PAGE]

GRANTOR:



Print Name: Thomas J. DeBoer



Print Name: Carole L. DeBoer

STATE OF MICHIGAN)
) SS.
COUNTY OF KALAMAZOO)

Acknowledged before me in Kalamazoo County, State of Michigan, on this 13th day of MARCH, 2015, by Thomas J. DeBoer and Carole L. DeBoer.



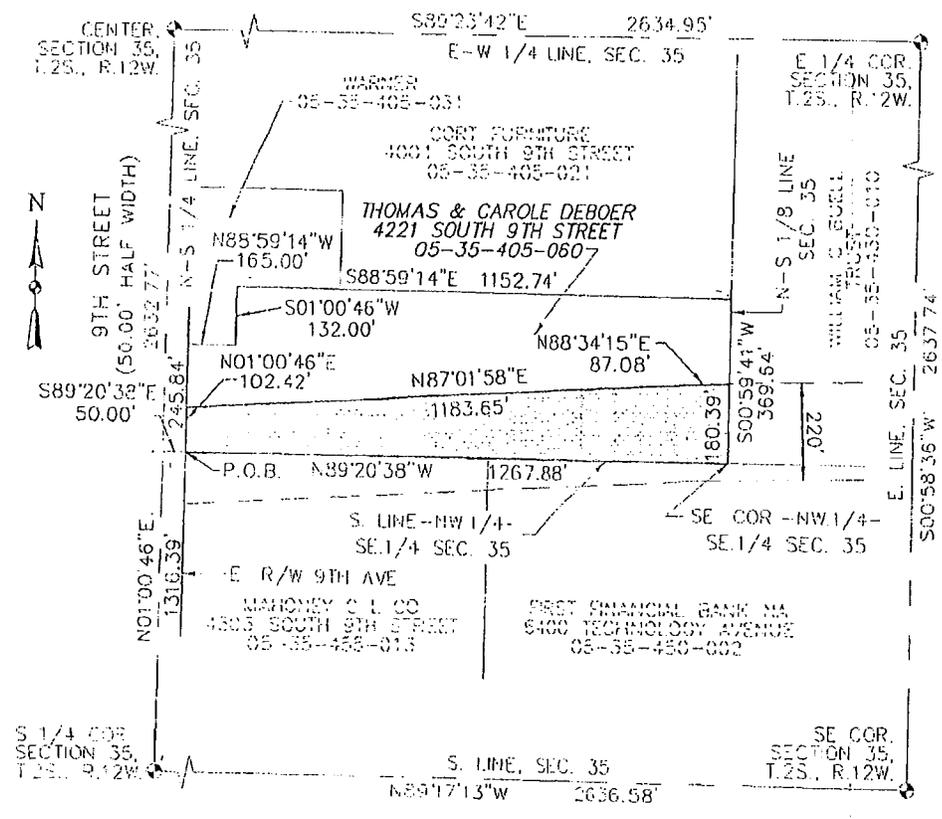
JAMES E. BECK, Notary Public

KALAMAZOO County, MICHIGAN
Acting in KALAMAZOO County, MICHIGAN
My Commission Expires MARCH 3, 2017

Drafted by and when recorded return to:

Jenny D'Anna, Esq. (P66234)
ITC Holdings Corp.
27175 Energy Way
Novi, MI 48377

EXHIBIT A
 BEING A PART OF SECTION 35, T2S, R12W, OSHTEMO
 TOWNSHIP, KALAMAZOO COUNTY, MICHIGAN



LEGEND	
	P.O.B. EASEMENT POINT OF BEGINNING
	PERMANENT EASEMENT AREA

SEE PAGE 2 OF 2 FOR DESCRIPTIONS
 MI-KA-325.500-220
 THOMAS & CAROLE DEBOER
 4221 SOUTH 9TH STREET
 05-35-405-060

Permanent Total ROW Width 220 Feet
 Total Easement Area 4.15 Acres

PROJECT: WEEDS LAKE TRANSMISSION LINE		CLIENT: MICHIGAN ELECTRIC TRANSMISSION COMPANY	
 MICHIGAN ELECTRIC TRANSMISSION COMPANY SCALE 1" = 300' 	 METRO CONSULTING ASSOCIATES 6001 SCHOONER DRIVE BELLEVILLE, MICHIGAN 48111 PHONE: 734.483.1427 FAX: 734.483.3431 www.metroca.net	JOB: 1037-11-5398 DWG: MI-KA-325.500-220 ISSUE DATE: 11-10-11 REV: 1-12-11 REV: _____ DRAWN BY: MT CHECK BY: SB SHEET 1 OF 2	

4221 South 9th Street ITC Easement



- Subject Property
- Other Property Line
- ITC Easement

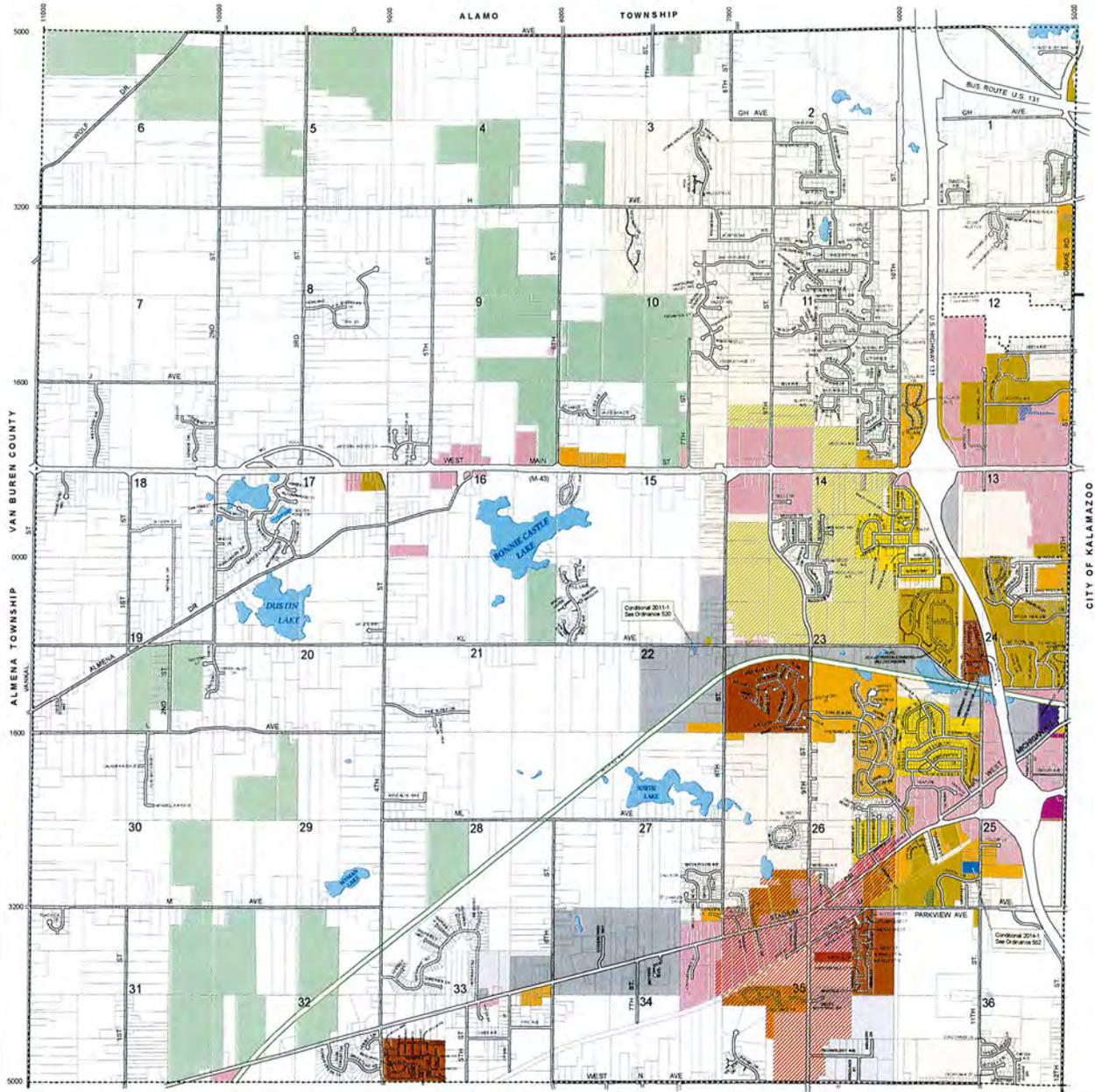
0 125 250 500 Feet

1 inch = 100 feet

Charter Township of Oshtemo

Kalamazoo County, Michigan

Zoning Map



LEGEND

- AG - AGRICULTURAL DISTRICT
- RR - RURAL RESIDENTIAL DISTRICT
- R1 - RESIDENCE DISTRICT
- R2 - RESIDENCE DISTRICT
- R3 - RESIDENCE DISTRICT
- R4 - RESIDENCE DISTRICT
- R5 - RESIDENCE DISTRICT
- VC - VILLAGE COMMERCIAL DISTRICT
- C-R - LOCAL BUSINESS DISTRICT RESTRICTED
- C - LOCAL BUSINESS DISTRICT
- I-R - INDUSTRIAL DISTRICT RESTRICTED
- I-1 - INDUSTRIAL DISTRICT MANUFACTURING & SERVICE
- I-2 - INDUSTRIAL DISTRICT MANUFACTURING & SERVICE
- I-3 - INDUSTRIAL DISTRICT SPECIAL
- CONDITIONAL (See Notes On Map)
- 9TH STREET AND WEST MAIN STREET OVERLAY ZONE
- HISTORICAL OVERLAY ZONE
- NEIGHBORHOOD COMMERCIAL OVERLAY ZONE
- VILLAGE FORM BASED CODE OVERLAY ZONE



1,500 750 0 1,500 FT

Scale: 1" = 1,500'

- Public ROW
- Private ROW
- Railroad ROW

Current Through Ordinance Number: 556

Effective: Dec. 26, 2014

Printed: February 2015

9th Street and West Main Street Overlay Zone Designations

- 9th Street Commercial
- 9th Street Residential
- West Main Commercial
- West Main Residential

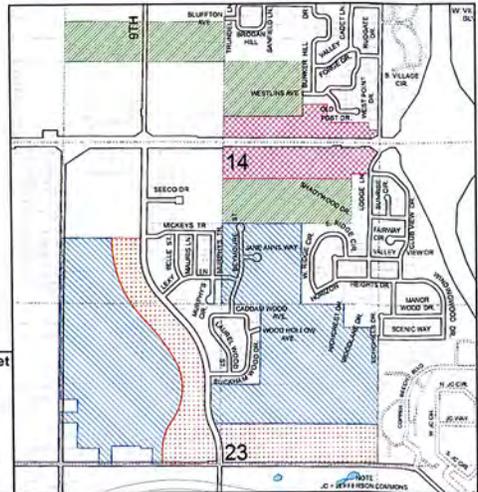
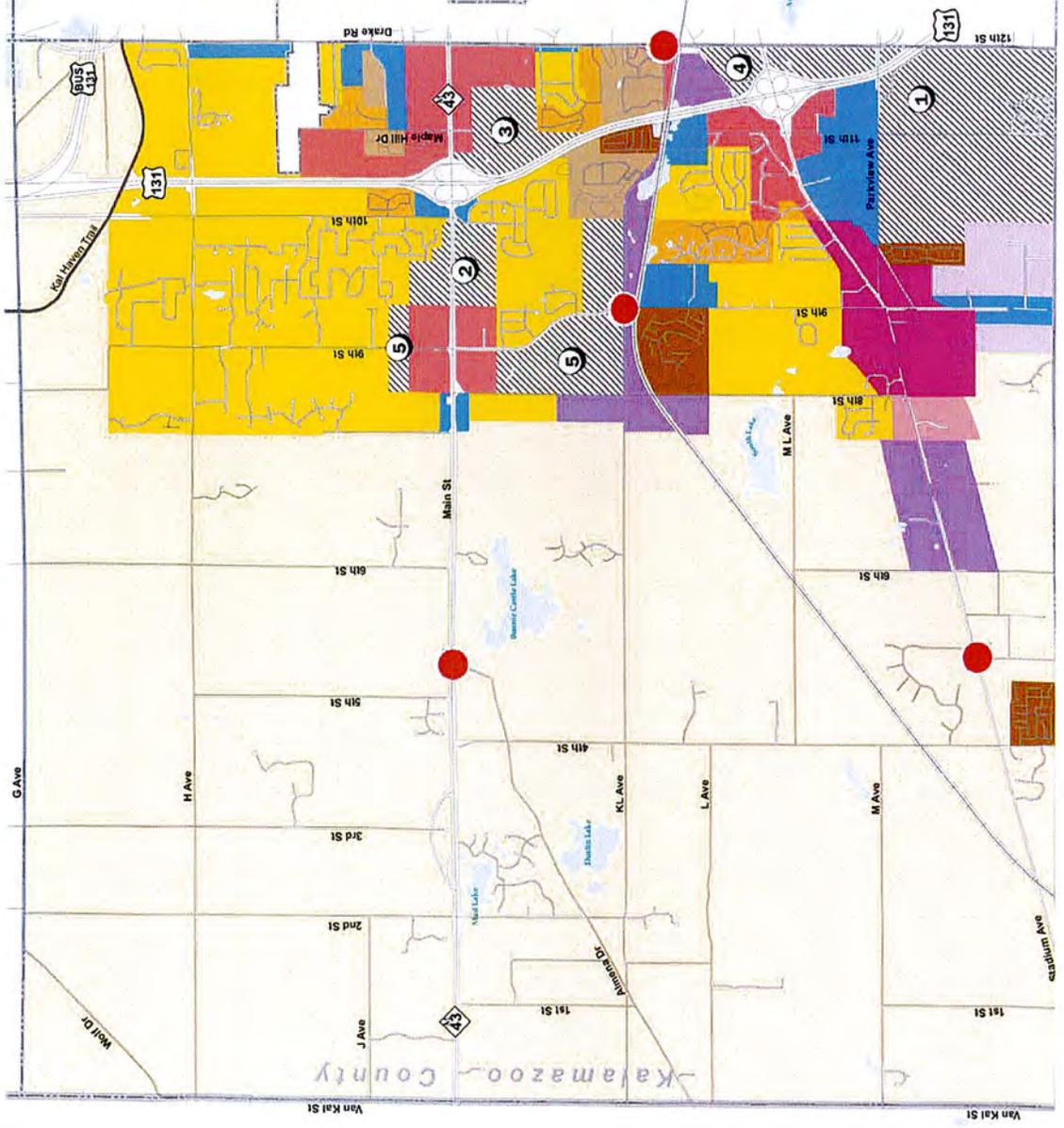


FIGURE 8.1
Future Land Use
 Oshtemo Charter Township, Kalamazoo County, Michigan



LEGEND

- Rural Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Manufactured Residential
- Transitional Mixed Use
- Local Commercial
- General Commercial
- Village Commercial
- Research Office
- General Industrial
- Sub Area
- Neighborhood Commercial Nodes

Sub-Areas

- ① Genesee Prairie
- ② West Main Street
- ③ Maple Hill Drive South
- ④ Century Highfield
- ⑤ 9th Street

Base map Source: MGCd v06 & v7b
 Data Source: Oshtemo Township, 2006;
 McGerrie Associates, 2012

0 2,000 4,000 FEET

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

RECOMMENDATION OF THE OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION RESULTING FROM A PUBLIC HEARING
CONDUCTED MAY 26, 2016.

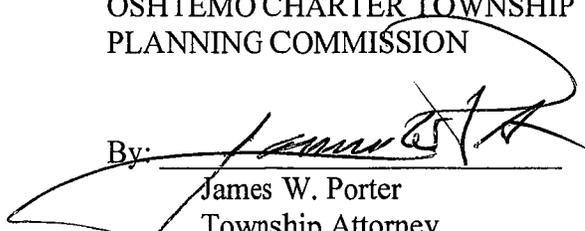
The Oshtemo Charter Township Planning Commission hereby recommends APPROVAL
of the following amendment of the Oshtemo Charter Township Zoning Ordinance:

The **Conditional Rezoning** of approximately 10.819 acres in Land Section 35, pursuant
to Section 53 of the Township Zoning Ordinance, located at 4221 South 9th Street, being
Parcel No. 3905-35-405-060, from "I-R" Industrial District, Restricted zoning
classification to "I-1" Industrial District, Manufacturing/Service District zoning
classification is subject to the following condition:

- ◆ The two acres abutting 9th Street will be developed with
"I-R" Industrial District restricted uses, and the remainder
of the parcel will be developed as a self-storage facility.

OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION

Date: May 26, 2016

By: 

James W. Porter
Township Attorney

Final Action by Oshtemo Charter Township Board

_____ APPROVED _____

_____ DENIED _____

_____ REFERRED BACK TO PLANNING COMMISSION

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. ____

Adopted: _____, 2016

Effective: _____, 2016

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, by the adoption of Conditional Rezoning in Land Section 35. The Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMENDMENT OF SECTION 70. Section 70 Use District Boundaries is amended to conditionally rezone approximately 10.819 acres in Land Section 35, pursuant to Section 53 of the Township Zoning Ordinance, located at 4221 South 9th Street, being Parcel No. 3905-35-405-060, from "I-R" Industrial District, Restricted zoning classification to "I-1" Industrial District, Manufacturing/Service District zoning classification subject to the two acres abutting 9th Street being developed with "I-R" Industrial District restricted uses, and the remainder of the parcel will be developed as a self-storage facility.

SECTION II. EFFECTIVE DATE AND REPEAL. This Ordinance shall take effect upon publication after adoption in accordance with State law. All Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

DEBORAH L. EVERETT, Clerk
OSHTEMO CHARTER TOWNSHIP

Memo



To: Oshtemo Charter Township Board
From: Julie Johnston, AICP
Date: June 8, 2016
Mtg. Date: June 14, 2016
Subject: Zoning Ordinance Amendments

OBJECTIVE

The Planning Commission and Township staff recommend amendments to the Township Zoning Ordinance, specifically Sections 62.000: Nonconforming Uses, Structures and Land; 66.201: Schedule of Area, Frontage and/or Width Requirements; and, 68.300: Requirements for Parking Spaces, Parking Lots and Drive Through Windows, for the Township Boards consideration of second reading and final approval.

The Township Board approved first reading at the May 10, 2016 meeting.

BACKGROUND

Section 62.000: Nonconforming Uses, Structures and Land

The current language of *Section 62: Nonconforming Uses* does not address parcels, lots or building sites that were lawfully recorded but no longer meet our Zoning Ordinance requirements. Instead, these nonconforming lots are regulated by *Section 66.200: Dimensional requirements for parcels, lots and building sites* found in *Section 66.000: Area Requirements*, as follows:

No building permit shall be issued therefore, and no buildings constructed, placed, or moved upon any parcel, lot, or building site less than the area and frontage requirements as specified in this Section; nor where the same would be located upon a parcel, lot, or building site of land with an area of ten acres or less having a depth of greater than four times the width of said parcel, lot or building site.

Often these parcels or lots do not meet the width requirements for frontage on a public right-of-way, making them nonconforming and unbuildable. Many communities provide language within their zoning ordinance to address these types of parcels or lots. In some instances, denying the use of a lawfully recorded property could be considered a "taking." Staff is recommending language be added to this Section to address these types of properties.

In addition, the Section has been reorganized to address more clearly all of the different types of nonconformity: land, uses and structures. The revised language is attached for your consideration.

Schedule of Area, Frontage and/or Width Requirements

The development and approval of the RR: Rural Residential District took place in late 2001 and early 2002. The district was developed in response to a Master Plan update that understood the decline of agricultural needs in the community while still wanting to maintain “rural” character. It also took in to account the areas of the Township where growth and the availability of public infrastructure was most probable. An excerpt from the Planning Commission Public Hearing minutes for the zoning ordinance amendment, which took place on December 6, 2001, reads as follows:

“It was noted that the Agricultural-Rural District is being amended to the Rural Residential District, including an amendment of Statement of Purpose and amendment to some of the permitted and special uses. The District, as amended, would implement the Master Land Use Plan, which envisions a differentiation between residential densities in the western half of the Township versus the eastern half of the Township. The Rural Residential District would facilitate preservation of Oshtemo's rural character by encouraging use of open space community provisions as opposed to the traditional platting process. It was anticipated that 80 percent of the properties now zoned in the AG-Rural zoning district would remain part of the Rural Residential District.”

An interesting component of this paragraph includes the encouragement of open space community developments. Section 60.500: Open Space Community of the Special Exception Use ordinances does allow open space development within the RR: Rural Residential District. However, the majority of subdivisions and site condominiums within the RR District are not developed under the open space provisions. From our investigation, there were 13 plats and/or site condominiums approved within the RR District since the inception of the Open Space Community ordinance in 1995. Of these, only four were developed as open space projects.

In addition, the Master Land Use Plan for the Township indicates that the Rural Residential District should be developed at a low density that preserves rural character. The Plan indicates the following:

“The Rural Residential designation includes residential, agricultural, and pre-existing limited commercial land uses. Low density subdivision / neighborhood development is permitted and is encouraged to utilize open space cluster development practices in order to protect and preserve the natural features in this area and the rural character it defines. Other residential use consists of scattered-site development at low density. Units typically are served by private wells and septic systems. (Although public utilities have been extended west into portions of the Rural Residential area, this was done to address environmental concerns and not facilitate development.)”

Desired Future Development Pattern:

- *Low density residential development*
- *Utilization of conservation / open space subdivisions to protect sensitive landscapes*
- *Utilization of programs available – purchase of development rights, transfer of development rights, conservation easements – to protect natural features*

- *Setback from natural features (surface waters, wetlands)*
- *Building pad site selection based on minimal disturbance to natural features*
- *Tree lines and other vegetation along road frontages selectively cleared if at all to minimize impact on rural character along County Roads*
- *Maintenance of existing agricultural and commercial uses with no new agricultural or commercial development”*

The Master Plan very clearly indicates that while public utilities, specifically public water, have been provided in portions of the Rural Residential area (down West Main Street), it was not done to spur development but to resolve a specific environmental problem. But, the Township Zoning Ordinance is contradictory to this statement because density in the RR District depends on whether a site has public water. The current Ordinance language states:

66.201

District	Dimensional Requirements	
RR	Parcels	
	Area Requirements:	1.5 acres
	Minimum Frontage:	200 feet
	Lot, building sites	
	With water:	density of 1.5 dwelling units per acre
	Without water:	density of 1.0 dwelling unit per acre
	Median width:	100 feet

Essentially, if a site has access to public water and the property is either subdivided or a site condominium is developed, a density of 1.5 dwelling units per acre is allowed. As an example, a parcel with a total of 30 acres would be allowed to build 45 units if the site topography allowed. This is a concentration of lots close to what would be allowed in the more dense residential zoning districts. A minimum lot size of 22,000 square feet is allowed in the R-1 through R-5 Districts. The average lot size in the scenario described above is 29,000 square feet.

In an effort to better support the Oshtemo Township Master Land Use Plan and the original intent when the RR: Rural Residential District was first adopted, staff recommends that higher density development must be approved under the Open Space Community Ordinance. The recommended change to Section 66.201 of the Area Requirements is as follows:

66.201

District	Area/Frontage	Dimensional Requirements
RR	Parcels, lots and building sites	
	Area Requirements:	1.5 acres
	Minimum Frontage:	200 feet
	Lots, building sites within an Open Space Community	
	Area Requirements:	Density of 1.0 dwelling unit per acre
	–with water:	density of 1.5 dwelling units per acre
	–without water:	density of 1.0 dwelling unit per acre
	Minimum Frontage:	100-feet 120 feet

This change would allow subdivisions and site condominiums to develop either as 1.5 acre lots or as an Open Space Community Special Exception Use. Utilizing the same 30 acre hypothetical site, the following development would occur:

- 30 dwelling units allowed
- 40 percent of the 30 acres for open space = 12 acres, 18 acres remaining
- 15 percent of the 18 acres for infrastructure = 3 acres (Staff utilized 15 percent of the site for infrastructure because some elements, like natural swales used for drainage, may be allowed in the acreage set aside as open space.)
- Acreage available for homes = 15 acres
- Average lot size = Approximately 21,780 square feet or half acre lots

Under the recommend changes, the total number of units have been reduced from the maximum allowed number (45 under current regulations) to 30 and 12 acres of land has been saved in its natural setting.

The recommended amendments provide options to a property owner: develop a subdivision or site condominium with 1.5 acre lots or receive greater density on the site by providing 40 percent open space. The trade-off for the higher density is that 40 percent of the site must remain in its natural setting in perpetuity.

Requirements for Parking Spaces, Parking Lots and Drive Through Windows

The current Off-Street Parking Ordinance does not address the number of stacking spaces a drive through window should provide. With the number of facilities the Township has recently reviewed requesting drive through facilities, Planning staff feels that some regulatory control over drive through lanes should be considered. The suggested amendment is below:

68.300 - Requirements for parking spaces, and parking lots **and drive-through windows**.

Requirements for all parking spaces and parking lots (except those for single- and two-family dwellings, for mobile homes or single- or two-family dwellings in a mobile home subdivision, or for farms) **and drive-through windows** shall be as follows:

- G. Drive through windows. **A minimum of five 10 foot by 20 foot stacking spaces, measured from the serving window, for food service establishments and a minimum of three 10 foot by 20 foot stacking spaces for all other drive-through establishments** for vehicles awaiting service shall be on-site and designed and located so as not to block or impede pedestrian and/or vehicle circulation on the site or on any adjacent sidewalk or street. Stacking spaces shall not be considered parking spaces.

INFORMATION PROVIDED

Planning Commission Minutes
Proposed Ordinance

STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE

The Planning Commission and Township staff recommend a motion of approval from the Township Board for the amendments requested to Sections 62.000: Nonconforming Uses, Structures and Land; 66.201: Schedule of Area, Frontage and/or Width Requirements; and, 68.300: Requirements for Parking Spaces, Parking Lots and Drive Through Windows, as presented in the attached Ordinance.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. ____

Adopted: _____, 2016

Effective: _____, 2016

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance by the amendment of Section 62.000 Non-Conforming Uses; Section 66.000 Area Requirements, Dwelling Standards and Residential Occupancy, Subsection 66.200 Dimensional Requirements for parcels, lots and building sites, Subsection 66.201 Schedule of Area, Frontage, and/or Width Requirements and the amendment of Section 68.000 Off-Street Parking of Motor Vehicles, the heading of Subsection 68.300 Requirements for parking spaces and parking lots and Paragraph G. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 62.000 NON-CONFORMING USES. Section 62.000 Non-Conforming Uses is amended to read as follows:

62.000 NON-CONFORMING USES, STRUCTURES AND LAND

62.150 ~~Regulations.~~ Intent.

Upon the adoption of this Ordinance or subsequent amendments, there may exist lots, buildings, structures and uses of land which were lawful prior to the enactment of this Ordinance, but which are not in conformance with the provisions of this Ordinance, or amendment thereto. It is the intent of this Ordinance to permit such nonconformities to remain until they are discontinued or removed, but not to encourage their survival or, where discontinuance or removal is not feasible, to gradually upgrade such nonconformities to conforming status. Because nonconforming lots, structures and uses, so long as they exist, prevent the full realization of the goals and objectives of the Township Master Plan, the spirit of this Section is to reduce, rather than increase, such nonconformances.

The following regulations shall control lawful non-conforming uses in existence at the time of passage of this Ordinance.

62.151 Nonconforming parcels, lots or building sites.

In any zoning district, notwithstanding limitations imposed by other provisions of this Ordinance, where a nonconforming lot, parcel or building site of record, lawful at the time of its creation, fails to meet the requirements for minimum area, minimum width, minimum frontage or exceeds the allowable depth to width ratio of 4 to 1, such lot, parcel or building site may be used for the permitted uses of the zoning district, provided that all other applicable minimum requirements are met.

62.152 Nonconforming uses of land or structure.

The use of any land or structure, existing and lawful at the time the use commenced, may be continued, even though such use does not conform to the provisions of this Ordinance, or amendment hereto, subject to the following provisions:

1. No nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land or structure.
2. No nonconforming use shall be moved in whole or in part to any other portion of the land or structure occupied by such use.
3. If any nonconforming use of land or structure ceases for any reason for a period of more than 12 months, any subsequent use of such land or structure shall conform to the requirements of this Ordinance.
4. If a nonconforming use of land or structure is changed to a permitted or more restrictive use in the district in which it is located, it shall not revert or be changed back to a nonconforming less restrictive use.

62.153 Nonconforming structures.

Structures which are existing and lawful at the time of construction may be continued, even though such structures do not conform to the provisions of this Ordinance, or amendment thereto, subject to the following provisions:

1. No nonconforming structure may be enlarged or altered in a way which increases its nonconformity.

2. **If any nonconforming structure is damaged, by any means or in any manner, to the extent that the cost of reconstruction or restoration exceeds one-half the value of such structure prior to the damaging occurrence, as determined by the most recent assessment of the market value of the structure, exclusive of the market value of land, such reconstruction or restoration shall only be permitted in conformity with the provisions of this Ordinance.**
3. **If any nonconforming structure is damaged, by any means or in any manner, to the extent that the cost of reconstruction or restoration is equal to or less than one-half the value of such structure prior to the damaging occurrence, as determined by the most recent assessment of the market value of the structure, exclusive of the market value of land, such reconstruction or restoration shall be permitted, provided a building permit for such reconstruction or restoration is issued within one year of the occurrence of such damage.**
4. **If a nonconforming structure is altered or modified so as to eliminate, remove or lessen any or all of its nonconforming characteristics, then such nonconforming characteristics shall not be later reestablished or increased.**

62.154 Single-family and two-family dwellings.

Notwithstanding the foregoing, a single-family or two-family dwelling located in a zoning district, which does not permit the same, may be altered, expanded and/or rebuilt. In addition, one accessory building not exceeding 600 square feet in area may be erected for a nonconforming single-family or two-family dwelling lacking an existing accessory building.

62.155 Change of tenancy or ownership

There may be a change of tenancy, ownership, or management of any existing nonconforming uses of land, structures, and premises provided there is no change in the nature or character of such nonconforming uses except in conformity with the provisions of this Ordinance.

~~62.151 Lawful non-conforming uses or structures in existence at the time of passage of this Ordinance may be continued but shall not be extended, added to or altered unless such extension, alterations or additions are in conformity with the provisions of this Ordinance.~~

~~62.152 If the cost of repair or replacement of a non-conforming use or structure which has been destroyed by reason of windstorm, fire, explosion or any act of God or the public~~

enemy exceeds 50 percent of the total replacement cost of the use or structure, such use or structure shall not be continued or rebuilt except in conformity with the provisions of this Ordinance.

62.153 — If the non-conforming use of any land or structure shall terminate for a continuous period of time exceeding one year, such use shall not be re-established and any future use of land and structure shall be in conformity with this ordinance.

62.154 — If a non-conforming use is changed to a permitted or more restrictive use in the district in which it is located, it shall not revert or be changed back to a non-conforming less restrictive use.

62.155 — Notwithstanding the foregoing, a single-family or two-family dwelling located in a Zoning District which does not permit the same may be altered, expanded and/or rebuilt. In addition, one accessory building not exceeding 600 square feet in area may be erected for a nonconforming single-family or two-family dwelling lacking an existing accessory building.

SECTION II.

AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 66.000 AREA REQUIREMENTS, DWELLING STANDARDS AND RESIDENTIAL OCCUPANCY, SUBSECTION 66.200 DIMENSIONAL REQUIREMENTS FOR PARCELS, LOTS AND BUILDING SITES, SUBSECTION 66.201 SCHEDULE OF AREA, FRONTAGE, AND/OR WIDTH REQUIREMENTS. Section 66.000 Area Requirements, Dwelling Standards and Residential Occupancy, Subsection 66.200 Dimensional Requirements for parcels, lots and building sites, Subsection 66.201 Schedule of Area, Frontage, and/or Width Requirements for the “RR” Rural Residential District is amended to read as follows:

66.201 SCHEDULE OF AREA, FRONTAGE, AND/OR WIDTH REQUIREMENTS

District	Area/Frontage	Dimensional Requirements
RR	Parcels, lots and building sites	
	Area Requirements:	1.5 acres
	Minimum Frontage:	200 feet
	Lot, building sites within an Open Space Community:	
	Area Requirements:	Density of 1.0 dwelling unit per acre
	—with water:	density of 1.5 dwelling units per acre
	—without water:	density of 1.0 dwelling unit per acre
	Minimum Width Frontage:	100 120 feet

SECTION III. AMENDMENT OF ZONING ORDINANCE COMPILED SECTION 68.000 OFF-STREET PARKING OF MOTOR VEHICLES. Section 68.000 Off-Street Parking of Motor Vehicles, the title, first paragraph and Paragraph G of Subsection 68.300 Requirements for parking spaces and parking lots of the Oshtemo Charter Township Zoning Ordinance are hereby amended to read as follows:

68.000 OFF-STREET PARKING OF MOTOR VEHICLES

68.300 Requirements for parking spaces, and parking lots and drive-through windows.

Requirements for all parking spaces and parking lots (except those for single- and two-family dwellings, for mobile homes or single- or two-family dwellings in a mobile home subdivision, or for farms) **and drive-through windows** shall be as follows:

- G. Drive through windows. **A minimum of five 10 foot by 20 foot stacking spaces, measured from the serving window, for food service establishments and a minimum of three 10 foot by 20 foot stacking spaces for all other drive-through establishments** for vehicles awaiting service shall be on-site and designed and located so as not to block or impede pedestrian and/or vehicle circulation on the site or on any adjacent sidewalk or street. Stacking spaces shall not be considered parking spaces.

SECTION IV. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State law.

DEBORAH L. EVERETT, CLERK
OSHTEMO CHARTER TOWNSHIP

Memo



To: Oshtemo Charter Township Board
From: Julie Johnston, AICP
Date: June 8, 2016
Mtg. Date: June 14, 2016
Subject: Zoning Ordinance Re-organization and Website Development

OBJECTIVE

Township Board approval of a 2016 budget amendment not to exceed \$34,915, for the following:

- Re-organization of the Zoning Ordinance to an intuitive user-friendly format;
- Development of an Encode Plus Publishing System website customized to the Township's needs, which would include both the re-organized Zoning Ordinance and the General Ordinance; and,
- Annual hosting and licensing fee of the website.

BACKGROUND

Currently, the Township utilizes Municode to host both the Zoning and General Ordinances, which was historically the only web-based product available. Municode provides perfunctory services, such as a search-engine, the ability to email and download sections of code, and it is available on a variety of devices. However, it is limited in its scope and user applications. In addition, it requires the Township to forward amended ordinance language to be uploaded to the website with new paper supplements forwarded back to the Township to be inserted in paper copies of the Code. This process can be cumbersome and inserts are not always appended by staff.

In addition to some of the weaknesses of Municode, the organization of the current Zoning Ordinance is cumbersome. Multiple regulations for the same requirement can be found in different sections of the Ordinance, some ordinances have vague language or lack specificity which make them difficult to enforce, and often development criteria are found in sections of the Ordinance where they are not expected. For example, the Ordinance has a Special Exception Use section, which is intended to outline the development criteria for any special exception use. However, development criteria can also be found within some of the zoning district sections, which could easily be missed because a user would be looking for the regulations in the special exception use section.

Ultimately, Planning staff believes that the Zoning Ordinance could be improved through an overall examination of the code called an Ordinance Audit and then a re-organization. Staff researched four consulting firms to assist with the re-organization of the Zoning Ordinance. The first was ClearZoning, a service used by many communities in Michigan. However, there exists a conflict of interest between the consulting firm who owns ClearZoning and the Township. The principal planner of the firm is the lead planner for the ITC Holding Corporation and the ongoing litigation over the transmission line through the Township. Additionally, staff reviewed proposals from Wade Trim, LSL Planning and Encode Plus.

Wade Trim's proposal would have provided a Word based document with graphics, hyperlinks, tables, etc. that would have met staff's needs. Updates would have been done internally by Township staff. LSL Planning would have provided an Adobe based product providing many of the same features, but would have required LSL to perform future amendments to the code. Either end product would have been satisfactory, but not progressive or state-of-the-art.

The final product, EnCode Plus, is similar to Municode in that it is an Internet-based system. However, the difference in functionality is tremendous. Staff intends to provide a presentation at the Work Session to demonstrate the flexibility and user-friendliness of the EnCode product. In addition to its range of operations for the outside user, the Encode system will allow staff to amend ordinance language within the system and then go "live" with the changes immediately after adoption. The internal system (not accessible to the public) will also archive old ordinance language so it is never lost. Notes or Planning Commission minutes can be attached to the old language so historical information is easily accessible explaining why the ordinance was changed.

EnCode has a variety of pricing and servicing options. As this will be our first foray into this service, staff felt the 90 degree option, as outlined in the proposal attached, was the best option. If the Township Board approves the budget amendment and the use of EnCode Plus, Oshtemo Township will be the first community in Michigan to utilize this innovative program. The cost to develop the website and upload our Ordinances is \$15,665 with a yearly hosting and licensing fee of \$4,250, for a total of \$19,915. As a comparison, the Township spent \$4,893 on Municode services in 2015.

While a great hosting system, the cost to develop our customized website and upload the Township Ordinances (both Zoning and General) does not include assistance to staff to reorganize the codes. Staff would like to work with Wade Trim for a cost not to exceed \$15,000 for the reorganization of the Zoning Ordinance, as well as any new regulations that need to be developed. The proposal submitted by Wade Trim is for a total cost of \$31,000. However, because staff wishes to work with EnCode for the final hosting of the Ordinances, Wade Trim's proposal was reduced to just the re-organization. Based on this clarification of the scope of work, the cost was reduced to a fee not to exceed \$15,000.

For comparison, both Texas Township and Kalamazoo Township updated their zoning ordinances in the last few years. Texas Township completed their update in December of 2010 utilizing ClearZoning for a cost of approximately \$29,000. Kalamazoo Township is in the process of completing their update at a cost of \$39,000. The request for a budget amendment not to exceed \$34,915 is similar in scope.

INFORMATION PROVIDED

Consultant Proposals

STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE

Planning staff is requesting an amendment to the 2016 budget in the amount of \$34,915, which include the costs to complete a re-organization and update of the Zoning Ordinance, develop an Internet-based site that will host both the Zoning Ordinance and the General Ordinance, and the costs to host the site for one year.



ONLINE CODE PUBLISHING SYSTEM

April 29, 2016

Ms. Julie Johnston
Planning Director
Oshtemo Charter Township
7275 W. Main Street
Kalamazoo, MI 49009

Dear Ms. Johnston:

I enjoyed the opportunity to visit with you and Ben Clark about the features of **enCodePlus™**. I appreciate the opportunity to present a proposal for the Township's Code. This proposal may be implemented with acceptance of this proposal and execution of a software license agreement.

enCodePlus offers the Township the never-before, in-house flexibility of updating, amending, archiving, and publishing the municipal ordinances to the web. Additionally, the upgrade features available through **enCodePlus** will improve user-friendliness and access, reduce staff time, and provide state-of-the-art technology that will reflect positively on the Township's progressiveness, transparency, and emphasis on customer support.

The benefits of **enCodePlus** include:

- The Township would have password-protected access to the Maintenance Module allowing staff to update and amend the Codes in-house;
- Enhanced features, among others, include:
 - A branded site.
 - Pop-up definitions with hyperlinks to full definitions.
 - Liberal hyperlinked cross-references to articles and sections both within and external to the Code (e.g. applicable sections of the municipal code).
 - The comment/response feature allowing receipt of comments (from password-protected reviewers) on draft amendments.
 - In-line graphics and tables.
 - Quick links to popular sections and tables.
 - Automatic archiving of ordinance amendments.
 - Upgrade features such as:
 - Online GIS map with links from the zoning districts on the map to the applicable sections of the Code;
 - Land use look up tool to research and map the applicable districts for a selected land use;
 - Parking, landscaping, bufferyard, signage, or site yield calculators;
 - Application download/upload; and
 - Project calendar/eNotice and RSVP.

www.enCodePlus.com

The interactive use of the online Code may be accomplished in simple three steps:

1. **Integration.** Convert, customize, and deliver the documents in an HTML online format. The Standard 90° features are shown in *Attachment A, Feature Descriptions*. The build includes design and creation of the public interface and delivering and training staff on the use of the maintenance module (back-end password-protected access for in-house code updates and maintenance).
2. **Integration of Upgrade Features.** The optional features available for upgrading to either Advanced 180° or the Premium 360° Suite are shown on Page 3 under Pricing. These upgrades include enhanced features, added functionality, and more user licenses and hours of support. The individual or bundled upgrade fees will be added to the first-year annual fee.
3. **Licensing.** enCodePlus™ would be licensed to the Township, enabling full, unlimited access and the ability for staff to receive comments on draft ordinance amendments; publish new or amended ordinances; archive repealed ordinances; store individual ordinances in a cloud-based library; and change the content, organization, and format of the ordinance. A software license agreement sets out the terms of use and ownership.

ADDITIONAL BENEFITS

Control: Control your Municipal Code.

- Your team will be in complete control of the Township's Code, meaning that staff would have unlimited, password-protected access to the Maintenance Module.
- Using the enCodePlus™ platform, staff would be able to update the Code in real-time! This means that changes may be published and immediately available online upon adoption.

Features: There are an array of features that are available by upgrading from Standard 90° to either the Advanced 180° or Premium 360° feature sets. These features are outlined in *Attachment A, Feature Descriptions*, which include:

- **GIS Interactive Maps**, providing an online map with a variety of underlying base maps; the ability to zoom, scroll, and print; access appraisal district parcel information; and link from a zoning district or parcel to the applicable provisions of the zoning ordinance, along with the ability to integrate:
 - The **Land Use Lookup Tool** to search for an individual land use and its applicable districts, with the ability to map them; and/or
 - **Lease/Sale Mapping** of listed properties.
- **Embedded Calculators**, including parking and landscaping calculations, as well as development yield, signage, and bufferyard requirements (or any other numeric standard).
- **Application Download/Upload**, allowing applicants to download fill-in-the-blank applications forms and also to upload their application(s) and plan submittals. The application upload feature logs the application type, date and time, and distributes the application and plans to designated plan reviewers.
- **Cloud-based, online library** for storing, linking within the zoning ordinance for PDF retrieval and viewing, and researching by ordinance number, date, or keyword.
- **eReader Viewer and Printer**, which allows a novice user to flip through the pages of the zoning ordinance, much like that of other mobile devices.
- **Project Calendar and RSVP**, allowing the scheduling of ordinance amendments and email invitations to and RSVPs from participants.

Support: Access to Support Anytime You Need It.

- The **enCodePlus** team is available to help every step of the way.
- Whether you have questions about the **enCodePlus™** application and its features, the Code of Ordinances, or questions about the latest developments relating to planning and zoning, our team has the answers.

PRICING

OPTION 1: STANDARD 90⁰ (PLEASE CHECK ALL APPROPRIATE BOXES)

<input type="checkbox"/> Base Build Fee (One Time Fees)	\$15,665
<input type="checkbox"/> Annual Hosting and Licensing Fee (recurring fees) ¹	\$4,250
<input type="checkbox"/> Additional License Seats (one included at no additional charge)	+ \$500 / Seat
<input type="checkbox"/> Hours of annual support	+ \$200 / Hour

OPTION 2: ADVANCED 180⁰ (PLEASE CHECK ALL APPROPRIATE BOXES)

<input type="checkbox"/> Base Build Fee (One Time Fees)	\$15,665
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Includes (refer to Attachment A for more information):

- Two hours of support in Year One

Optional Add-Ons

<input type="checkbox"/> Advanced GIS Interactive Map	+ \$2,500
<input type="checkbox"/> Parking Calculator	+ \$2,500
<input type="checkbox"/> Landscaping Calculator	+ \$2,500
<input type="checkbox"/> Bufferyard Calculator	+ \$2,500
<input type="checkbox"/> Shared Parking Calculator	+ \$2,500
<input type="checkbox"/> Signage Calculator	+ \$2,000
<input type="checkbox"/> Site Yield Calculator	+ \$1,500
<input type="checkbox"/> e-Reader Viewer and Printer	+ \$500
<input type="checkbox"/> Annual Hosting and Licensing Fee (Recurring Fees)	\$5,250
- GIS Interactive Map (Advanced) Maintenance	+ \$2,625
- Additional License Seats (3 Included at No Additional Charge)	+ \$400 / Seat
- Support after Year One	+ \$200 / Hour

OPTION 3: PREMIUM 360° (PLEASE CHECK ALL APPROPRIATE BOXES)

Base Build Fee (One Time Fees) \$15,665

Includes (refer to Attachment A for more information):

- Four hours of support in Year One

Optional Add-Ons

<input type="checkbox"/> Source Code Escrow	+ \$1,000
<input type="checkbox"/> Premium GIS Interactive Map	+ \$6,250
<input type="checkbox"/> Land Use Look Up	+ \$4,500
<input type="checkbox"/> Parking Calculator	+ \$2,500
<input type="checkbox"/> Landscaping Calculator	+ \$2,500
<input type="checkbox"/> eReader Viewer and Printer	+ \$500
<input type="checkbox"/> Bufferyard Calculator	+ \$2,500
<input type="checkbox"/> Shared Parking Calculator	+ \$2,500
<input type="checkbox"/> Signage Calculator	+ \$2,000
<input type="checkbox"/> Site Yield Calculator	+ \$1,500
<input type="checkbox"/> Agendas and Minutes Download	+ \$500
<input type="checkbox"/> Application Download/Upload	+ \$1,500
<input type="checkbox"/> Archiving	+ \$1,000
<input type="checkbox"/> Ordinance Library	+ \$500
<input type="checkbox"/> Project Calendar / eNotice and RSVP	+ \$1,000
<input type="checkbox"/> Annual Hosting and Licensing Fee (Recurring Fees)	\$7,250
- GIS Interactive Map (Premium)	+ \$3,125
- Source Code Escrow	+ \$1,000
- Ordinance Library	+ \$1,500
- Additional License Seats (4 Included at No Additional Charge)	+ \$250 / Seat
- Support after Year One	+ \$200 / Hour

Licensing. enCodePlus™ is licensed and provided to the Township, enabling full, unlimited access and the ability for staff to publish amended ordinances; archive repealed ordinances; store individual ordinances in an online (cloud-based) library; and change the content, organization, and format of the ordinances, standards, and codes. A software license agreement will be prepared for the Township upon request, and identification of the above preferred options and features.

Payment. Payment of the license, hosting, and maintenance fees is due annually. The one-time build fee is due in three installments, as follows:

1. Signing of Amendment: 60%
2. Draft Delivery: 30%
3. Final Delivery: 10%

Ms. Julie Johnston

Page 5

April 29, 2016

Thank you for the opportunity to provide a breakdown of the options to implement the most feature-rich software available for the online publishing of the Township's Code. If you have any questions, please call or email me at 916.206.1871 (paula@encodeplus.com).

Term of Agreement. This Agreement shall begin upon execution of a software license agreement and end three years after the date of execution. Thereafter, the online code shall be automatically renewed from year to year provided that each party may cancel or change this agreement as set out in the agreement.

Submitted by:

ENCODEPLUS, LLC

enCodePlus Officer: Paula Daneluk

Title: Business Development Manager

Date: 4.29.16

Accepted by:

Oshtemo Charter Township

By: _____

Title: _____

Date: _____

ATTACHMENT A, FEATURE DESCRIPTIONS

Standard 90° Feature Set

Adobe PDF Generator: An entire document or any article, division, section, or subsection of the on-line document may be exported directly to Adobe PDF. The user may choose whether to print a header, footer, and page numbers on the first page or all pages.

At-a-Glance, Pop-up Definitions: Definitions of terms pop-up on the screen when the cursor rolls over the term. The term may be selected to pop-up a separate box for lengthy definitions or those that include graphics.

Best Bets Search Engine: The search engine reveals every instance of the term throughout the entire document including a highlighted box of “Best Bets”, which may be customized to direct user queries to individual sections of the document that are most relevant to the query. These “best bets” may be informed by the Google Analytics Reporting that quantifies the relative number of individual search term queries.

Dynamic Tables: Any term within a table may be hyperlinked within the on-line document, e.g. a zoning district designation may be linked to the relevant standards of the district. Additionally, the roll-over pop-up definitions are also active within tables.

External Resource Links: A “Resources” of “Documents” button located on the “home” screen of the site links to ordinances, plans, or maps, all of which are stored in the cloud-based library to ensure reliable results.

GIS Standard Map: This includes a web-based interactive map application displaying the Township’s zoning, Township limits and other municipal or planning limits as GIS layers. The application comes with standard color coordinated custom template. The standard features also include a zoning disclaimer window, contact us link to connect with the Township’s webpage or an email address for public communication, a search result window, legend and help menu. The help menu is designed to walk the user through every feature of the map viewer and provide descriptions of particular features to ensure the user understands the map capabilities. The standard features include:

- *Change Base Map:* This allows a user to change the base map in the map application. The default base map is a street map, which is easy to read with the zoning data displayed. The other base maps include aerial imagery, imagery with labels, topographic, and national road maps.
- *Home:* This floating button changes the zoom extent to a default zoom level. The default is typically set at a Township limit boundary. Typically, users who zoom in may use the Home button to refresh to the Township Limit level.
- *Measure:* This allows a user to measure between any two points. The user may click on the Measure tool and zoom into an area by using the Zoom In/Out or scrolling functionality. By clicking on “from” and “to” points, a distance will be provided in meters or feet.
- *Print:* This allows a user to print a pre-defined paper size and orientation and create a PDF map that can be saved or printed directly from a computer. The printed map can be customized with the Township’s name in the header. The printed page include the date and scale as standard features.

- *Social Media Connectivity*: This allows a user to connect with the Township's social media websites such as Twitter or Facebook. If the Township is using a social media platform outside of these two platforms, a custom button may be created.
- *Zoom In / Out*: This button allows a user to zoom in and out of the current map view, which may also be accomplished via scrolling of the mouse.
- *Zoning Code Hyperlink*: The result of this functionality can be seen in the Results Window, typically located on the right side of the map viewer. When a user clicks on a particular zone, the Results Window shows the relevant zoning district, which is hyperlinked to the applicable section of the zoning code via the **enCodePlus** site.

Search Term Statistics: This feature provides reporting as to the most often queried terms, which allow the client to customize the site to better serve the needs of their customers or constituents. For instance, the Advanced "Best Bets" Search Engine may use this information to direct users to the appropriate sections of the code.

Graphic Library: All graphic images and illustrations are stored in a table inventory with the file name and individual section of the document, which is accessible through the Maintenance Module. Graphic files, including archives, may also be organized and stored but not placed in the document. Unused images may be easily identified and removed.

In-Line Illustrations, Graphics, and Tables: Illustrations, graphics, and tables are built in HTML format (in lieu of PDF images) and embedded in-line with the text. All headings, subheadings, and alternating rows are formatted according to a customized CSS style sheet.

Internal/External Hyperlinking: Hyperlinking of terms is available within the on-line document as well as to external resources, e.g. state statutes, plan or policy documents, etc.

Microsoft Word Exporter: An entire document or any article, division, section, or subsection of the on-line document may be exported directly to MS Word with the document formatting intact.

Mobile Device Access (smartphone, tablet, or iPad): The on-line document is responsive and available for viewing on iPads, tablet computers, and both Android phones and iPhones. Some viewing limitations apply based on the device capabilities.

My Favorites Links to Popular Sections and Tables: Frequently used sections and tables are set out for quick reference with the click of a button on the "home" screen.

Public Commenting on Pending Amendments: This feature allows draft code amendments to be written and stored in the **enCodePlus**TM system and then published for public viewing and commenting. The public commenting function allows other staff members or the public to provide comments on individual sections of draft ordinances. A specified user is notified via email of posted comments, which also notifies the commenter of the response. All comments and written responses are catalogued, by date, for future reference. Any comment may be tagged for follow-up, which places the comment at the top of the list, and highlights it in a different color. All comments and responses may be embedded in the respective section of the code during the review and public comment process.

Social Media Links (Facebook, Twitter, and LinkedIn): Any article, division, section, or subsection of the on-line document may be posted or fed to a Facebook, Twitter, or LinkedIn account.

Redaction Tool (NEW): In the instance of sensitive information, individual words, sentences, or sections of the document may be redacted from the public-facing user module. The redacted text is inaccessible for public viewing, copying, or printing, yet available in the password-protected maintenance module.

User Guide and Tutorials: Available in the password-protected Maintenance Module, the “how-to” for every feature and function of the software is thoroughly described with step-by-step instructions and annotated illustrations.

Video Animation: Video animation may be embedded within and accessed through the site. This may include a welcome message from an elected official or department manager or a video fly-through to help illustrate provisions of the code.

Advanced 180° Feature Set (including all Standard 90° features)

Custom Site Branding: enCodePlus™ may be fully customized to blend seamlessly with the client’s website, which may include a welcome message or video, as well as the logo, color scheme, photographs, layout of tables and figures, page header, and other site tailoring. Our graphic design team may also develop a one-of-a-kind site design.

e-Reader Styled Viewer and Printer: The print-formatted version of the code may be viewed on-line as a full-color document, which may also be printed or emailed. It is arranged as an e-Reader for page-by-page viewing.

Embedded Calculators (e.g. parking, density yield): The enCodePlus™ site may include on-the-fly calculators that are uniquely calibrated to reflect local standards, and may then be embedded as a link in the document or accessible via a button on the “home” screen. This allows users to precisely calculate the requirements for their project, as follows:

- *Bufferyards:* The buffer calculator allows users to quantify the planting requirements to meet the standards of the ordinance, based on the zoning of the subject and adjacent sites, width of bufferyard, plant types, etc. The results specify the precise number of shrubs and large and small trees required, based on the site dimensions. A bufferyard simulator may also be customized to test different combinations of bufferyard widths, types and densities of vegetation, and the use of structures and landforms to meet the relative opacity standards set out in the regulations (as applicable). The simulator may include a perspective view of the bufferyard at different stages of landscape development (at planting and after five and 10 years) to enable comprehension of the effect of the proposed landscape treatment.
- *Landscaping and Screening:* This calculator measures the landscape surface area required to meet site landscaping and screening requirements, together with the quantities, types, and densities of plant materials.
- *Parking, Loading, and ADA Calculator:* This calculator employs a web-based form with drop-down menus for specifying a land use and an input box for entering the independent variable(s) of a specific project (e.g. dwelling units, square footage, employees, etc.). Provision is made to accept input for as many as 10 different occupancies to accommodate mixed-use developments or large-scale master plans. The computations for the number of required parking and loading spaces are

delivered back to the online form. The calculator is also calibrated to provide the required spaces to meet the standards for Accessible Parking (for people with disabilities).

- *Shared Parking*: This calculator operates through the employment of hourly parking demand tables prepared by the Institute of Transportation Engineers (ITE). The shared parking requirements for multiple occupancies is determined by performing calculations for each hour of the day, employing the percentage-of-demand ratio for each use type, aggregating the hourly requirements, and selecting the highest number resulting from the iterative calculations. The results presentation also computes the conventional parking requirements for the occupancies for comparison purposes.
- *Signage*: The signage calculator helps to determine the allowable face area and height of signs based upon sign type, location, and district, as applicable.
- *Site Capacity*: This calculator employs a model to enable users to enter the independent variables for the project, such as the total site area, land acreages within identified resource protection areas, intended residential or nonresidential development type, and the intended zoning district. The model calculates the development yield, either in number of permitted dwelling units for a residential project or in permitted square feet for a nonresidential project. This feature makes the results available for use in determining the sustainability of the development project.

OR

- *Site Yield*: This calculator uses the open space/landscape surface ratio and either density or floor area ratios, as applicable, to calculate the maximum number of dwelling units or building floor area allowed for the square footage or acres of a development site. This calculator is applicable for codes that do not factor the limitations of resource protection areas.

GIS Advanced Interactive Map (NEW): The advanced map is an interactive web map application that includes Standard 90° features, together with those described below. The zoning map (or any other map) may be directly accessed through the **enCodePlus™** site, allowing a user to view, zoom in/out, and pan around the map, as well as to select an individual parcel or zoning district to navigate to the relevant section(s) of the zoning ordinance. The map may include searchable parcel identification numbers, addresses, and owners. This online map would be developed and hosted by **enCodePlus, LLC** using tabular and map data provided by the client. It would be updated on a regular basis (schedule to be determined), which may be included in the annual support hours or paid on an hourly rate basis. The advanced features include the Standard 90° features listed above, plus:

- *Parcel Data Linkage*: This functionality allows a user to access parcel level ownership data, which is searchable through the *Search Attribute* functionality. When a particular parcel is selected, a results window will reflect the parcel ID, address, and owner.
- *Search Attributes*: This feature allows a user to search attributes from the data displayed in the map viewer. Typical searchable attribute data includes zoning and parcel information.

Street View: This allows use of Google Street View, which is handy when evaluating an area or site development or its geographic constraints.

Premium 360° Feature Set (including all Standard 90° and Advanced 180° features)

Agendas, Minutes, and Applications Download: Agendas and minutes of applicable boards and commissions may be housed in the enCodePlus™ cloud-based library, which may be uploaded by staff and downloaded or viewed by the public. Development applications may also be downloaded and printed, or developed in an Adobe fill-in-the-blank format.

Archiving: Archiving is an essential function of government. The archiving feature provides a date stamp of each subsequently adopted ordinance (from the build forward) thereby maintaining a running record of the ordinance that was in effect on any preceding date. The record may be recalled by ordinance number, date, or keyword, which is extracted and displayed with an “archive” watermark. A footnote may also be added to each individual section showing the adoption and effective dates.

- *Retroactive Archiving:* An ordinance archive may be established by building an original ordinance, and then amending the original ordinance with subsequently adopted ordinances. The retroactive build includes re-creation of tables and graphics from the original documents, together with tagging definitions and hyperlinking cross references. A retroactive build is equivalent to a new build. (see Forward Archiving above)

GIS Premium Interactive Map (NEW): The premium map is an interactive web map application that includes Standard 90° and Advanced 180° features, together with those described below. This online map would be developed and hosted by enCodePlus, LLC using tabular and map data provided by the client. It would be updated on a regular basis (schedule to be determined), which may be included in the annual support hours or paid on an hourly rate basis. The premium map may be for clients who already deploy their map to the web, in which case it would continue to be maintained locally and accessible via the enCodePlus™ site. If the client does not have an online map, it may be developed by enCodePlus, LLC. This option allows the greatest functionality, including a full range of functions and capability to expand to include custom features. The premium features include the Standard 90° and Advanced 180° features listed above, plus:

- *Land Bank Mapping:* This feature provides the ability to view addresses of a specific list of properties in the map viewer. It is driven by an uploaded spreadsheet with property addresses. When an address is selected, the mapping tool analyzes all valid addresses, geocodes them, and displays them in the map viewer.
- *Land Use Lookup:* This tool allows a user to search for the districts for which an individual land use is allowed, conditional, or a special exception use, as applicable, with a GIS query and map display of the corresponding districts. An advanced version of this tool may include logic to relate common land use terms with those listed in the zoning code. For example, the commonly used term “liquor store” may be reflected in land use table as, “Alcoholic Beverage Sales, Off-Site Consumption,” in which case a search for “liquor store” would show all applicable districts where “Alcoholic Beverage Sales, Off-Site Consumption” are permitted.
- *Lease/Sale Data Mapping:* This functionality allows a user to view property lease and sale data as points on the map viewer, which, when clicked, displays information about the listing. The information may include a property identification number and street address, as well as the listing

agency and contact information. The property data is refreshed daily meaning that the listings are current and active. The lease and sale layers can be turned on/off in the legend.

- *Parcel Buffer/Mail Merge*: This feature allows a user to select an individual or group of parcels and establish a user-defined buffer distance. The selected properties within the buffer are highlighted on the map, and a list of addresses is generated for all identified properties. This feature requires parcel data linkage. The mailing list may then be mail merged to generate letters of interest of public notice.

Ordinance Library: This is a virtual library whereby adopted ordinances may be uploaded to the enCodePlus™ site and stored on a cloud server. Any individual ordinance may be queried by ordinance number, adoption date, or key word. The ordinances are accessed via a password-protected site.

Permit System Integration: A direct link may be established with the client's permitting system allowing it to be viewed on-line. For instance, the City of Kansas City's K-Viewer shows the status of up to 5,000 listings of development applications. This is a feature that is customized for each client based on their permitting system.

Project Calendar / eNotice and RSVP (NEW): A calendar is embedded in the Maintenance Module, which allows a user to schedule a meeting or event, provide notice via email, and request an RSVP. Upon acceptance, the meeting or event is posted to the Outlook Calendar, or a link is embedded for scheduling on other calendar platforms e.g. g-mail, yahoo mail, etc. This feature is a boon for code rewrite processes, allowing advance notice of deliverables, meetings, hearings, etc.

Source Code Escrow Deposit: The source code is held in escrow by a mutual third party and made available to the client jurisdiction in case of any of the occurrences spelled out in the agreement. This offers our clients the peace of mind of knowing that the software may continue to be locally supported.

User Subscription/Notification: Regular users of the code may choose to subscribe to enCodePlus™, which would allow an E-mail distribution any time the code text is amended and published.



February 5, 2016

Julie Johnston, AICP
Planning Director
Oshtemo Charter Township
7275 W. Main Street
Kalamazoo, MI 49009

Dear Ms. Johnston:

We appreciate your invitation to provide assistance in updating the Oshtemo Charter Township Zoning Ordinance. Based on our discussions with you and Mr. Clark, as well as our own review of the Township Zoning Ordinance, we have prepared the attached proposal which describes our scope of work and cost estimate to partner with you in this effort.

The proposal is divided into two phases. Phase 1 will consist of developing amendments to the Zoning Ordinance to address the five issues listed in your e-mail correspondence, dated January 25, 2016, along with other amendments which will be identified during the course of the update. Phase 2 will encompass the re-formatting of the Zoning Ordinance to reduce page flipping, group related topics, ensure uniformity among sections, and to hyper-link all Ordinance sections.

We welcome the opportunity to team with you on this important project. If you have questions, do not hesitate to contact us.

Very truly yours,

Wade Trim Associates, Inc.

A handwritten signature in blue ink that reads 'Timothy J. Johnson'.

Timothy J. Johnson, PCP
Professional Planner/
Project Manager

A handwritten signature in blue ink that reads 'Adam Young'.

Adam Young, AICP
Professional Planner

AAA8140-16

pw:\Documents\Client Info\Potential Client\O\Oshtemo Township, Kalamazoo Co. - MI\Proposals\Zoning Updates - 2016\Oshtemo Township Zoning Update Proposal Letter.docx

Enclosures:

Proposed Scope of Work and Cost Estimate, Phase 1
Proposed Scope of Work and Cost Estimate, Phase 2
Zoning Ordinance Issues List from Oshtemo Township

Wade Trim 616.956.3304
2851 Charlevoix Dr. SE 616.956.3475 fax
Suite 108
Grand Rapids, MI 49546 www.wadetrim.com

**A PROPOSAL TO UPDATE THE ZONING ORDINANCE FOR
OSHTEMO TOWNSHIP**

Submitted by Wade Trim, Inc.

February 5, 2016



PHASE 1 SCOPE OF SERVICES

1. The Wade Trim Project Manager, Tim Johnson, will meet with Planning Director Julie Johnston to discuss the amendments to the Zoning Ordinance outlined by the Planning Director in her e-mail correspondence dated January 25, 2016. At this meeting, we will obtain a copy of the Township Master Plan, Zoning Map and other materials relevant to the project. A project schedule will also be established at this initial meeting as well as discussing other amendments which can be addressed within the project budget.
2. Mr. Johnson will prepare the amendments in the order agreed upon and provide them to the Director for her review. Revisions will be made as necessary until the Director is comfortable with the draft ordinances. Illustrations for certain definitions, such as building height measurement, required setbacks and yards, will be prepared to supplement the text as necessary.
3. The requested amendments will likely lead to changes in other Ordinance sections. These changes will also be made and care taken to ensure that that no affected sections are left behind.
4. In the course of preparing the amendments, Mr. Johnson will compile a list of additional amendments which in his opinion should be addressed. These will be reviewed with the Director and the amendments prepared, if it is determined that this work can be accommodated within the project budget. If not, Mr. Johnson will provide a cost estimate to prepare the amendments for review and approval by the Director.
5. The amendments will be presented to the Planning Commission by the Director. Mr. Johnson will revise the Ordinance amendments, as necessary, following review by the Commission.

Project Management

Tim Johnson will serve as the Project Manager, and will prepare the amendments with assistance from Adam Young, AICP, a Professional Planner with over 15 years of planning and zoning experience. Mr. Johnson will attend all meetings with Township officials.

Project Cost

Wade Trim will perform the above described work for a lump sum fee of \$10,000. This cost allows for some additional amendments to be prepared as noted in Task 4 above. The cost includes three meetings with the Director and Planning Department Staff. Additional meetings which we are requested to attend will be charged at time and expense.

PHASE 2 SCOPE OF SERVICES

The purpose of Phase 2 is to prepare the Zoning Ordinance in a new format outside of the existing Municipal Code Corporation system. Our approach is to:

- Craft an ordinance with related sections logically arranged and cross-referenced, colorful graphics so the intent of a regulation is not in dispute, charts and tables easily read and understood, and in this day of electronic text ensuring that words and sections are easily navigable through appropriate hyperlinks;
- Provide a smooth integration and cross-reference with other land use codes/ordinances such as the Building Code and Subdivision Ordinance;
- Provide references within the Zoning Ordinance draft to insure that no current regulations are inadvertently lost during the reformat;
- Present draft revisions as they are prepared to the Planning Director to ensure the format is acceptable and to avoid costly changes later in the effort.

WORK TASKS

1. The Wade Trim Project Manager, Tim Johnson, will meet with Planning Director Julie Johnston to discuss the type of ordinance format desired. This will be done by reviewing formats previously utilized by Wade Trim or others offered by the Planning Director.

2. Wade Trim will assess the format of the Zoning Ordinance in light of the Director's comments and will compile a preliminary list of recommended changes. This preliminary list of recommendations will be reviewed with the Director to ensure compatibility with expectations and needs. Our focus will be on grouping related topics and procedures. For example, all environmental requirements will be placed in a separate chapter which will include Low Impact Development and storm water management standards and lighting requirements.

Other re-format efforts will seek to have each zoning district chapter contain its own lot development standards and links to relevant ordinance sections such as accessory building rules, landscaping and site plan review. This effort will require the complete revision and re-organization of the setback, lot size and dwelling unit standards in existing chapters 64 and 66.

3. Following Task 2, Wade Trim will formulate a second list of recommendations to reformat the Zoning Ordinance and meet with the Planning Director and other Township officials to discuss and finalize. At this meeting, a schedule will be established for preparing portions of the recommendations for review by the Township rather than submit the entire reformatted ordinance for review.

4. Wade Trim will prepare portions of the reformatted ordinance in accordance with the schedule established in Task 3 and review them with the Planning Director, making revisions as necessary. This task will include the preparation of colorful graphics and tables, designed for readability and simplicity. For example, the tables in the Landscape chapter will be re-formatted.

5. A new numbering system will be developed in conjunction with the Planning Director and all cross references with other Township Ordinances will be adjusted to meld with the Zoning Ordinance.
6. As part of this effort, we will compile a list of ordinance sections recommended for change, deletion, or perhaps consolidation, if redundancies are discovered.
7. A use table will be prepared.
8. The Ordinance contains a number of sections which give authority to the Planning Director to exercise discretion in the application of certain regulations. We will compile these as a reference document for the Director.
9. The outcome of the above tasks will be a completed draft of an updated Zoning Ordinance fully reorganized to meet the specific outcomes desired by the Township.
10. If requested, the reorganized Draft Zoning Ordinance will be presented by the Project Manager at a combined meeting of the Township Board and Planning Commission. The draft will be provided in electronic format to the Board and Commission members in advance of the meeting with paper copies made available as requested. As part of this Task, the Draft Ordinance should also be reviewed by the Township Attorney. Revisions will be made as necessary.
11. Once the Draft Ordinance is accepted by the Board and Planning Commission, a public hearing will be scheduled in accordance with the requirements of the Michigan Zoning Enabling Act. We can assist the Township in preparing the public notice and in placing the Draft Ordinance on the Township web site for public inspection. If requested, the Project Manager will attend the public hearing held by the Planning Commission to present the updated Ordinance. Revisions to the Draft Ordinance will be made as necessary.
12. Following adoption by the Township Board, a completed Zoning Ordinance will be provided to the City on disc in both full and compressed versions. The final Zoning Ordinance will be hyperlinked to sub-sections within the Ordinance in a format suitable for Township updating.

Project Management

Tim Johnson will serve as the Project Manager and will prepare the amendments with assistance from Adam Young, AICP, a Professional Planner with over 15 years of planning and zoning experience. Mr. Johnson will attend all meetings with Township officials.

Project Cost

Wade Trim will perform the above work for a lump sum fee of \$21,000. The cost includes four meetings with the Director and Planning Department Staff. Additional meetings which we are requested to attend will be charged at time and expense.

Young, Adam

From: Julie Johnston <JJohnston@oshtemo.org>
Sent: Monday, January 25, 2016 10:25 AM
To: Young, Adam; Johnson, Timothy
Cc: Ben Clark
Subject: Zoning Ordinance Amendments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Adam and Tim –

Ben and I went over our list of desired amendments and would like Wade-Trim to include the following in your proposal:

1. Improvements to the definition section of the Ordinance. After working on the reorganization, we expect you'll have a good handle on the definitions that are likely missing from this section. We do know of a few that are missing: Low Impact Development and Density are currently not defined.
2. Creation of a Transitional Mixed-Use District. We forgot to bring this up when we were meeting on Friday, but our Future Land Use Plan has a transitional mixed-use district that has no corresponding zoning district. This has become a little bit of problem because we have realtors who believe they can market their properties as commercial if they are future planned under this district. Maybe this could take the place Section 52: Neighborhood Commercial Overlay Zone, which has never been used.
3. The C-R: Local Business District, Restricted has a commercial PUD listed under the Special Exception Uses, with design standards. We also have a commercial PUD under Section 60: Special Exception Uses. These two are slightly different and we would like to figure out a way to make them one special exception use. Also, any suggestions you might have on the commercial PUD ordinance language would be welcome.
4. The nonconforming section of the ordinance needs to be reworked to clearly include structures and parcels. This will likely require some changes to Area Requirements that prohibit the development of lots that don't meet code (no grandfathering).
5. The 9th Street/West Main Overlay Zone indicates building must conform to "rural character." First, this area no longer has "rural" character and second the ordinance does not provide a way to evaluate "rural" character. We would like some other ways to address high quality building materials, architectural features, etc. within the overlay.

Please let me know if you have any questions about the above list. It was great meeting with you on Friday and Ben and I are very excited about this project!

Looking forward to seeing your proposal. Thanks!

Julie Johnston, AICP
Planning Director
Oshtemo Charter Township
7275 W. Main Street
Kalamazoo, MI 49009

269.216.5223
269.375.7180 (fax)

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March 30, 2016

Julie Johnston, Planning Director
Charter Township of Oshtemo
7275 West Main Street
Kalamazoo, MI 49009

Dear Ms. Johnston:

As a follow-up to our recent phone conversations, I am submitting this proposal to perform a technical review of the Township's current zoning regulations, along with reorganizing those regulations. The result of this review will be a detailed report identifying short-comings in the current zoning ordinance including: conflicting provisions, lack of standards, ambiguous wording, cumbersome review and approval procedures, confusing language, undefined terms and other deficiencies that often complicate the use, administration and enforcement of zoning ordinances. We will also reformat and reorganize the document using our e-Zone interactive format, as described in this proposal.

Scope of Work

- 1. Collect Relevant Documents:** The Township will provide the most recent version of the following documents (in electronic format):
 - Zoning Ordinance
 - Master Plan
 - Special plans (corridor studies, subarea plans, etc.)
 - Planning Commission and Board of Zoning Appeals minutes (past 12 months)
 - Zoning map
- 2. Initial Meeting:** In order to better understand the issues and concerns regarding the regulations, we will meet with the planning staff (and others who may wish to participate) to discuss the background, administration and enforcement challenges, and desired direction for future modifications and format.
- 3. Document Review:** We will review the current master plan (and other relevant plans) to gain an understanding of the community issues and goals. Meeting minutes will be examined to determine the types of requests, use of standards in decision-making and procedural issues. The zoning ordinance will be reviewed in greater detail to identify weaknesses, inconsistencies, conflicts, and ambiguity, as well as in relation to best practices, user-friendly procedures and support of master plan recommendations.
- 4. Assessment Report:** A full report will be prepared, providing a detailed assessment of the zoning regulations and specific recommendations for revisions. These recommendations will be comprehensive and specific in scope, likely including, as appropriate:
 - simple wording changes,
 - restructuring the organization,
 - eliminating or adding districts,
 - identifying conflicting provisions,
 - revising procedures,
 - adding review standards, and
 - modifying specific requirements.

In addition, the report will propose a new structure (contents), as appropriate, to make the ordinance more user-friendly and easier to navigate.

5. **Review Meeting:** After submitting the report and giving you and your staff time to digest it, LSL will meet with you (and others of your choosing) to review our findings, answer questions and offer suggestions regarding next steps. At this point, there may be recommendations for substantive amendments to the ordinance (new or revised districts, changes in procedures, modifying specific requirements, etc.) which will require discussion and, possibly Township Board authorization. Such changes will only be undertaken as part of the reformatting of the ordinance, if specifically authorized and a separate fee is negotiated.
6. **Reorganization:** Based on the Technical Assessment recommendations, an outline (Table of Contents) will be agreed upon as the template for reorganizing the zoning ordinance. The new organization may also include minor text amendments (housekeeping items) that add clarity and consistency to the document, as identified in the Assessment.
7. **e-Zone Format:** In addition to reorganizing the ordinance, LSL will insert graphics, tables and color, where appropriate, to make the ordinance more readable and maneuverable for the user. All defined terms and references to sections and chapters within the ordinance will be hyperlinked. The entire reorganized ordinance will be reformatted using LSL's e-Zone interactive format. See the City of Grandville's ordinance as an example:
<http://www.cityofgrandville.com/images/pdf/Zoning%20Ordinance%20April%202010.pdf>
8. **Amendments:** It is likely that the zoning ordinance technical assessment will identify substantive items that should be addressed. These may include creation of new districts, changes to review procedures, alterations to the sign requirements (e.g., changes necessitated by recent US Supreme Court decision in Reed v. Gilbert) or other significant revisions. Any such recommended changes would be discussed with the staff to determine if amendments are desired and, if so, a fee would be established at that point.

Timing

We will begin the assignment within two weeks of receiving written authorization to proceed. Review of the ordinance and related information and preparation of the assessment report (Tasks 1 – 4), will be completed within 60 days. Reformatting the ordinance can begin immediately following the review meeting (Task 5) if agreement is reached on the organization and format. Completion of Tasks 6 and 7 will also depend on what, if any, amendments (Task 8) are requested. If no substantive amendments are desired or they can be delayed, the reformatted ordinance will be completed within 45 days of the Township's approval of the table of contents and proposed format.

Professional Fees

Fees for Tasks 1 - 7 will be billed as a fixed amount of \$12,500, including expenses, to be invoiced monthly for actual work completed during the billing period.

I am attaching some information about our capabilities and resumes for our planning team. In addition, I have included a few excerpts from a 25-page zoning ordinance technical assessment we recently performed for another municipal client, so you can appreciate the report's level of specificity.

Thank you, Julie, for considering LSL and giving us the opportunity to submit this proposal. Please call if you have any questions or need additional information.

Sincerely,

LSL PLANNING, A SAFE BUILT COMPANY



Paul M. LeBlanc, AICP
Planning Manager



LSL Planning

a SAFEbuilt Company

**Great Solutions.
Great Communities.**

Community Planning

Zoning and Form-Based Codes

Transportation Planning

Public Involvement and
Visioning

Ongoing Planning Support

Core Values:

LSL Planning, a SAFEbuilt company, believes in a set of core values that provide a foundation for decisions and our professional approach:

Integrity

Improvement

Service

Teamwork

Respect

Principals:

Bradley K. Strader, Planning Director
Paul M. LeBlanc, Planning Manager

Corporate Status:

LSL Planning is a SAFEbuilt company organized as an S-Corp in the State of Delaware.
Federal ID: 27-131473

Metro Detroit

306 S. Washington Ave.
Suite 400
Royal Oak, MI 48067
248.586.0505

Grand Rapids

15 Ionia Avenue SW
Suite 450
Grand Rapids, MI 49503
616.336.7750



Since 1996, LSL Planning has become well known and highly respected for innovation in community planning ... and so much more. LSL takes pride in working side-by-side with community leaders throughout the entire planning and implementation process.

Before diving in we get to know the community— its history, culture, leaders and aspirations. Then we customize an approach, inspired by national best practices, to meet the unique needs of each community. Community engagement is a vital part of the process. We effectively apply a wide range of techniques to build consensus and enthusiasm.

No matter which of our services a community might need, we can also serve as ongoing advisors, a role we provide to over 50 municipalities.

The LSL team has earned a reputation for advancing the science and art of community planning and is frequently asked to speak at regional, state and national conferences, webinars, seminars and workshops. Our team is comprised of community planners, designers, and transportation specialists that guide communities to envision, improve and build their own unique sense of place. What we provide:

- Customized best-practice plans that meet the unique needs and culture of each community.
- Expertise in a wide range of planning including land use, comprehensive plans, subarea and corridor plans, transportation planning, downtown revitalization and planning, review of development proposals and development regulations.
- We craft and administer form-based codes and development regulations along with ongoing consulting and expert litigation assistance when needed.
- Management of project reviews, consultation with planning commissions and officials, leadership of public meetings and engagement programs.

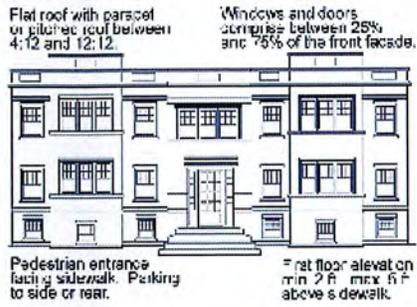
We measure success by the continued satisfaction of our many clients. Nearly 95% of our clients have engaged us for multiple projects, and several have been with us since the year we opened. Professional and personal service are always quoted as highlights when clients are asked why they work with LSL.

www.lslplanning.com

Colorado | Georgia | South Carolina | Michigan | Ohio | Illinois | Indiana | South Carolina

CBD: Specific Building Requirements: Apartment Buildings

Floor Area	
Minimum	700 sq. ft. for each residential unit
Façades	
Window Transparency Area	25% to 75% of front façade of each residential unit shall consist of windows and doors
Entrances	At least one usable door facing front lot line
Front stoop	
Each dwelling shall have a front stoop with steps	
Minimum depth	4 ft.
Minimum area	32 sq. ft.
Garages	
Off-street parking lots and carports or garages shall be located in the side or rear yard.	



Form-Based Codes

Representative Projects

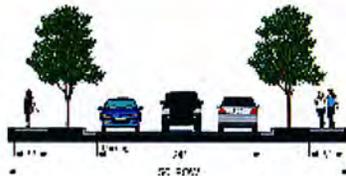
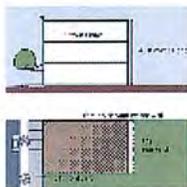
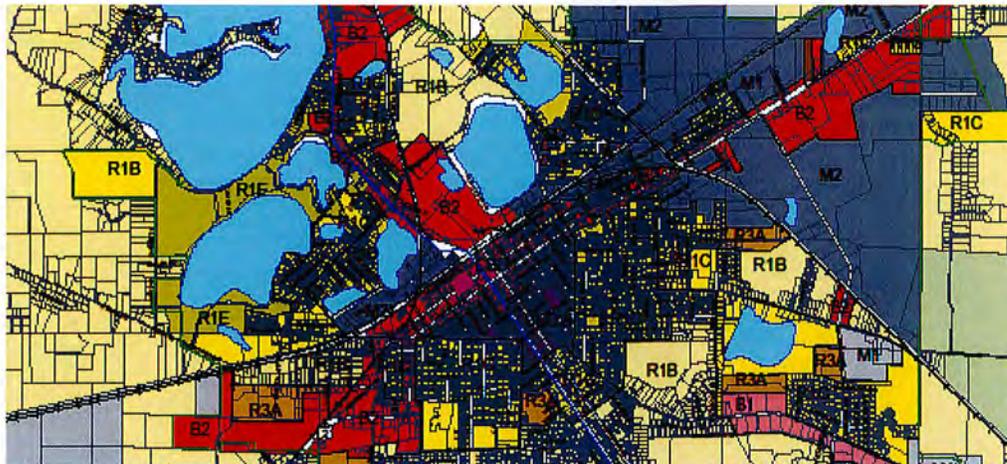
- Birmingham, MI
Triangle District FBC
- Leesburg, VA
Crescent District FBC
- Fremont, MI
Citywide Code
- Midland, MI
Downtown Transition Area Code

One of the freshest zoning concepts to be introduced in decades, Form-Based Code (FBC) is gaining widespread attention from local officials, interested citizens, and the development community. Form-Based Codes rely on design concepts and patterns intended to preserve the best of a community, creating more sustainable places. FBC emphasizes the physical form of the building and its relationship to the street and adjacent buildings. Compatibility of uses is achieved through design and orientation, instead of strict land use separation. The result is development in harmony with the established or desired character of a district supported by mixed uses, pedestrian-friendly systems and complementary scale.

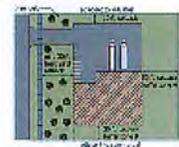
LSL has helped many communities, large and small, achieve their goals for downtown, corridor and neighborhood improvement by incorporating Form-Based Code as an element of traditional zoning or as a community-wide regulatory approach.



Colorado | Georgia | Illinois | Indiana | Michigan | Ohio | South Carolina



Multiple Unit	
Building Height	35 ft.
Maximum Height	35 ft.
Setbacks	5 ft.
Maximum Front	5 ft.
Minimum Side and Rear	5 ft.
Maximum Side and Rear	10 ft.
Maximum Front	20 ft.
Maximum Lot Coverage	20%
Lot Size	7,500



Zoning and Development Regulations

Representative Projects

Palmetto, GA
Zoning Ordinance and Form-Based Code

La Porte, IN
Joint City-County Zoning Ordinance

Midland, MI
Form-Based Code

Bluffton, SC
Unified Development Ordinance

Kodiak, AK
Zoning and Land Management Ordinances

Grandville, MI
User-Friendly Ordinance

The complexion of land development regulation is changing. Modern zoning ordinances are no longer just about separating uses into discreet districts and imposing one-size-fits-all setback, parking and sign regulations. They are being structured to incentivize quality development, integrate land use regulation with storm water management, create sustainable development, balance the interests of the community with the individual freedoms of the property owners and make the processes of review less onerous.

LSL has crafted zoning, subdivision and unified development regulations for nearly 100 communities across the country, ranging from large central cities to rapidly growing suburbs to rural enclaves. In addition to employing a range of advanced techniques to achieve local goals, LSL ordinances are clear, well organized and concise...in other words, user-friendly. We understand the benefits of making development regulations less intimidating and easier to interpret and apply. LSL's iZone™ formatting brings user-friendly to a new level, making the ordinances digitally interactive, with cross-referencing as easy as a mouse click.



Colorado | Georgia | Illinois | Indiana | Michigan | Ohio | South Carolina

Zoning Code Technical Audit

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
ZONING CODE					
General Comments					
	Table of Contents	Entire code should be reorganized into more logical segments. Headings of Titles should be changed to relate to contents. Related provisions (e.g., Old Hilliard) should be combined rather than scattered across multiple chapters. Single uses should not warrant a separate chapter (e.g., fences, communication towers). Zoning districts should be grouped together rather than scattered.		X	
	Format	Throughout the document, many paragraphs begin with the word "no". Provisions should be stated in the affirmative rather than the negative			X
Chapter 1105 – Purpose, Interpretation, Compliance					
1105.03	Compliance	Paragraphs (a) – (d) should be stated in the affirmative, not the negative			X
	Additional Provisions	Rules Applying to the Text and Severability clauses should be added to this chapter			X
Chapter 1107 – Definitions					
	General	This entire chapter should be removed from TITLE ONE and placed in an appendix at the end of the document			X
	General	The entire code should be reviewed to ensure that all defined terms are actually used in the code. Otherwise, they should be deleted.			X
(1)	Accessory use or structure	Accessory use and accessory building/structure should be defined separately			X
(5)	Auto service station	Change to "vehicle service station" and delete the last part of the last sentence, beginning with "which". Duplicates definition (34)			X
Chapter 1121 – Overlay Districts					
	General	This chapter should contain all requirements related to the overlay districts. Other overlay districts should be considered and added, as appropriate		X	
1121.02	Description	The regulations for the Cemetery Road overlay should be specified. Referencing		X	

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
		the plan is confusing and the plan is not a binding requirement.			
Chapter 1123 – Use Regulations					
	General	Chapters 1123 and 1127 should be consolidated into “District Regulations”		X	
1123.01	Use regulations	These tables should be reformatted to make them easier to read and use. See example at end of this document			X
1123.01	Use regulations	The chart lists R-4 as a two family district, but section 1119.03 identifies R-4 as “Apartment District” and the chart shows an R-6 District which is not listed in 1119.03. These inconsistencies should be resolved			X
1123.01	Use regulations	In the table listing uses for the business districts, the term “retail business” is used in several districts. This is much too broad. More specific uses should be listed and/or a size threshold provided.		X	
1123.01	Use regulations	The B-SOB district allows a wide range of uses, including Places of Worship. Usually, there is a separation requirement between SOBs and churches, schools, dwellings, etc. This district should be reexamined		X	
1123.01	Use regulations	The M-2 district is a very specialized district. Other than limited manufacturing which is allowed elsewhere, there are only two other uses permitted in the district. Consider deleting this district and allowing grain elevators and feed mills as conditional uses in M-3.		X	
Chapter 1141 – Special Provisions for Commercial and Industrial Districts					
1141.01 (a)	Integrated commercial centers	The purpose of this entire section is unclear. Why is this needed? How does this differ from PUD?	X		
1141.01 (a)(1)	General provisions	This seems to require that a plan be submitted for any property adjacent to a planned shopping center. For what purpose?	X		
1141.01 (d)(3)	Coverage	A maximum 30% lot coverage for a shopping center is very restrictive		X	
1141.01 (d)(4)	Parking	This requires 10 spaces per 1,000 square feet, more than double the ULI recommended standard. Such a vast		X	

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
		paved area is not needed and is contrary to sound planning.			
1141.01 (d)(6)	Access	A 300 foot separation is arbitrary. Driveway spacing should be based on road classification and posted speed limits.		X	
1141.01 (e)(2)	Final development plan	This references change in zoning. The first paragraph states the property must be B-1 or B-2. Why is rezoning needed?		X	
1141.02 (b)(1)	Location	The phrase "reasonably direct traffic access" is vague and too subjective.			X
1141.02 (d)(3)	Tract coverage	30% is very restrictive for this type of use		X	
1141.02 (d)(6)	Access	A 300 foot separation is arbitrary. Driveway spacing should be based on road classification and posted speed limits.		X	
Chapter 1153 – Commercial Planned Development District					
1153.01	Purpose	The purpose statement is very vague. This should be more specific relative to the intent and objectives.		X	
1153.03	Development plan	This is adequate for a preliminary plan, but there are no requirements for a final detailed plan		X	
1153.04 (a)(1)	Lot area	7,500 is very small. Why have a minimum lot area at all? Is there a minimum parcel size for the entire planned development?		X	
1153.04 (a)(4)	Minimum yard	A 50 foot setback for a 7,500 square foot lot would consume the majority of the lot.		X	
1153.05	Design considerations	These should be moved and incorporated into the development plan standards 1153.04. The wording should also be changed to make them affirmative standards rather than fairly nebulous phrases			X
1153.08	Review procedures	This is very confusing. This section seems to refer to a zoning permit approval prior to construction. Who approves the original commercial PUD and individual site plans for each lot? It should be the same as the other PUD districts (or, preferably, a single consolidated district)		X	
Chapter 1191 – Graphics and Sign Code					
	Chapter	The chapter should be reorganized. There is a lot of duplication, conflicting provisions and extraneous narrative. Tables should be used to reduce the			X

Section	Provision	Comment	Type of Change		
			Policy	Major	House-keeping
		amount of narrative and make the requirements easier to read and understand			
1191.01	Purpose	The list of purposes should be reviewed and at least one important purpose added, i.e., minimize distractions that may contribute to traffic hazards			X
1191.01	Purpose	In the second to last paragraph, there is reference to signs that “carry commercial messages”. This should be revised or deleted. The code cannot restrict content due to free speech rulings.		X	
1191.02 (e)	Display area	Most of this paragraph relates to measuring the area of a sign and is not a definition. Move to separate provision.			X
1191.02 (k)	Ground sign	This is confusing and a typical. Suggest using the term “freestanding” and defining “monument” and “pole” signs separately as two distinct types of freestanding signs		X	
1191.03 and .04	Variances	If the P&ZC is the body responsible for allowing relief from the sign requirements, the word “variance” should be replaced with “modification” or “waiver” to avoid confusion with the BZA authority and the legal standards associated with variances		X	
1191.04 (c)	“variance” standards	These should be revised and made more relevant to signs (height, visibility, location, size, relation to neighbors, etc.). Delete “practical difficulty”		X	
1191.25	Movement and illumination	There are no provisions related to LED lighted signs. This should be addressed	X		
1191.25 (a)	Flashing, moving, etc.	This sentence seems unnecessarily cumbersome. It would be sufficient to simply prohibit flashing, moving, oscillating, etc. signs without the added words.			X
1191.25 (b)(1) & (2)	Illumination	(1) states all signs shall be externally illuminated and (2) seems to govern internal and external illumination. Rectify		X	



Paul LeBlanc, AICP

Planning Manager



Paul is the planning manager in LSL's Grand Rapids office. His background in all aspects of community planning is extensive, having worked throughout the country with a multitude of public and private-sector clients. During his distinguished career, Paul has performed in a variety of general and specialized areas of planning practice – comprehensive planning, corridor studies, zoning, project reviews, parks & recreation, and public involvement, making him a valuable contributor on many varied assignments.

Prior to co-founding LSL, Paul was a Principal with a prominent design firm and before that was Vice President for a large architectural/ engineering firm, managing its Planning, Landscape Architecture, and Civil Engineering groups. He has also served in a variety of staff positions with county and regional planning agencies.

Most recently, Paul has been actively involved in a wide array of projects for county and municipal clients in Pennsylvania, Indiana, Kentucky, Ohio, Georgia, Tennessee, Alaska, and Michigan. In recognition of this extensive experience, he is frequently called upon to testify as an expert in zoning litigation.

EXPERIENCE Since 1971

LSL EXPERIENCE Since 1996

EDUCATION

B.A., Urban Analysis, University of Wisconsin

M.P.A., Public Administration, Western Michigan University

PROFESSIONAL ASSOCIATIONS

American Institute of Certified Planners

American Planning Association

Georgia APA

Michigan APA

Indiana APA

Member, GPA Legislative Committee

Partial Listing of Experience

Comprehensive and Master Plans

Peters Twp (PA) Comprehensive Plan | Valdosta (GA) Moody AFB Joint Land Use Study | Park Twp (MI) Comprehensive Plan | City of Belding (MI) Comprehensive Plan | Town of Cedar Lake (IN) Comprehensive Plan | Village of Fowlerville (MI) Master Plan | City of Richmond (IN) Comprehensive Plan | City of Portage (MI) Comprehensive Plan | City of Ludington (MI) Waterfront Plan (Planning Award Recipient) | Town of Lapel (IN) Comprehensive Plan | Town of Whiteland (IN) Comprehensive Plan | LaGrange Co. (IN) Subarea Plan | Isabella Co. (MI) Master Plan | Gratiot Co. (MI) Master Plan | Cass County (IN) Comprehensive Plan | Johnson County (IN) Comprehensive Plan

Zoning and Development Regulations

Richmond Hill (GA) | Fort Mill (SC) | Wilmington (NC) | North Olmsted (OH) | Bay Village (OH) | Kennedale (TX) | Hilliard (OH) | Yellow Springs (OH) | Porter County (IN) US 6 Overlay District | City of Palmetto (GA) | City of Wyoming (MI) | Town of Cedar Lake (IN) | Lexington/Fayette Co. (KY) Zoning Analysis | Kodiak Island Borough (AK) | Porter County, IN - US 6 Corridor Overlay | Cannon Twp. (MI) | City of Rockford (MI) | City of Kentwood (MI) | La Porte Co. (IN) | City of New Buffalo (MI) | Georgetown Township (MI) | Niles Township (MI) | Spring Lake Township (MI) | Steuben Co. (IN) | Oldham Co. (KY) PUD Analysis | Gratiot Co. (MI) | Ogemaw Co. (MI) | Isabella Co. (MI) | Ionia Co. (MI)

Business District Plans

City of Crown Point (IN) Downtown Parking/Circulation/Traffic Study | City of DePere (WI) Downtown Development Plan | City of East Grand Rapids (MI) Gaslight Village Master Plan | Lexington/Fayette Urban County Government (KY) Non-residential Infill & Redevelopment Study

Corridor Plans

City of Elkhart (IN) | Grand Rapids (MI) 28th Street Corridor Plan | Kentwood/Wyoming (MI) 44th Street Corridor Plan | Rockford (MI) Ten Mile Road Corridor Plan | Georgetown Twp. (MI) Chicago Drive Corridor Plan



David Jirousek, AICP

Senior Planner



David is an experienced member of LSL's staff and a former planning director who has worked in several capacities in both the private and public sectors. Currently, David's responsibilities cover a wide spectrum of the planning profession: master planning, zoning ordinance preparation, development review and zoning administration.

David brings practical insights and creative solutions to zoning code and master plan projects, as well as a diverse perspective gained from working in communities that have experienced considerable expansion, others facing the challenges of infill and redevelopment, and others seeking to preserve rural landscapes. Additionally, David has introduced and incorporated form-based zoning districts into local codes to provide a more innovative zoning tool to implement long-range plans.

In the capacity of development reviewer, David ensures development compliance by enforcing codes, inspecting construction sites and providing clear guidance to the development community. In addition to planning and zoning projects, David has managed capital projects from concept to successful completion.

EXPERIENCE
Since 2001

LSL EXPERIENCE
Since 2013

EDUCATION
Form-Based Code Institute Certificate

Master of Community Planning,
University of Cincinnati

Bachelor of Arts in Environmental Studies,
Minor in History, Allegheny College

PROFESSIONAL ASSOCIATIONS
American Institute of Certified Planners

American Planning Association

Michigan Chapter of the American
Planning Association

Partial Listing of Experience

Zoning Ordinances and Land Development Regulations

Cedar Rapids (IA) Zoning Code | Kennedale (TX) Unified Development Code | Coldwater Township (MI) Zoning Code | North Olmsted (OH) Business Districts | Village of Suttons Bay (MI) Zoning Code | Richmond Hill (GA) Zoning Code Technical Review | City of Wilmington (NC) Zoning Code Technical Review | Town of Bargersville (IN) Zoning Code and Subdivision Ordinance | Delta Township (MI) Sign Code | City of Hilliard (OH) Zoning Code and Subdivision Regulations | Jasper County (SC) Zoning and Land Development Regulations Updates | Jasper County (SC) Stormwater Ordinance and Design Manual | Town of Bluffton (SC) Unified Development Ordinance

Comprehensive Plans and Long Range Plans

Byron Township (MI) Master Plan | City of Plainwell (MI) Master Plan | Robinson Township (MI) Subarea Plan | Village of Pentwater (MI) Master Plan | Bluffton (SC) Comprehensive Plan | City of Otsego (MI) Master Plan | City of Hart (MI) Master Plan | Danby Township (MI) Master Plan | Jasper County (SC) Solid Waste Management Plan | Jasper County (SC) Comprehensive Plan and Technical Audit | Point South (SC) Improvement District and Redevelopment Plan | South Carolina 46 (SC) Corridor Management Plan | Lowcountry Region (SC) Natural Hazard Mitigation Plan | Southern Beaufort County (SC) Regional Plan | Lowcountry (SC) Regional Solid Waste Management Plan | Lowcountry (SC) Regional Transportation Plan | Marine Corps Air Station Beaufort (SC) Joint Land Use Plan

Ongoing Zoning Administration and Other Consultation Services

Antwerp Township (MI) | Bertrand Township (MI) | Brooks Township (MI) | Byron Township (MI) | Cannon Township (MI) | Coldwater Township (MI) | Danby Township (MI) | City of East Grand Rapids (MI) | City of Ferrysburg (MI) | City of Hart (MI) | Keeler Township (MI) | Marshall Township (MI) | City of Otsego (MI) | Pentwater Village (MI) | Sullivan Township (MI) | Village of Suttons Bay (MI) | Weesaw Township (MI)



Stephanie Scott-Sims, AICP

Project Planner II



Stephanie holds a Master's degree in Urban Planning and, prior to joining LSL, worked in both the public and non-profit sectors in communities across the country. She has broad experience in zoning, master planning, historic preservation, community development, grant writing and administration.

Stephanie specializes in zoning and master planning with the goal of providing communities with a clear, concise, consistent regulatory framework and superb customer service to its property owners. Her commitment to customer service is evidenced by past customer service awards presented to her by previous municipal employers.

Currently, Stephanie's responsibilities at LSL include managing a wide assortment of projects including master planning, zoning ordinance preparation, development review and zoning administration. In this role, she provides on-going consultation services to LSL clients including development reviews, zoning and planning consultation, grant preparation and a range of miscellaneous tasks which inevitably arise in any community.

EXPERIENCE

Since 2005

LSL EXPERIENCE

Since 2016

EDUCATION

Master of Urban Planning,
Wayne State University

Bachelor of Arts in Sociology
Michigan State University

PROFESSIONAL ASSOCIATIONS

American Institute of Certified Planners

American Planning Association

Michigan Chapter of the American
Planning Association

Missouri Chapter of the American
Planning Association

Partial Listing of Experience

[Zoning Ordinances and Land Development Regulations](#)

Wilmington (NC) Unified Development Code | East Grand Rapids (MI) Zoning Code Update | Gastonia (NC) Zoning Code and Historic District Oversight | Minnetonka (MN) Zoning Code Update | Saint Charles County (MO)

[Comprehensive Plans and Long Range Plans](#)

Gastonia (NC) Comprehensive Plan | Minnetonka (MN) Comprehensive Plan

[Ongoing Zoning Administration and Other Consultation Services](#)

City of Hart (MI) | City of Ferrysburg (MI) | City of Minnetonka (MN) | Saint Charles County (MO)



Maxwell Dillivan, AICP

Project Planner I



Recently arriving to LSL with degrees in geography and urban planning, Maxwell brings the latest skills and techniques in the field providing services in planning and design. His background includes geographic information systems (GIS), research and statistical analysis, motorized and non-motorized transportation planning, environmental planning, and urban design.

Maxwell assists on a diverse set of projects at LSL, ranging in size and scope. He has created plan documents for public and private clients including motorized and non-motorized transportation plans, sub-area studies, parks and recreation plans, master (comprehensive) plans, and zoning ordinances. Additionally, he also provides on-going GIS database administration and mapping services for Mountain View, CO; Dacono, CO; Grattan Township, MI; and Byron Township, MI. Maxwell recently developed the 2015 Cannon Township (MI) Master Plan and the WestSide Area Specific Plan (Grand Rapids, MI), and is currently assisting on the Byron Township Master Plan (MI), Plainwell (MI) Master Plan, Fort Mill (SC) Unified Development Ordinance, and the Kennedale (TX) Zoning Ordinance.

Additionally, Max provides planning services in the form of mapping, graphic design, 3-D visualization, presentation design, project composition, site plan review, and on-going zoning consultation.

EXPERIENCE

Since 2009

LSL EXPERIENCE

Since 2012

EDUCATION

Bachelor of Science, Geography
Grand Valley State University

Master of Urban & Regional Planning
Ball State University

PROFESSIONAL ASSOCIATIONS

American Planning Association -
Michigan Chapter

AWARDS

Eric & Sandra Kelly
Capstone Writing Award
Ball State University

PUBLICATIONS

Co-author
"Transit Deserts: The Gap between
Supply and Demand"
Journal of Public Transportation
September 2013

Partial Listing of Experience

Area Plans

Plainwell (MI) Master Plan | Byron Township (MI) Master Plan | Pentwater Village (MI) Master Plan | Grand Rapids (MI) WestSide Area Specific Plan | Robinson Township Subarea Study | Cannon Township (MI) Master Plan | Plan Jasper County (SC) Comprehensive Plan | Portage (MI) Master Plan | Danby (MI) Master Plan | Otsego (MI) Master Plan | Hart (MI) Master Plan | Park Township (MI) Master Plan | Antwerp Township (MI) Master Plan | Steelcase, Inc. Campus Sub-Area Study (MI) | Madison (IN) Downtown Sustainability Plan | Huntington (IN) Comprehensive Plan | Griffith (IN) Comprehensive Plan

Transit and Transportation Planning

WisDOT Access Management Training | Streetcar Feasibility Study, Grand Rapids (MI) | Michigan Street Multi-Modal Corridor and TOD Plan, Grand Rapids (MI) | City of Muskegon (MI) Downtown Parking Study

Zoning Ordinances

Richmond Hill (GA) Unified Development Code | Wilmington (NC) Zoning Ordinance | Kennedale (TX) Zoning Ordinance | Fort Mill (SC) Unified Development Ordinance | Bargersville (IN) Zoning Ordinance | Yellow Springs (OH) iZone | Byron Township (MI) Zoning Ordinance | Kodiak Island Borough (AK) Development Code

Parks and Recreation Plans

Farmington (MI) 2016 Parks and Recreation Master Plan | Lapeer (MI) Parks and Recreation Master Plan | Antwerp Township (MI) 2012-2017 Parks and Recreation Plan | Algoma Township (MI) 2013-2018 Parks and Recreation Plan

Memo



To: Oshtemo Charter Township Board

From: James W. Porter

Date: June 9, 2016

Subject: Resolution to Declare Official Intent to Reimburse Expenditures with Bond Proceeds

OBJECTIVE

The objective is to pass the Resolution to Declare Official Intent to Reimburse Expenditures with Bond Proceeds.

BACKGROUND

You may recall that the Board was provided with information regarding a Resolution to Declare Official Intent to Reimburse Expenditures with Bond Proceeds at its meeting of May 10, 2016. The initial focus of this resolution was the projects to be undertaken this year on Atlantic Avenue and North 10th Street. The aggregate cost of these two projects was approximately \$1,700,000.

INFORMATION PROVIDED

The main reason for considering the Resolution is to give the Board the "option" to bond these projects if it chooses. By bonding, the Township would likely be able to facilitate an excellent rate at this point in time and save some of its reserve monies. The federal reimbursement regulations require that a resolution of intent be approved not more than 60 days after payment for the first construction expenses on these projects. The reimbursement regulations then allow the Township to reimburse itself from bonds issued from up to 18 to 36 months after the resolution is passed, depending upon when the project is put into service. In addition, the Board can reserve to itself the right to issue additional debt, if it wishes for other sewer and water projects throughout the Township. That is why the resolution authorizes issuance of debt up to \$12,000,000. Please note that you are **not**, by the passage of this resolution authorizing any debt at this time. You are simply reserving to the Board the authority to authorize the issuance of bonds in the future. Each bond issue, whether it is for North 10th Street and Atlantic Avenue or for other projects, would have to be separately approved by the Township Board at the time of issuance.

STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE

We are requesting that the Board pass the Resolution at this time in order to preserve its right to reimburse itself for the work being done on North 10th Street and Atlantic Avenue. In addition, we are asking for authorization for a larger amount if the Board should choose to issue bonds in the future. This would allow us to then prepare the public notice should the Board decide to issue bonds in the near future. Again, each issuance would require separate Board approval.

CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN

Minutes of a regular meeting of the Township Board of the Charter township of
Oshtemo, held at the Township Hall, 7275 W. Main Street, Kalamazoo, Michigan, on the 14th
day of June, 2016, at 7:00 p.m.

PRESENT: Members: _____

ABSENT: Members: _____

The following preamble and resolution was offered by Member _____
and seconded by Member _____:

**RESOLUTION TO DECLARE OFFICIAL INTENT TO
REIMBURSE EXPENDITURES WITH BOND PROCEEDS**

WHEREAS, the Charter Township of Oshtemo (the "Township") intends to issue bonds
in one or more series in accordance with the Revised Municipal Finance Act and other applicable
law (the "Bonds") to pay all or part of the cost of the acquisition and construction of extensions
of the Township Sewer System and related road improvements including, without limitation,
extensions in Atlantic Avenue and North 10th Street, together with related improvements and
appurtenances, necessary easements, rights-of-way and interests in land, and the expenses of
Township engineering, legal and financial consultants (together, the "Project"); and

WHEREAS, it is anticipated that the Township will advance a portion of the cost of the Project prior to issuance of the Bonds, such advance to be reimbursed, without interest, to the Township from proceeds of the Bonds upon the issuance thereof; and

WHEREAS, Section 1.150-2 of the Treasury Regulations on Income Tax (the “Reimbursement Regulations”) specifies conditions under which a reimbursement allocation may be treated as an expenditure of financing proceeds, and the Township intends by the Resolution to qualify monies advanced by the Township to the Project for reimbursement from proceeds of the Bonds in accordance with the requirements of the Reimbursement Regulations.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT:

1. The maximum principal amount of debt expected to be issued for the Project by, or on behalf of, the Township, including issuance costs, is \$12,000,000, which may be evidenced in part or in full by the Bonds and authorized by proper proceedings undertaken pursuant to state law.

2. It is reasonably expected that the Township has or will advance funds for the Project prior to issuance of the Bonds, including items exempt from the Reimbursement Regulations, from monies on hand in the Township’s Sewer Enterprise Fund in the estimated amount of \$1,700,000 for the Project.

3. The Township hereby declares its official intent and reasonable expectation, to reimburse all or a portion of the amounts so advanced by the Township to the Project from the proceeds of the Bonds.

4. All resolutions or parts of resolution in conflict herewith shall be and the same are hereby rescinded.

A motion was made by _____, seconded by _____, to adopt the foregoing Resolution. Upon roll call vote:

YEAS: Members: _____

NAYS: Members: _____

ABSTAIN: Members: _____

The Supervisor declared that the Resolution has been adopted.

DEBORAH L. EVERETT, Clerk
Oshtemo Charter Township

STATE OF MICHIGAN)
) ss.
COUNTY OF KALAMAZOO)

I, the undersigned, the duly qualified and acting Clerk of the Charter Township of Oshtemo, Kalamazoo County, Michigan (the "Township"), do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board at a regular meeting on the 14th day of June, 2016, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, including in the case of a special or reschedule meeting, notice by posting at least eighteen (18) hours prior to the time set for the meeting.

IN WITNESS WHEREOF, I have hereto affixed my official signature on this _____ day of June, 2016.

DEBORAH L. EVERETT, Township Clerk