

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

**September 13, 2016**

**BUDGET WORKSHOP #2**

**5:00 p.m.**

**AGENDA**

- A. Call to Order
- B. Public Comment
- C. Discussion on 2017 Budget (Continued)

**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 – August 22<sup>nd</sup> Budget Workshop & August 23<sup>rd</sup> Regular Meeting
  - b. Receipts & Disbursements Report
  - c. 2016 Budget Amendment for Building Plan Records Digitization
  - d. 2016 DDA Budget Amendment for Commercial Access Drive
- 5. Request to Enter into Closed Session Regarding Mystic Heights Litigation (Atty Straub)
- 6. Consideration of Rezoning Request – 10145 West KL Avenue – Second Reading
- 7. Discussion on Sole Source Trash Hauling Services
- 8. Consideration of Southwest Michigan Building Authority - Oshtemo & Cooper Townships
  - a. Interlocal Agreement
  - b. By-Laws
  - c. Ordinances 521, 176, 208, 98, 507, 502, and 510 Amendments – Second Reading
- 9. Other Township Business
- 10. Board Member Comments
- 11. 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)

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**RECEIPTS & DISBURSEMENTS**

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

**RECEIPTS 08/17 thru 09/07/2016**

Site Plan/Natural Flavors	600.00
Plat Fee/Bennett	150.00
ZBA Request/Meritage Hospitality	500.00
Land Div App/Mulder	100.00
Planning Escrow/National Flavors	1,000.00
Sign Permits	675.00
Copies	1,589.96
Ordinance/Parking Violations	3,634.86
Rent Deposits	175.00
Grange Rentals	640.00
OCC Rentals	450.00
Twp Park Pavilion Rentals	455.00
Flesher Field Pavilion	350.00
Flesher Field Gazebo	35.00
Personal Property Reimbursement/State of MI	15,590.58
Cable Fees/2nd Qtr	47,683.76
Metal bin credit	213.75
Refund/E Dispatch	645.00
Sale of OFD Equip	75.00
Incident Fee/Severance Electric	2,663.12
Water Receipts	6,085.60
Sewer Receipts	11,127.00

**Total 94,438.63**

**DISBURSEMENTS**

8/31/2016	Payroll/Office/Trustees/FF/BOR	58,078.22
9/2/2016	Payables	168,253.63

**Total 226,331.85**

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

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
90048395		08/30/2016	805975	GEN	extra insurance	1,139.46
		09/02/2016		N		
		/ /	0.0000	N		0.00
		09/02/2016		N		1,139.46

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-000-26700	AFLAC Insurance	284.38
206-000-26700	AFLAC Insurance	855.08
		<u>1,139.46</u>

VENDOR TOTAL: 1,139.46

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
90048396		08/30/2016	43732	GEN	fsa & hra fees	135.00
		09/02/2016		N		0.00
		/ /	0.0000	N		0.00
		09/02/2016		N		135.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-234-71600	HEALTH & LIFE INSURANCE	104.45
206-336-71600	Health & Life Insurance	30.55
		<u>135.00</u>

VENDOR TOTAL: 135.00

Vendor Code	Ref #	Post Date	Invoice	Bank	Invoice Description	Gross Amount
90048420		09/02/2016	93576	GEN	CABINET KEYS FROM CODE	12.50
		09/02/2016	00008707	N		0.00
		/ /	0.0000	N		0.00
		09/02/2016		N		12.50

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-218-76000	KEYS CUT FROM CODE	12.50	12.50
		<u>12.50</u>	

VENDOR TOTAL: 12.50

Vendor name: Bob Harvey  
 Address: 7070 North 6th Street  
 City/State/Zip: Kalamazoo MI, 49009

Vendor Code: harvey  
 Ref #: 90048402

Post Date: 08/30/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Due Date: 09/02/2016

Invoice: 08272016  
 PO: 0.0000  
 Disc. %: 0.0000

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

Invoice Description: dump day 08/27/2016

Gross Amount: 80.00  
 Discount: 0.00  
 Net Amount: 80.00

Paid

GL NUMBER: 101-249-95900  
 DESCRIPTION: Trash Collection

AMOUNT: 80.00

VENDOR TOTAL: 80.00

bas  
 90048421  
 Breathing Air Systems  
 8855 East Broad St  
 Reynoldsburg OH, 43068

GL NUMBER: 206-340-93300  
 DESCRIPTION: ADAPTERS FOR HOSE INFLATORS

AMOUNT: 104.68  
 AMT RELIEVED: 0.00  
 Net Amount: 104.68

Paid

GL NUMBER: 206-340-93300  
 DESCRIPTION: ADAPTERS FOR HOSE INFLATORS

AMOUNT: 104.68

VENDOR TOTAL: 104.68

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		

clean	Clean Earth	09/02/2016	2-77344	GEN	PERIODIC SEPTIC CLEANING	275.00
90048424	5189 King Highway	09/02/2016	000008717	N		0.00
	Kalamazoo MI, 49048	/ /	0.0000	N		275.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
107-756-93100	PERIODIC SEPTIC CLEANING	275.00	275.00

clean	Clean Earth	09/02/2016	2-9157	GEN	PERIODIC SEPTIC AND SAND TRAP CLEANING	1,770.00
90048425	5189 King Highway	09/02/2016	000008715	N		0.00
	Kalamazoo MI, 49048	/ /	0.0000	N		1,770.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-218-93100	PERIODIC SEPTIC AND SAND TRAP CLEANING	630.00	630.00
107-756-93100	PERIODIC SEPTIC AND SAND TRAP CLEANING	275.00	275.00
206-340-93100	PERIODIC SEPTIC AND SAND TRAP CLEANING	865.00	865.00
		<u>1,770.00</u>	

clean	Clean Earth	09/02/2016	2-9158	GEN	PERIODIC SEPTIC AND SAND TRAP CLEANING	865.00
90048422	5189 King Highway	09/02/2016	000008716	N		0.00
	Kalamazoo MI, 49048	/ /	0.0000	N		865.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93100	PERIODIC SEPTIC AND SAND TRAP CLEANING	865.00	865.00

clean	Clean Earth	09/02/2016	2-9159	GEN	PERIODIC SAND TRAP CLEANING	919.00
90048423	5189 King Highway	09/02/2016	000008714	N		0.00
	Kalamazoo MI, 49048	/ /	0.0000	N		919.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93100	PERIODIC SAND TRAP CLEANING	919.00	919.00

VENDOR TOTAL: 3,829.00

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

Vendor Code: ce-e  
 Ref #: 90048400  
 Post Date: 08/30/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Due Date: 09/02/2016  
 Invoice: 09022016  
 PO: 0.0000  
 Disc. %: 0.0000  
 Sep CK: 1099  
 Bank: GEN  
 Hold: N  
 Invoice Description: electric and gas  
 Gross Amount: 5,025.08  
 Discount: 0.00  
 Net Amount: 5,025.08

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-218-92100	twp office electric	1,528.97
101-218-92300	twp office gas	27.92
206-340-92100	St 1 electric	1,370.49
206-340-92300	st 1 gas	50.38
206-340-92100	st 2 electric	1,277.28
206-340-92300	st 2 gas	44.05
107-756-92100	grange electric 75%	130.23
206-340-92100	st 3 electric 25%	43.41
101-218-92300	maint bldg	13.92
101-218-92100	maint/veh bldg	105.79
107-756-92100	occ electric	130.95
107-756-92300	occ gas	13.92
107-756-92100	flesher electric	107.07
107-756-98100	drake house electric	146.44
107-756-98100	drake house gas	11.69
107-756-92100	old town hall electric	22.57
		<u>5,025.08</u>

VENDOR TOTAL: 5,025.08

GL NUMBER	DESCRIPTION	AMOUNT
ce-sl	Consumers Energy	
90048399	Payment Center	
	PO Box 740309	
	Cincinnati OH, 45274-0309	
Paid		
	street lights	66.80
		0.00
		66.80

VENDOR TOTAL: 66.80

Vendor name: Consumers Life Insurance Company  
 Address: PO Box 951914, Cleveland OH, 44193  
 City/State/Zip: PO Box 951914, Cleveland OH, 44193

Vendor Code: conlife  
 Ref #: 90048401

Post Date: 08/30/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Due Date: 09/02/2016

Invoice: 08152016  
 PO: 0.0000  
 Disc. %: 0.0000

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

BANK CODE: GEN

Invoice Description	AMOUNT	Gross Amount	Discount	Net Amount
life & add	726.65	726.65	0.00	726.65

GL NUMBER	DESCRIPTION	AMOUNT
101-234-71600	Health & Life Insurance	202.50
206-336-71600	Health & Life Insurance	524.15
Paid		726.65

VENDOR TOTAL: 726.65

dw	DESCRIPTION	AMOUNT	REBUILD WATER SUPPLY CHECK VALVE
90048426	Dan Wood	185362	678.76
	3950 E Milham Ave	000008724	0.00
	Portage MI, 49002	0.0000	678.76
Paid			

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93100	REBUILD WATER SUPPLY CHECK VALVE	678.76	678.76

VENDOR TOTAL: 678.76

hook	DESCRIPTION	AMOUNT	SMBA SIGNS
90048427	Dr. Hook Inc	138640	118.60
	4504 Stadium Drive	000008723	0.00
	Kalamazoo MI, 49008	0.0000	118.60
Paid			

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-72800	WALL SIGN	41.60	41.60
101-249-72800	COUNTER SIGN	15.60	15.60
101-249-72800	CUBICLE SIGN	32.00	32.00
101-249-72800	WALL FRAME	29.40	29.40
Paid		118.60	

VENDOR TOTAL: 118.60

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		
evp	Emergency Vehicle Products	09/02/2016	9323	GEN	511 PUMP TESTING	
90048429	2975 Interstate Pkwy	09/02/2016	000008730	N		350.00
	Kalamazoo MI, 49048-9600	/ /	0.0000	N		0.00
		09/02/2016		N		350.00
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-86700	511 PUMP TESTING				350.00	350.00
evp	Emergency Vehicle Products	09/02/2016	9324	GEN	513 PUMP TESTING	
90048430	2975 Interstate Pkwy	09/02/2016	000008731	N		350.00
	Kalamazoo MI, 49048-9600	/ /	0.0000	N		0.00
		09/02/2016		N		350.00
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-86700	513 PUMP TESTING				350.00	350.00
evp	Emergency Vehicle Products	09/02/2016	9325	GEN	521 PUMP TESTING	
90048431	2975 Interstate Pkwy	09/02/2016	000008732	N		350.00
	Kalamazoo MI, 49048-9600	/ /	0.0000	N		0.00
		09/02/2016		N		350.00
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-86700	521 PUMP TESTING				350.00	350.00
evp	Emergency Vehicle Products	09/02/2016	9326	GEN	532 PUMP TESTING	
90048432	2975 Interstate Pkwy	09/02/2016	000008733	N		350.00
	Kalamazoo MI, 49048-9600	/ /	0.0000	N		0.00
		09/02/2016		N		350.00
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-86700	532 PUMP TESTING				350.00	350.00
evp	Emergency Vehicle Products	09/02/2016	9327	GEN	541 PUMP TESTING	
90048428	2975 Interstate Pkwy	09/02/2016	000008734	N		350.00
	Kalamazoo MI, 49048-9600	/ /	0.0000	N		0.00
		09/02/2016		N		350.00
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
206-340-86700	541 PUMP TESTING				350.00	350.00

Vendor name: Fishbeck, Thompson, Carr & Huber  
 Address: 1515 Arboretum Drive SE  
 City/State/zip: Grand Rapids MI, 49546

Bank: GEN  
 Invoice: 357192  
 Hold: N  
 Sep CK: 0.0000  
 1099: 0.0000

Post Date: 09/02/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Due Date: 09/02/2016

Invoice Description: FACILITIES STUDY  
 Bank Invoice Description: AMT RELIEVED

Ref #

Vendor Code

GL NUMBER

DESCRIPTION

AMOUNT

AMT RELIEVED

GEN

VENDOR TOTAL:

1,750.00

Gross Amount

Discount

Net Amount

16,700.00

0.00

16,700.00

foremost

Foremost Promotions

1270 Glen Ave

Morestown NJ, 08057

09/02/2016

09/02/2016

/ /

09/02/2016

356597

000008739

0.0000

0.0000

16,700.00

VENDOR TOTAL:

16,700.00

foremost

206-340-76100

206-340-76100

206-340-76100

206-340-76100

206-340-76100

206-340-76100

DESCRIPTION

CHIEF'S CHOICE KID'S FIREFIGHTER HAT

MOOD PENCILS

FIRE STATION COLORING & ACTIVITY BOOKS

FLASH TEACHES FIRE SAFETY COLORING BOOKS

GOLD FIRE BADGE STICKERS

COLOR TAKE HOME BAGS

SHIPPING

1,625.00

1,200.00

235.00

235.00

400.00

590.00

233.77

4,518.77

VENDOR TOTAL:

4,518.77

INVOICE APPROVAL BY INVOICE REPORT FOR OSHTEMO TOWNSHIP  
 EXP CHECK RUN DATES 09/02/2016 - 09/02/2016  
 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
reitenour	Jerry Reitenour	GEN	contract inspector - smba startup	
90048448	9279 WEST XY AVENUE	N		2,920.00
	SCHOOLCRAFT MI, 49087	N		0.00
Paid		Y		2,920.00

GL NUMBER	DESCRIPTION	AMOUNT
249-371-81300	SMBA Start Up	2,920.00

VENDOR TOTAL: 2,920.00

kcityt	DESCRIPTION	GEN	ANNUAL MAINTENANCE FEES FOR NETMOTION A	AMOUNT
90048438	Kalamazoo City Treasurer	GEN		
	241 West South Street	N		2,396.96
	Kalamazoo MI, 49007	N		0.00
Paid		N		2,396.96

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-80900	NETMOTION - LIC/MAINT.	419.36	419.36
206-340-80900	IMOBILE - LIC/MAINT.	1,977.60	1,977.60
		2,396.96	2,396.96

VENDOR TOTAL: 2,396.96

kchsd	DESCRIPTION	GEN	hhw 2nd qtr	AMOUNT
90048403	Kalamazoo County HCS	GEN		
	3299 Gull Rd	N		2,981.24
	Kalamazoo MI, 49048	N		0.00
Paid		N		2,981.24

GL NUMBER	DESCRIPTION	AMOUNT
101-249-95600	Household Hazard Waste	2,981.24

VENDOR TOTAL: 2,981.24

User: DeannaJ

EXP CHECK RUN DATES 09/02/2016 - 09/02/2016

DB: Oshtemo

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		
kcrc	Kalamazoo County Road Commission	08/30/2016	51427	GEN	ROAD MAINTENANCE, GREEN MEADOW & DRIFTW	
90048407	3801 E Kilgore Rd	09/02/2016	000008392	N		319.18
	Kalamazoo MI, 49001	/ /	0.0000	N		0.00
		09/02/2016		N		319.18
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	A) GREEN MEADOW DR, GREEN MEADOW RD				319.18	319.18
kcrc	Kalamazoo County Road Commission	08/30/2016	51428	GEN	ROAD MAINTENANCE, OSHTEMO WOODS & WHITE	
90048409	3801 E Kilgore Rd	09/02/2016	000008395	N		696.49
	Kalamazoo MI, 49001	/ /	0.0000	N		0.00
		09/02/2016		N		696.49
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	B) LAMPLIGHTER LN, OSHTEMO WOODS LN				696.49	696.49
kcrc	Kalamazoo County Road Commission	08/30/2016	51429	GEN	ROAD MAINTENANCE, BELA SERA PLAT	
90048404	3801 E Kilgore Rd	09/02/2016	000008389	N		161.20
	Kalamazoo MI, 49001	/ /	0.0000	N		0.00
		09/02/2016		N		161.20
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	D) BELA AVENUE, RUPAL STREET				161.20	161.20
kcrc	Kalamazoo County Road Commission	08/30/2016	51430	GEN	ROAD MAINTENANCE, SKY KING MEADOWS	
90048411	3801 E Kilgore Rd	09/02/2016	000008397	N		745.76
	Kalamazoo MI, 49001	/ /	0.0000	N		0.00
		09/02/2016		N		745.76
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	E) SEECO DRIVE, MICKEYS TRL, BELLE ST				745.76	745.76
kcrc	Kalamazoo County Road Commission	08/30/2016	51431	GEN	ROAD MAINTENANCE, SPRINGWOOD HILL AREA	
90048413	3801 E Kilgore Rd	09/02/2016	000008399	N		4,201.14
	Kalamazoo MI, 49001	/ /	0.0000	N		0.00
		09/02/2016		N		4,201.14
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	F) SPRINGWOOD DR, AMBER CIR, AUTUMN WOOD				4,201.14	4,201.14

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		
krcr	Kalamazoo County Road Commission	08/30/2016	51432	GEN	ROAD MAINTENANCE, PINE ACRES	189.22
90048410	3801 E Kilgore Rd	09/02/2016	000008396	N		0.00
	Kalamazoo MI, 49001	/ /	0.0000	N		189.22
		09/02/2016		N		
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	G) PINE ACRES DRIVE				189.22	189.22
krcr	Kalamazoo County Road Commission	08/30/2016	51433	GEN	ROAD MAINTENANCE, COUNTRY TRAIL HOMESIT	485.94
90048405	3801 E Kilgore Rd	09/02/2016	000008390	N		0.00
	Kalamazoo MI, 49001	/ /	0.0000	N		485.94
		09/02/2016		N		
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	H) CROSS COUNTRY DR, OAK HIGHLANDS DR,				485.94	485.94
krcr	Kalamazoo County Road Commission	08/30/2016	51434	GEN	ROAD MAINTENANCE, CROYDEN AVE	940.28
90048406	3801 E Kilgore Rd	09/02/2016	000008391	N		0.00
	Kalamazoo MI, 49001	/ /	0.0000	N		940.28
		09/02/2016		N		
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	I) CROYDEN AVENUE				940.28	940.28
krcr	Kalamazoo County Road Commission	08/30/2016	51435	GEN	ROAD MAINTENANCE, SOUTH 11TH ST	372.15
90048412	3801 E Kilgore Rd	09/02/2016	000008398	N		0.00
	Kalamazoo MI, 49001	/ /	0.0000	N		372.15
		09/02/2016		N		
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200	J) 1ST STREET				372.15	372.15
krcr	Kalamazoo County Road Commission	08/30/2016	51436	GEN	ROAD MAINTENANCE, WESTERN WOODS	1,676.31
90048414	3801 E Kilgore Rd	09/02/2016	000008400	N		0.00
	Kalamazoo MI, 49001	/ /	0.0000	N		1,676.31
		09/02/2016		N		
Paid						
GL NUMBER	DESCRIPTION				AMOUNT	AMT RELIEVED
101-506-95200					372.15	372.15

Vendor name: Kalamazoo County Road Commission  
 Address: 3801 E Kilgore Rd  
 City/State/Zip: Kalamazoo MI, 49001  
 Vendor Code: 101-506-95200  
 Ref #: 90048408  
 Invoice Date: 08/30/2016  
 Invoice Description: ROAD MAINTENANCE, OSHTEMO BUSINESS PARK  
 Gross Amount: 7,786.89  
 Discount: 0.00  
 Net Amount: 7,786.89

Vendor name: Kalamazoo County Treasurer  
 Address: 201 West Kalamazoo Ave  
 City/State/Zip: Kalamazoo MI, 49007  
 Vendor Code: 490-000-96400  
 Ref #: 90048439  
 Invoice Date: 09/02/2016  
 Invoice Description: RECORD 5-PG SEWER EXT AGREE FOR SKY KIN  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Kalamazoo County Treasurer  
 Address: 201 West Kalamazoo Ave  
 City/State/Zip: Kalamazoo MI, 49007  
 Vendor Code: 490-000-96400  
 Ref #: 90048415  
 Invoice Date: 08/30/2016  
 Invoice Description: police contract  
 Gross Amount: 85,490.83  
 Discount: 0.00  
 Net Amount: 85,490.83

Vendor name: Protection Contract - KC  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 207-310-80200  
 Ref #: 207-310-80200  
 Invoice Date: /  
 Invoice Description: Protection Contract - KC  
 Gross Amount: 85,490.83  
 Discount: 0.00  
 Net Amount: 85,490.83

Vendor name: Western Woods Dr, Hawkins Court  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: 09/02/2016  
 Invoice Description: HAWKINS COURT  
 Gross Amount: 1,676.31  
 Discount: 0.00  
 Net Amount: 1,676.31

Vendor name: Technology, Av, Industry Dr, Resource  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: TECHNOLOGY, AV, INDUSTRY DR, RESOURCE  
 Gross Amount: 7,786.89  
 Discount: 0.00  
 Net Amount: 7,786.89

Vendor name: Sky King  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: sky king  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

Vendor name: Police  
 Address: /  
 City/State/Zip: /  
 Vendor Code: 101-506-95200  
 Ref #: 101-506-95200  
 Invoice Date: /  
 Invoice Description: police  
 Gross Amount: 26.00  
 Discount: 0.00  
 Net Amount: 26.00

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
KHIGH	KAREN HIGH	09/02/2016	7870	GEN	HELIUM TANK FOR OSHTEMO FRIENDS OF THE	112.98
90048436	2308 TIPPERARY ROAD	09/02/2016	000008709	N		
	KALAMAZOO MI, 49008	/ /	0.0000	N		0.00
		09/02/2016		N		112.98

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
107-756-72800	SMALL HELIUM TANK, VALVE, RIBBON	112.98	112.98

VENDOR TOTAL: 112.98

westra-k	DESCRIPTION	AMOUNT	AMT RELIEVED
90048418	Karl Westra 888 Josiane Dr Kalamazoo MI, 49009	175.00	0.00
			175.00

Paid

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

VENDOR TOTAL: 175.00

biddle	DESCRIPTION	AMOUNT	AMT RELIEVED
90048419	Kristine Biddle 1416 Kelvere Avenue Portage MI, 49024	307.80	0.00
			307.80

Paid

GL NUMBER	DESCRIPTION	AMOUNT
101-209-87000	Mileage	307.80

VENDOR TOTAL: 307.80

Vendor name: KSS Enterprises  
 Address: 5053 Sports Dr  
 City/State/Zip: Kalamazoo MI, 49009

Post Date: 09/02/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Due Date: 09/02/2016

Invoice: 996348  
 PO: 000008728  
 Disc. %: 0.0000

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

Ref #	Vendor Code	Invoice	Post Date	CK Run Date	Disc. Date	Due Date	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount
kss	90048440	996348	09/02/2016	09/02/2016	/ /	09/02/2016	GEN	N	N	N	RESTROOM SUPPLIES	661.85	0.00	661.85
Paid														
GL NUMBER											DESCRIPTION	AMOUNT	AMT RELIEVED	
107-756-76600											PROPRIETARY TOWELS	130.72	130.72	
107-756-76600											NITRILE GLOVES	16.60	16.60	
206-340-93100											BOWL CLEANER	35.82	35.82	
107-756-76600											JUMBO JR TISSUE	37.31	37.31	
101-218-76600											FOAMING HAND SOAP	209.91	209.91	
206-340-93100											FOAMING HAND SOAP	69.97	69.97	
107-756-76600											60 GAL LINERS	161.52	161.52	
												661.85	661.85	

VENDOR TOTAL: 661.85

Ref #	Vendor Code	Invoice	Post Date	CK Run Date	Disc. Date	Due Date	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount
loys	90048441	102	09/02/2016	09/02/2016	/ /	09/02/2016	GEN	N	N	N	PARK MAINTENANCE SERVICES	356.25	0.00	356.25
Paid														
GL NUMBER											DESCRIPTION	AMOUNT	AMT RELIEVED	
107-756-93100											PARK MAINTENANCE SERVICES	356.25	356.25	

VENDOR TOTAL: 356.25

Ref #	Vendor Code	Invoice	Post Date	CK Run Date	Disc. Date	Due Date	Bank	Hold	Sep CK	1099	Invoice Description	Gross Amount	Discount	Net Amount
coash	90048398	09022016	08/30/2016	09/02/2016	/ /	09/02/2016	GEN	N	N	N	minute transcriptionist	525.00	0.00	525.00
Paid														
GL NUMBER											DESCRIPTION	AMOUNT	AMT RELIEVED	
101-805-70200											Salary	525.00	525.00	

VENDOR TOTAL: 525.00

Vendor name: Menards  
 Address: 6800 West Main Street  
 City/State/Zip: Kalamazoo MI, 49009

Vendor Code: 90048416  
 Ref #: 90048416  
 Invoice Date: 08/30/2016  
 Invoice Amount: 22944  
 Post Date: 09/02/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Disc. %: 0.0000  
 Due Date: 09/02/2016

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93100	SJOOW CABLE 300	16.99	16.99
206-340-93100	20A/125V HEAVY DUTY PLUG	10.88	10.88
206-340-93100	15A/125V HEAVY DUTY PLUG	8.37	8.37
206-340-93100	WIRE STRIPPER	10.12	10.12
<b>Paid</b>		<b>46.36</b>	<b>46.36</b>

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
90048442	Menards 6800 West Main Street Kalamazoo MI, 49009	22979	22979
<b>Paid</b>		<b>24.23</b>	<b>24.23</b>

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93100	LIGHT DIFFUSERS AND CLIPS	24.23	24.23
<b>Paid</b>		<b>70.59</b>	<b>70.59</b>

mpw	DESCRIPTION	AMOUNT	AMT RELIEVED
90048443	Mi Print Works 509 Mills Street Kalamazoo MI,	71135	71135
<b>Paid</b>		<b>196.00</b>	<b>196.00</b>

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-191-72800	5X8 BLANK CARDS FOR MASTERCARDS	196.00	196.00
<b>Paid</b>		<b>196.00</b>	<b>196.00</b>

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
90048416	PARTS FOR FIRE DEPARTMENT VEHICLE CHARG	46.36	46.36
<b>Paid</b>		<b>0.00</b>	<b>0.00</b>
<b>Paid</b>		<b>46.36</b>	<b>46.36</b>

**VENDOR TOTAL: 196.00**

Vendor name: Miner Supply Co., Inc.  
 Address: 922 47th Street SW  
 City/State/zip: Wyoming MI, 49509

Vendor Code: msc  
 Ref #: 90048444

Post Date: 09/02/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Due Date: 09/02/2016

Invoice: 466660  
 PO: 000008725  
 Disc. %: 0.0000

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

TISSUES AND PAPER SUPPLIES  
 Gross Amount: 458.45  
 Discount: 0.00  
 Net Amount: 458.45

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
107-756-76600	BROWN TOWELS	17.24	17.24
206-340-93100	BROWN TOWELS	17.23	17.23
101-218-76600	MULTIFOLD TOWELS	139.92	139.92
107-756-93100	MULTIFOLD TOWELS	93.28	93.28
101-218-76600	ROLL TOWELS	26.00	26.00
206-340-93100	ROLL TOWELS	26.00	26.00
101-218-76600	TOILET TISSUE	46.26	46.26
206-340-93100	TOILET TISSUE	92.52	92.52
		458.45	

VENDOR TOTAL: 458.45

mcc	DESCRIPTION	AMOUNT	AMT RELIEVED
90048445	Municipal Code Corporation	128,129,263,262	
	PO Box 2235	000008718	
	Tallahassee FL, 32316	0.0000	
		4,058.92	

VENDOR TOTAL: 4,058.92

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-201-80500	ZONING ORDINANCE UPDATES	1,099.84	1,099.84
101-201-80500	ZONING ORDINANCE ANNUAL WEB HOSTING	950.00	950.00
101-201-80500	GENERAL ORDINANCE UPDATES	1,059.08	1,059.08
101-201-80500	GENERAL ORDINANCE ANNUAL WEB HOSTING	950.00	950.00
		4,058.92	

VENDOR TOTAL: 4,058.92

User: DeannaJ

EXP CHECK RUN DATES 09/02/2016 - 09/02/2016

DB: Oshtemo

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		
nelsonbre	Nelson Breech Nave AIA Architect	09/02/2016	#2	GEN	DRAKE FARMSTEAD RECEPTION	814.00
90048446	100 N Edwards Street	09/02/2016	000008607	N		0.00
	Kalamazoo MI, 49007	/ /	0.0000	N		814.00
		09/02/2016		Y		

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
107-756-80800	DRAKE FARMSTEAD RECEPTION	814.00	814.00

VENDOR TOTAL: 814.00

osh	Oshtemo Township	09/02/2016	petty cash	GEN	PETTY CASH FOR GENERAL	295.00
90048447	7275 West Main Street	09/02/2016	000008720	N		0.00
	Kalamazoo MI, 49009	/ /	0.0000	N		295.00
		09/02/2016		N		

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-72900	PETTY CASH	295.00	295.00

VENDOR TOTAL: 295.00



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. Date Disc. % Due Date 1099 Net Amount

206-340-72800 COOKING UTENSILS 67.99 67.99  
 206-340-72800 COOKING UTENSILS 45.76 45.76

443.21 444.26

pncbank PNC Bank 09/02/2016 best buy GEN 2 SURFACES FOR SMBA & MISC 3,261.90  
 90048464 PO Box 856177 09/02/2016 000008704 N  
 Louisville KY, 40285 / / 0.0000 N 0.00  
 Paid 09/02/2016 N 3,261.90

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED  
 249-371-81300 SURFACE/SMBA SER#049805262253 1,299.99 1,299.99  
 249-371-81300 SURFACT/SMBA SER# 052236362253 1,299.99 1,299.99  
 249-371-81300 KEY BOARDS FOR SURFACE 69.98 69.98  
 249-371-81300 DOCKING STATIONS 177.08 177.08  
 249-371-81300 VGA ADAPTERS 54.88 54.88  
 249-371-81300 2 YR WARRANTY 339.98 339.98  
 249-371-81300 MISC 5.98 5.98  
 249-371-81300 MISC 14.02 14.02  
 3,261.90 3,261.90

pncbank PNC Bank 09/02/2016 fire -etc GEN FIRE DEPARTMENT GEAR CLEANING SUPPLIES 91.73  
 90048459 PO Box 856177 09/02/2016 000008689 N  
 Louisville KY, 40285 / / 0.0000 N 0.00  
 Paid 09/02/2016 N 91.73

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED  
 206-340-72800 CITROSQUEEZE 91.73 265.40

pncbank PNC Bank 09/02/2016 fire-etc GEN FIRE BOOTS 265.00  
 90048457 PO Box 856177 09/02/2016 000008686 N  
 Louisville KY, 40285 / / 0.0000 N 0.00  
 Paid 09/02/2016 N 265.00

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED  
 206-340-76600 FIRE BOOTS 265.00 265.00

pncbank PNC Bank 09/02/2016 ia/c GEN FIRE RESCUE INTERNATIONAL CONFERENCE 705.00  
 90048453 PO Box 856177 09/02/2016 000008721 N  
 Louisville KY, 40285 / / 0.0000 N 0.00  
 Paid 09/02/2016 N 705.00

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		

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-70700	CONFERENCE FEES	705.00	705.00
pncbank			
90048455	PNC Bank		
	PO Box 856177		
	Louisville KY, 40285		
	office depot		
	09/02/2016	GEN	PRINTER INK FOR STATION 5-2
	09/02/2016	N	
	/ /	N	
	09/02/2016	N	
	0.0000		460.96
	0.0000		0.00
			460.96

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-80900	PRINTER INK FOR STATION 5-2	460.96	460.96
pncbank			
90048458	PNC Bank		
	PO Box 856177		
	Louisville KY, 40285		
	office depot		
	09/02/2016	GEN	ELECTION SUPPLIES
	09/02/2016	N	
	/ /	N	
	09/02/2016	N	
	0.0000		28.59
	0.0000		0.00
			28.59

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-191-72800	PAPER	15.79	15.80
101-191-72800	POST IT FLAGS	12.80	12.80
		28.59	

Paid

pncbank			
90048454	PNC Bank		
	PO Box 856177		
	Louisville KY, 40285		
	usps		
	09/02/2016	GEN	P O MAILING RE OUR ANSWER TO LARA COMPL
	09/02/2016	N	
	/ /	N	
	09/02/2016	N	
	0.0000		7.78
	0.0000		0.00
			7.78

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-96300	P O MAILING RE OUR ANSWER TO LARA COMPLA	7.78	7.78
pncbank			
90048460	PNC Bank		
	PO Box 856177		
	Louisville KY, 40285		
	usps		
	09/02/2016	GEN	2 POST OFFICE MAILINGS RE HINKLE PROPER
	09/02/2016	N	
	/ /	N	
	09/02/2016	N	
	0.0000		12.94
	0.0000		0.00
			12.94

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-249-96300	2 P O MAILINGS RE HINKLE PROP IFT	12.94	12.94
pncbank			
	PNC Bank		
	09/02/2016	GEN	BALLOONS FOR OSHTEMO FUN DAY
	windy balloon		

User: DeannaJ

EXP CHECK RUN DATES 09/02/2016 - 09/02/2016

DB: Oshtemo

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 Sep CK Discount  
 City/State/Zip Disc. Date Disc. % 1099 Net Amount

90048456 PO Box 856177 09/02/2016 000008660 N 104.50  
 Louisville KY, 40285 / / 0.0000 N 0.00  
 Paid 09/02/2016 N 104.50

GL NUMBER DESCRIPTION AMOUNT AMT RELIEVED  
 107-756-72800 BALLOONS FOR OSHTEMO FUN DAY 104.50 104.50

VENDOR TOTAL: 6,407.29

griffin Richard Griffin 09/02/2016 08142016 GEN econf expenses 528.17  
 90048435 / / 0.0000 N 0.00  
 Paid 09/02/2016 N 528.17

GL NUMBER DESCRIPTION AMOUNT  
 206-340-70700 Education & Training 528.17

VENDOR TOTAL: 528.17

horton Robert Horton 09/02/2016 09022016 GEN retiree health prem reimbursement 247.14  
 90048437 398 Valencia Cove 09/02/2016 N 247.14  
 Ellenton FL, 34222 / / 0.0000 N 0.00  
 Paid 09/02/2016 N 247.14

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

VENDOR TOTAL: 247.14

MISC Ruth Ann Bolle 08/30/2016 09022016 GEN cancellation refund 50.00  
 90048397 6210 Mayfield 09/02/2016 N 50.00  
 Kalamazoo MI, 49009 / / 0.0000 Y 0.00  
 Paid 09/02/2016 N 50.00

GL NUMBER DESCRIPTION AMOUNT  
 107-751-47400 Rental Fee - Twp Park Pavilion 50.00

VENDOR TOTAL: 50.00

BANK CODE: GEN  
 Vendor name: Scott W Taylor  
 Address: PO Box 87  
 City/State/Zip: Comstock MI, 49041-0087  
 Post Date: 09/02/2016  
 CK Run Date: 09/02/2016  
 Disc. Date: / /  
 Due Date: 09/02/2016  
 Invoice: 3376, 3373  
 PO: 000008722  
 Disc. %: 0.0000  
 Bank: GEN  
 Hold: N  
 Sep CK: N  
 1099: N

swt	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
90048449	Scott W Taylor	09/02/2016	3376, 3373	GEN	PUBLIC WATER CONNECTION SERVICE	4,507.78
	PO Box 87	09/02/2016	000008722	N		0.00
	Comstock MI, 49041-0087	/ /	0.0000	N		4,507.78
		09/02/2016		N		

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
491-000-96600	2111 N 7TH ST (INV 3373)	2,253.89	2,253.89
491-000-96600	3927 OLD SAVANNAH DR (INV 3376)	2,253.89	2,253.89
		4,507.78	4,507.78
	VENDOR TOTAL:		4,507.78

unum-ltc	DESCRIPTION	GEN	long term care
90048450	Unum Life Insurance Co	GEN	
	PO Box 406990	N	
	Atlanta GA, 30384-6990	N	
		N	
			292.60
			0.00
			292.60

GL NUMBER	DESCRIPTION	AMOUNT
101-234-71600	Health & Life Insurance	216.60
206-336-71600	Health & Life Insurance	76.00
		292.60
	VENDOR TOTAL:	292.60

vw	DESCRIPTION	GEN	vehicle computers and fire cell phones
90048417	Verizon Wireless	GEN	
	PO Box 15062	N	
	Albany NY, 12212-5062	N	
		N	
			541.21
			0.00
			541.21

GL NUMBER	DESCRIPTION	AMOUNT
206-340-85300	FD Cell phones	221.07
206-340-85300	FD Vehicle Computer Connections	320.14
		541.21
	VENDOR TOTAL:	541.21

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
vfp	VFP Fire Systems	09/02/2016	224838	GEN	REPAIRS TO FIRE SUPPRESSION SYSTEM	
90048451	3725 Cleveland Rd Ste 200 South Bend IN, 46628	09/02/2016	000008727	N		1,365.00
		/ /	0.0000	N		0.00
		09/02/2016		Y		1,365.00

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
101-218-93100	REPAIRS TO FIRE SUPPRESSION SYSTEM	1,365.00	1,365.00

VENDOR TOTAL: 1,365.00

wsf	West Shore Fire	09/02/2016	11796	GEN	AIR CYLINDER REFILL SHIPPING COSTS	7.71
90048452	6620 Lake Michigan Drive PO Box 188 Allendale MI, 49401	09/02/2016	000008736	N		
		/ /	0.0000	N		0.00
		09/02/2016		N		7.71

Paid

GL NUMBER	DESCRIPTION	AMOUNT	AMT RELIEVED
206-340-93300	SHIPPING COSTS	7.71	7.71

VENDOR TOTAL: 7.71

TOTAL - ALL VENDORS: 168,253.63

# Memo



**To:** Oshtemo Charter Township Board  
**From:** Deb Everett, Clerk  
**Re:** Records Scanning/Retention Project  
**Date:** September 8, 2016

You will recall in January of 2015 the Clerk’s Office began organizing and indexing historical building plans for scanning to a digital record. I’m pleased to report the project has been completed resulting in the following:

- 2,701 residential plans/31,146 images (pages)
- 597 condominium plans/9,478 images (pages)
- 419 apartment plans/19,499 images (pages)
- 12 manufactured community plans/52 images (pages)
- 1,409 commercial plans/18,040 images (pages)

**Total 5,138 plans/78,215 images (pages)**

The project was greater in scope and required a longer time frame than first anticipated. The final batch of digital files were received in August. Throughout the process as files were received, Deputy Clerk DeAnna Janssen verified each plan indexed and sent for scanning was received and complete.

At the time the 2015 budget was prepared in late 2014, the project had not begun and was anticipated it would be completed in 2015 with a budget of \$15,000, therefore it was not included in the 2016 budget. This project was budgeted in the historic Building Fund 249.

**2015**

Budgeted for 2015	\$15,000
Invoiced in 2015	<u>\$ 7,048</u>
Balance at end of 2015	\$ 7,952 balance left in 2015 - not included in 2016 budget

**2016**

Requested budget amendment	\$ 7,952 balance from 2015
Requested budget amendment	<u>\$16,114</u> needed to complete the project
Total requested amendments	\$24,066

This was a massive undertaking but has resulted in a complete data base of all building plans in the Township’s possession, implementation of a system to digitize building plans in house as we go forward and has repeatedly saved staff time and enabled us to provide requested records in a convenient, timely manner. Another benefit is the savings in storage space. Oshtemo is the only township in Kalamazoo County with record building plans digitized.

# Memo



**To:** Oshtemo Charter Township Board  
**From:** Julie Johnston, AICP  
**Date:** September 8, 2016  
**Mtg. Date:** September 13, 2016  
**Subject:** Downtown Development Authority Budget Amendment

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## **OBJECTIVE**

Approval of an amendment to the Downtown Development Authority's 2016 budget in the amount of \$70,000 for the Commercial Rear Access Drive.

## **BACKGROUND**

On September 18, 2014, the Downtown Development Authority (DDA) approved a motion to allocate \$70,000 to the construction of the Commercial Rear Access Drive developed behind the Community Center and business located on 9<sup>th</sup> Street north of Atlantic. It was intended that these funds would be spent in 2015, however the commencement of the project did not begin until the spring of 2016.

In creating the DDA budget for 2016, the funds for the Commercial Rear Access Drive were not carried forward and therefore were not included in the approved 2016 budget. To rectify this mistake, the DDA approved a motion in March of this year to amend their budget to include the \$70,000 capital outlay for the Commercial Rear Access Drive.

## **INFORMATION PROVIDED**

DDA Minutes – September 18, 2014 and March 17, 2016  
DDA Amended Budget

## **STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE**

Approval of the amended 2016 budget for the DDA to allow an increase of \$70,000 in the Capital Outlay line item.

**DOWNTOWN DEVELOPMENT AUTHORITY  
PROPOSED AMENDED BUDGET  
2016**

REVENUES	Current	Proposed
Carryover		\$70,000.00
Current Real Property Tax	\$78,000.00	\$78,000.00
Miscellaneous	\$0.00	\$0.00
Interest Earned	\$400.00	\$400.00
<b>TOTAL REVENUES</b>	<b>\$78,400.00</b>	<b>\$148,400.00</b>

EXPENDITURES	Current	Proposed
Staff	\$2,000.00	\$2,000.00
Supplies	\$500.00	\$500.00
Postage	\$500.00	\$500.00
Community Events	\$0.00	\$0.00
Consultants	\$30,000.00	\$30,000.00
Accounting & Auditing Fees	\$2,000.00	\$2,000.00
Legal Fees	\$3,000.00	\$3,000.00
Legal Notices	\$500.00	\$500.00
Repairs & Maintenance	\$5,000.00	\$5,000.00
<i>Banner rotation/storage/maintenance</i>	<i>\$2,000.00</i>	<i>\$2,000.00</i>
<i>Lawn care and maintenance</i>	<i>\$3,000.00</i>	<i>\$3,000.00</i>
Capital Outlay/Obligated Projects	\$34,900.00	\$104,900.00
<i>Commercial Rear Access Drive</i>	<i>\$0.00</i>	<i>\$70,000.00</i>
<i>Façade Grant Program</i>	<i>\$10,000.00</i>	<i>\$10,000.00</i>
<i>Corner Site Improvements</i>	<i>\$10,000.00</i>	<i>\$10,000.00</i>
<i>Streetscape Elements at Intersection</i>	<i>\$14,900.00</i>	<i>\$14,900.00</i>
<b>TOTAL EXPENDITURES</b>	<b>\$78,400.00</b>	<b>\$148,400.00</b>

**OSHTEMO CHARTER TOWNSHIP  
DOWNTOWN DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES OF REGULAR MEETING HELD SEPTEMBER 18, 2014**

The Oshtemo Charter Township Downtown Development Authority (DDA) Board of Directors held a regular meeting on Thursday, September 18, 2014. The meeting was called to order at approximately 12:10 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

Members of the Board of Directors present: Terry Schley, Grant Taylor, Fred Gould, Andy Wenzel, Jack Siegel, Chip Everett, Jay Brown, Libby Heiny-Cogswell, Maria Dacoba, and Stephen Dallas.

Members of the Board of Directors absent: Bruce Betzler, Michael Lutke, and Glenn Steeg.

Also present was Gregory Milliken, Planning Director, and one guest.

Approve Agenda

Mr. Taylor moved to approve the agenda as presented. Dr. Dallas seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Approve Minutes

Mr. Taylor moved for approval of the minutes of the regular meeting of July 17, 2014 as presented. Mr. Gould seconded the motion. The Chairperson called for a vote on the motion, and the motion passed unanimously.

Treasurer's Report

Mr. Gould presented the Treasurer's Report for July and August. He said the report presents the revenues that have come in for the DDA with a small amount of new revenue in this period. He indicated there have been some expenses, the most substantial of which was for the purchase of the new banners. Other expenses were either administrative or related to the Citgo site. He indicated an overall fund balance for the DDA of about \$550,000.

Chairperson Schley stated that he has reviewed past invoices for Prein & Newhof related to their work at Citgo and it is consistent with their proposal for the work with only a minor amount of work remaining. He indicated that he had approved about \$300 worth of work at the site this week for lead paint testing. Expediency was necessary to keep the demolition on schedule. The contractor needed the results of the test in order to confirm proper means of depositing materials at the landfill.

Mr. Brown asked what the cost of the demolition was. Chairperson Schley indicated it was about \$30,000.

Mr. Wenzel moved to approve the Treasurer's Report. Mr. Taylor seconded the motion. The motion was approved unanimously.

### CITGO Station Update

Chairperson Schley indicated that preparation for demolition at the Citgo site had begun with some sawcutting. Fulton contractors should have the building down by September 19<sup>th</sup> with some clean up and paving work to be completed the following week. The paving will be to cover the open surfaces that remain from the demolition. It will leave a mix of concrete and asphalt surfaces with grass on the curb lawn.

Mr. Milliken asked what would be done over the weekend to prevent access. Chairperson Schley indicated that access would be blocked but that fencing would not be required.

Mr. Brown confirmed that access to the Church would not be blocked. Chairperson Schley agreed indicating that all machinery and materials would be kept on the DDA property.

Themis Corakis inquired if the grass would be better maintained. He stated it had grown long at times and was an eyesore that several people had mentioned.

Mr. Taylor stated that a committee had been formed to work with the Church on the car wash property. If the Church does not take initiative on the car wash and there are blight concerns with the property, he wondered what alternatives the DDA had to proceed with that site.

Chairperson Schley indicated that was a good transition to the next item on the agenda.

### Streetscape and Beautification Efforts – Outreach to Church for Car Wash Property

Mr. Wenzel indicated that a subcommittee was formed to work with the Church on the car wash property, and he reached out to the small group from the Church that had met with members of the DDA in the spring to follow up on that discussion. He had not heard back from them. He will continue to try to set something up with them.

Mr. Corakis asked why the DDA is spending all this time on the car wash building when there are other buildings in the district that also need attention. He cited the post office building as another blighted structure.

Chairperson Schley discussed the merits of the attention being paid to the car wash particularly its adjacency to the Citgo property and the benefits the expanded property can provide to the area.

Mr. Corakis said that there are a lot of other buildings in the downtown area that also need help and clean up assistance.

Ms. Heiny-Cogswell stated that in terms of the Township, it operates on a complaint basis in terms of blight. Staff receives complaints and follows up leading to compliance.

Chairperson Schley indicated those were all good points.

#### Streetscape and Beautification Efforts – RFP and Design Partner

Chairperson Schley stated that an RFP had been released for the streetscape design project. It had been reviewed and edited by Township Staff and the Executive Team. It was sent to five companies and calls for a response by September 25<sup>th</sup>. The five companies were OCBA, Viridis, MC Smith, Sam Lovell, and Larry Harris. The RFP calls for a qualifications based review with proposed costs submitted separately. His recommendation is to continue with the subcommittee making initial review of the proposals and recommendation to the board as a whole on a design partner.

Upon inquiry, Mr. Milliken indicated he had not heard from any of the companies or received any questions about the RFP.

Chairperson Schley stated he had a conversation with MC Smith about the process.

Chairperson Schley discussed the timeline for the project. It calls for a selection of a design partner in October and a presentation of an initial vision for the streetscape in February. The game plan is for 2015 to be a year for planning, design, consensus building, buy in from property owners and public, and preparation for funding. Then, 2016 can be the start of implementation.

Ms. Heiny-Cogswell asked about the process for selection.

Chairperson Schley stated his thought would be to have the streetscape committee review the proposals, inviting executive committee to interviews, and making a recommendation to the DDA Board. That would be a group of five members.

Ms. Heiny-Cogswell recommended staff be involved as well. Chairperson Schley agreed.

Ms. Heiny-Cogswell asked if design work for the site in the interim period was included in the scope. Chairperson Schley stated that it was not.

#### 9<sup>th</sup> Street Rear Access Drive

Chairperson Schley indicated that Supervisor Heiny-Cogswell sent a memo to the DDA describing the Board's thinking and process at arriving at the current design process. He indicated that when the initiative of the rear access drive started, it had a couple of goals. The

first was the mitigation of safety and access issues in the area. The second was an opportunity for public and private collaboration. It provides a good example to begin a process for cooperation between DDA, Township, and private property owners to work together to affect change.

Chairperson Schley indicated the project was originally scoped at \$50-60,000 and updated to \$60-70,000 as design evolved. The concept was that the DDA lay out the first capital dollars but would not be involved in the maintenance. The Township or others would handle that. He indicated the private owners would have some participation.

Chairperson Schley said that we are now here with a more involved design. The Board needs to decide if it wants to continue to support the project, and if not, where it should go from here. The Township has suggested a design with a \$100-110,000 price tag and would provide the balance of what is left after the DDA's \$70,000 contribution.

Mr. Brown stated that the DDA presented a good design to help 9<sup>th</sup> Street owners and handed it to Township. However, no one from DDA set in on their efforts to redesign the access drive. They have presented a take it or leave it proposal. It only benefits those connected. He indicated he was for dropping it.

Chairperson Schley continued and suggested property owners should be responsible for snow plowing, township responsible for vegetation maintenance, and other maintenance responsibilities are yet to be determined. He indicated that Item 4b in the maintenance agreement requires a technical change to confirm the responsibilities permitted.

Dr. Dallas asked if the Board felt it was still beneficial to proceed. He wondered if there was data to support the original cost of \$60,000.

Chairperson Schley said that an original cost estimate was prepared based on a concept drawing that arrived at the \$60-70,000 estimate.

Dr. Dallas inquired if the Board feels it should do something now that has the potential to serve 20 years or a solution that suits today but will need to be revisited in five years.

Mr. Wenzel indicated that the intent was originally short term.

Mr. Taylor asked if the DDA had an obligation to do this. Chairperson Schley said there was no obligation.

Ms. Heiny-Cogswell stated that the initial concept was simple and temporary. If it were on private property, that would probably be fine. But when it went to the Township Board for use of the Township property, it was viewed differently considering the previous plans and visions for the area. The Township looked longer term in consideration of these past planning efforts.

Ms. Heiny-Cogswell stated that the proposal for maintenance costs is a first stab and needs to be talked through.

Dr. Dallas asked if the plans exceed the budget anticipated by the Township, if the Township Board is willing to pay more.

Ms. Heiny-Cogswell indicated that the Township has budgeted \$30,000 for the project in 2014, but she believes if there is collaboration, there is potential for more if it is what everybody wants.

There was discussion of the placement of the drive on private property or public property and the original concept.

Mr. Wenzel indicated that this would set a precedent for rear access provided by the DDA.

Chairperson Schley asked how the Board felt about the vision and the use of \$70,000 to capitalize the vision.

Mr. Corakis asked what the feedback was when the original straight drive was presented to the Township Board.

Chairperson Schley said that it was not overly supportive. It was a March 2012 work session of the Township Board, and there was active discussion with some support but also some detractors.

Mr. Brown stated he is concerned with the vision because people wanting to connect will have to pay more than they would have under previous vision. This was not the vision the Board discussed originally.

Chairperson Schley stated that the proposal satisfies the overall goals for the DDA's project.

Mr. Corakis indicated that the DDA is wasting property and taking money off the tax rolls.

Chairperson Schley agreed that the proposal is more than was initially conceived. He would like to see the DDA spend no more than was originally thought. Chairperson Schley indicated that if the DDA spends the original budget of \$70,000 and still gets rear access without committing to maintenance, is that not the same project.

Mr. Corakis asked about cross connections of other properties on 9<sup>th</sup> Street.

Ms. Heiny-Cogswell indicated that the situation is the same as was originally proposed under the original agreement.

Mr. Gould asked what Mr. Siegel thought.

Mr. Siegel indicated he was in favor of it but has some questions. He wondered if the Township was going to pay a share for maintenance. Also, he is concerned about Section 9 in the Agreement and language regarding termination.

Ms. Heiny-Cogswell stated that with a straight drive, the termination language was more important due to the greater potential for cut through traffic, but it could be reviewed again as this new design moves forward.

Mr. Siegel asked what the cost difference was between the straight drive and the current proposal.

Mr. Brown stated he followed a semi-truck around a roundabout and it was a challenge for them. It is not a good design for trucks.

Chairperson Schley said we must trust it will be designed properly for trucks.

Mr. Taylor stated he does not like to see businesses paying anything for access. The DDA should pay that.

Chairperson Schley countered indicating that if that is the case, the DDA will have much less reserves for future projects.

Mr. Taylor said he does not understand why the businesses should pay for snowplowing.

Chairperson Schley said that for him it is the idea that this is a partnership. If the property owners do not participate, the DDA's ability to do things will be compromised. Chairperson Schley said he wanted to go around the table and get input.

Mr. Wenzel stated he was in agreement with the Plan. He feels maintenance should be shared equally.

Mr. Siegel said he was in favor but thinks maintenance should be picked up in part by DDA. He asks who pays the maintenance on the Community Center landscaping. Chairperson Schley said the DDA pays that.

Mr. Brown stated he does not like the idea at all.

Mr. Corakis said that he has questions about maintenance and installation responsibilities.

Mr. Everett said that likes the concept. He stated that he does not think that the DDA should bear responsibility of maintenance. However, with only two properties in at the beginning, it is a heavy burden so perhaps participation from the DDA or Township could be phased out over time.

Dr. Dallas indicated he supports the concept.

Mr. Gould said that he supports the concept and that he does not want to spend more time on this as the need is here now.

Ms. Dacoba stated she supports it.

Chairperson Schley said he was glad to hear that as there will be more decisions like this in the future.

Chairperson Schley described the maintenance options. He indicated the DDA could pay for the maintenance, the property owners could pay for the maintenance, or there could be some interim transition model. He indicated he is concerned about the precedent and the limited resources. He also wants this to be a partnership and does not want the DDA carrying the responsibility. He sought the input from the members.

Mr. Wenzel indicated he had similar concerns and believes property owners should pay.

Mr. Sielgel thinks it should be a shared cost.

Mr. Brown stated he is opposed to the entire project. He thinks if it goes in it belongs to the people who use it. His taxes go to the DDA and should not fund maintenance. The property owners should pay.

Mr. Corakis said maintenance is a tough one. There is some benefit to members as well as the district to the whole through the traffic and safety benefits.

Mr. Everett indicated he thinks a phased approach is appropriate.

Dr. Dallas thinks it should be shared with the owners, DDA, and Township. He said that there will be soft benefits and improvements to the properties through safety and access.

Mr. Taylor said that he sees this as an investment by the DDA with the potential for future phases.

Ms. Heiny-Cogswell indicated she liked what Dr. Dallas said about soft benefits. She thinks sharing the maintenance responsibilities makes sense at first and then eventually phasing out when more property owners join in over time.

Mr. Gould indicated he likes all three partners being involved.

Ms. Dacoba does not think the DDA should pay but the property owners should pay. She owns property in downtown Kalamazoo and that is how it works there.

Chairperson Schley said that in downtown Kalamazoo, property owners pay for maintenance of sidewalks and parking areas and receive a premium for that. He reiterated he is concerned about precedent and resources for other projects, most of which are a higher priority than this.

Mr. Wenzel made a motion that the DDA is in support of the concept of rear access as presented in the sketch by OCBA as well as the contribution of \$70,000 for capitalization of the concept not including maintenance costs. Mr. Taylor supported the motion. The motion was approved unanimously, 10-0.

Dr. Dallas made a motion that the responsibility for maintenance costs be shared between the DDA, Township, and property owners. Mr. Gould supported the motion.

Mr. Corakis asked if that was for a certain amount of time or forever.

Dr. Dallas said that was up for discussion.

Mr. Corakis thinks the Township will benefit from this for the life of the road.

There was discussion as to the specifics of the proportional breakdown and clarification that the motion was purposefully vague and that those specifics would be determined later.

Mr. Everett clarified that the Township is only one entity and not count as two as both a property owner and the Township.

Chairperson Schley asked for votes on the motion. The motion failed due to a 5-5 vote.

Ms. Heiny-Cogswell made a motion that the maintenance responsibilities as described in the draft agreement with property owners are contributed proportionally and the DDA also contributes a proportional share for five years. Mr. Taylor supported the motion.

Mr. Brown indicated that if the drive went in and no one connected, the DDA would be stuck with the bill.

Chairperson Schley clarified it would not be installed without commitment to connect from property owners. Ms. Heiny-Cogswell agreed.

Mr. Wenzel recommended there be some language in the agreement preventing parties from being able to give up their connection in the future.

Chairperson Schley asked for votes on the motion. The motion was approved 7-3.

Chairperson Schley said that he voted no because as a precedent, the DDA has done more than its share for these property owners. So he is opposed to a greater partnership.

Ms. Heiny-Cogswell asked if any members desired to be involved in additional conversations regarding design.

Chairperson Schley and Mr. Wenzel indicated interest in further involvement.

#### Liquor Licenses in DDA District

Chairperson Schley said that the DDA was approached by a business to provide support to their business that would renovate the Birches into a pool hall and require a liquor license. They were

looking for DDA support as they sought the Township license for one year. Mr. Wenzel met with the owner to understand the business. The Executive Committee did not have consensus on a recommendation to the Board, and there was not time to get a DDA meeting scheduled. Therefore, Chairperson Schley wrote a generic letter in support of business development in the DDA but not informed enough to speak to the liquor license issue.

Mr. Milliken explained this was noteworthy for the DDA because of a legislative change regarding liquor licenses. There is a category of licenses called redevelopment liquor licenses that are permitted in DDA, CIA, and similar authority areas. In recent months, the statute was amended to allow these licenses in townships where they were not previously permitted.

Mr. Milliken described some of the qualification criteria for these licenses that are not based on population. Therefore the same quota rules do not apply although the licenses are not unlimited.

### 2015 Budget

Mr. Milliken explained that in the draft budget previously presented and approved, the projected tax capture was an estimate. In the past weeks, that estimate has been refined and unfortunately reduced by about \$12,000 to approximately \$75,000. About three quarters of that reduction is due to the stagnant economy and losses in commercial property value and one quarter is due to the cuts to private property taxes.

### Other Business

There was no other business.

### Announcement and Adjournment

The next meeting is scheduled for November 20, 2014.

Having exhausted the agenda, Chairperson Schley adjourned the meeting at 2:18 p.m.

Oshtemo Charter Township  
Downtown Development Authority

Minutes Prepared: September 20, 2014

Minutes Approved: December 3, 2014

**OSHTEMO CHARTER TOWNSHIP  
DOWNTOWN DEVELOPMENT AUTHORITY  
BOARD OF DIRECTORS**

**MINUTES OF REGULAR MEETING HELD MARCH 17, 2016**

The Oshtemo Charter Township Downtown Development Authority (DDA) Board of Directors held a regular meeting on Thursday, March 17, 2016. The meeting was called to order at approximately 12:00 p.m. at the Oshtemo Community Center, 6407 Parkview Avenue.

Members present: Grant Taylor, Chair, Bruce Betzler, Jay Brown, Shelly Corakis, Libby Heiny-Cogswell, Maria Dacoba, Rich MacDonald, Terry Schley, Glenn Steeg and Jack Siegel.

Members absent: Stephen Dallas, Chip Everett, Mike Lutke, and Dick Skalski

Also present: Julie Johnston, Oshtemo Township Planning Director, and Martha Coash, Meeting Transcriptionist,

**Approve of Agenda**

Mr. Schley moved to approve the agenda as presented. Mr. MacDonald supported the motion. The motion passed unanimously.

**Approval of Minutes**

Chairperson Taylor asked if there were any additions or corrections to the three sets of minutes before the Board for the meetings of November 19, 2015, December 17, 2015 and January 21, 2016.

Mr. Schley asked that paragraph two on page five in the Minutes for the Special Meeting of December 17 be corrected to reflect Rotary's commitment to provide "the clock" rather than "the face of the clock." He also asked that page five, paragraph four in the Minutes of January 21 be corrected to say that Mr. Schley will not join the Grant and Loan Program Development Sub-Committee.

Hearing no further additions or corrections, the Chair asked for a motion to approve the three sets of minutes.

Mr. Schley moved to approve the Minutes of the Regular Meeting of November 19, 2015, the Minutes of the Special Meeting of December 17, 2015 and the Regular Meeting of January 21, 2016 with the proposed corrections. Mr. Betzler supported the motion. The motion carried unanimously.

## **Treasurer's Report**

Chairperson Taylor said he had spoken with newly appointed Board Member Dick Skalski, who indicated he might be willing to be Treasurer for 2016, but since he was not present at the meeting, action would need to be deferred until he was in attendance.

The Chair noted the Treasurer's Report for January and February, 2016 reflected a net positive balance of about \$36,000 for 2015. He highlighted regulatory regular fixed costs, and also the budget for capital outlay/obligated projects for 2016.

Ms. Johnston added that after the Board approved \$750 in support of the summer concert series in the park at the last DDA meeting, she added a Community Events line item to reflect that expenditure, but did not feel a budget increase was needed since there will likely be funds left over at the end of the year to cover that commitment. She also included the smaller individual projects that were approved and budgeted under Capital Outlay/Obligated Projects.

Mr. Taylor asked for a motion to approve the Treasurer's Report.

Mr. Schley moved to approve the Treasurer's Report as presented. Ms. Dacoba supported the motion. The motion passed unanimously.

## **Approval of Proposal from S & T Lawn Service for Landscape Maintenance**

Chairperson Grant told the Board S & T Lawn Service provided a proposal for the upcoming season for maintenance of the Community Center property at a cost of \$248 a month. It was agreed last year that additional proposals from DDA businesses be solicited. At his request, Ms. Johnston contacted other local service providers to investigate costs for this continued maintenance.

Ms. Johnston reported she met with Naylor Landscape Management and DeVissor Landscape Services and received a proposal from Naylor, but had not received a proposal from DeVissor. The Naylor proposal for comparable work to what S & T has been providing was \$325 higher than the S & T proposal.

After Board discussion of what maintenance is provided, it was the consensus that S & T has done a good job maintaining and keeping the grounds attractive, had provided the lower proposal, and there was no need to change providers at this time. It was noted the Township does the mowing at the Community Center.

Chairperson Grant asked for a motion to approve the contract with S & T.

Mr. MacDonald moved to approve the contract with S & T for landscape maintenance service for 2016 at a cost of \$248 per month. Mr. Siegel supported the motion. The motion passed, with nine in favor and one dissenting (Mr. Brown).

Mr. Brown explained he voted no because when the DDA was started it was agreed the Township would take care of landscape maintenance with volunteers, but that DDA has taken care of it ever since and the Township is not holding up its end of the bargain.

Ms. Heiny-Cogswell said any agreement made regarding grounds maintenance was before her time and she could not speak to it.

Mr. Schley said with the DDA's Streetscaping emphasis, the grounds need to be well maintained and attractive and the DDA has to take an active role in that at some point.

Chairperson Grant said he felt one of the ways for the DDA to give back to the community is to make sure the grounds are attractive.

Although he agreed with others that the grounds of the Community Center are attractive and something for Oshtemo to be proud of, Mr. Brown felt that was not the point; a line needs to be drawn to avoid setting precedent by taking over the expense for projects the Township would like to see.

Mr. Schley noted there should be a record in the minutes of any agreement regarding grounds maintenance. He will search for them in his files; Township personnel will do the same.

### **Sign Art Banner Installation and Storage**

Ms. Johnston reported the purchase order established for Sign Art for 2015 is complete. The remaining funds were utilized through the holiday season to change out banners. Staff contacted Sign Art for a proposal for 2016.

The proposal from Sign Art includes storing, maintaining and swapping out banners four times a year on the various utility poles in the Village district at a cost of \$380 each time for a total annual cost of \$1,520, reflecting no change in work or cost from the 2015 agreement.

Mr. Betzler moved to extend the contract from Sign Art through 2016 at an annual cost of \$ 1,520. Mr. Schley supported the motion. The motion passed unanimously.

Ms. Johnston will ask Sign Art to notify her when banners need replacement.

### **Façade Grant Program**

#### **a. Hite House Application**

Ms. Johnston reported the owners of the Hite House business are renting and renovating the old post office building with the approval of the owners of the building, and are applying for a grant through the Façade Grant Program. They have funds to pay for the \$10,000+ project if

\$5,000 is approved from the Façade Grant Program. They would like to move forward with the work as soon as the contractor is ready.

Chairperson Grant explained the quotes for the work are not all in but were guaranteed to be provided to the DDA next week. In order to proceed with the project they cannot wait until the May DDA meeting to know whether the Board will approve their request. They are unable to provide a definite project cost until the quotes are submitted. He explained the Sub-Committee recommendation is to approve funding through a contingency plan, up to \$5,000, based on the final quotes. They don't foresee her spending less than \$10,000, but since the quotes are not available didn't feel comfortable guaranteeing her the whole \$5,000.

In answer to questions, Ms. Johnson said lighting plans are in compliance with the Form Based Code. Signs will not be back-lit, but will be required to go through the sign permit process. The addition of the planned parapet will actually put the building closer to compliance with the FBC regarding building height. Materials proposed (tile) meet the FBC and will be new. The business is branching out from downtown Kalamazoo rather than moving, but down-sizing the mall store. Everything proposed moves the building closer to the Village Overlay FBC.

Ms. Johnston said the Sub-Committee suggested since the actual amount needed is not known the Board might approve up to \$5,000 and have the Sub-Committee review the quotes when received for final approval.

Ms. Dacoba thought since they have already gone ahead with windows they should not qualify for grant funds for that purpose.

Mr. MacDonald moved to allow the Sub-Committee to approve the request for funds up to \$5000, subject to the determination that the final plans are generally consistent with the proposal, that all conditions in the application have been met and are compliant with codes and ordinances, and funds will be released based upon proof of actual invoice payment. Ms. Heiny-Cogswell supported the motion. The motion passed unanimously.

Mr. Schley said it would be nice if the Façade Grant Program funds were progressively proportional so funds would be available for other projects throughout the year. He noted this is a new program and the process is a little awkward but procedures will improve over time.

Ms. Heiny-Cogswell commented if the process is successful the Township Board could consider a budget amendment.

Ms. Johnston noted there is one other legitimate request that may be coming requesting Façade Grant Funds.

b. Use of Grant for Architectural Fees

Ms. Johnston explained that recently a couple of property owners within the Village Form-Based Code Overlay District and DDA District have approached the Township about completing updates to their parcels. Due to the requirements of the Overlay District, most of

these possible applicants will need to retain an architect to assist them with their projects. This is an additional cost that might not be required for properties outside of the Overlay District. She wondered if the Board would be open to such assistance.

Ms. Dacoba said it is typical to have a separate fund for architectural fees.

Mr. Schley said since this is the first year of executing the grant program, maybe it should be looked at after the first year is completed.

Chairperson Grant agreed, saying the program could possibly be expanded to include in an architectural support program in 2017.

Ms. Johnston said if the Board want to consider expansion for 2017 they would need to consider it during the budget process at the July 2016 meeting.

It was agreed to consider an expansion at that time.

### **9<sup>th</sup> Street Rear Access Drive Update**

#### **a. Bid Opening**

Ms. Johnston told the Board a competitive, sealed bid package for the Commercial Rear Access Drive was prepared as part of a larger bid process for sewer and road projects in the Township. The bid opening occurred on March 3<sup>rd</sup> and four contractors submitted proposals. The Township Board awarded the bid to Balkema Construction at its March 15 meeting. The cost for the Commercial Access Drive was higher than expected but the Township Board has not asked for an increase in funding from DDA. The Township Supervisor has submitted a request to the Township Board for additional funding.

She said the \$70,000 approved for this project is not included in the actual 2016 DDA budget as part of the capital outlay so to move forward to expend that money, the Board will need to move \$70,000 from the fund balance to the capital outlay budget for 9<sup>th</sup> Street Commercial Access Drive.

Mr. Schley moved moving \$70,000 from the fund balance to the Capital Outlay/Obligated Projects budget for the 9<sup>th</sup> Street Rear Access Drive project. Ms. Dacoba supported the motion. The motion passed unanimously.

### **Streetscape Update**

#### **a. Meeting with MDOT Grant Coordinator**

Ms. Johnston reported the Streetscape Beautification Subcommittee met with Matt Wiitala, MDOT Grant Coordinator for the Kalamazoo area, on March 7<sup>th</sup>. Mr. Wiitala informed

the Subcommittee that while the streetscape project is eligible for Transportation Alternative funds, it is not competitive. He indicated the problems that reduce the projects' competitiveness are that the Village is not really a "downtown" and that the historic character that the Township is trying to resurrect has not been realized and is not currently "re-development ready," though Ms. Johnston pointed out that is a Township initiative. Once there is more "place" they would be interested in the momentum and would consider spending some grant dollars in our area.

She said Mr. Wiitala provided alternatives for the DDA to consider. He indicated MDOT is interested in larger connectivity projects that link communities to each other and suggested considering submission for some type of connection on Stadium Drive from the Village core to the City of Kalamazoo's pedestrian system. While not a grant to complete aesthetic components of the streetscape plan, it would help with pedestrian access to the Village.

Ms. Johnston said Mr. Wiitala also recommended working with the Chime School or Prairie Ridge Elementary on the Safe Routes to School program. This is a grant that would assist with pedestrian connections within a two mile radius of the school and would require a champion from the school as the organizer for the application. Some planning work is required before an application can be submitted, which must come from the school and not the DDA.

Chairperson Grant said we would have to look at the budget for items that would qualify for limited grant funding and those that would not, to determine what should be done. Mr. Wiitala said we might just want to figure out a way to pay for the projects ourselves.

Mr. McDonald mentioned the possibility of the Planning Department working with MDOT in an organized approach, which can be a criterion for certain grants.

Ms. Johnston said if the Board decides to move forward with the Transportation Alternative grant application for a connection on Stadium Drive, a 20% match would be required. The DDA and the Township would need to work together to determine funding sources for the match portion of the grant because part of that would be outside the DDA, so the Township would have to be on board to provide their portion of the 20%. There would be an expectation that the connection would be all the way to the City of Kalamazoo to 11<sup>th</sup> Street.

Ms. Heiny-Cogswell said there would be another 20% for things that are not eligible for grant funds, such as design and aesthetic elements, so the total match ends up being about 40%.

Ms. Johnston said we could submit our full Streetscape plan for grant funding but Mr. Wiitala did not believe it was competitive. The pedestrian connection was competitive with a much greater chance of being funded. If pursued, the Township Board would need to provide approval, then most of the work would be done at the Planning Commission level.

b. Discussion with MEDC Grand Coordinator

Ms. Johnston said she talked with Emily Petz, Michigan Economic Development Corporation (MEDC) Community Assistant Team Specialist for the Kalamazoo area, to discuss if any of their programs would support the development of the streetscape. Ms. Petz didn't

believe the Village area qualified under their programs. Her comments were similar to Mr. Wiitala's in that Village is not yet a "place." She did indicate that the Public Spaces, Community Spaces program has a component that helps local communities do crowd source funding. The program includes assistance from the MEDC Videography to produce a pitch video and placement of the project on the Patronicity website to help with crowd source funding. Ms. Johnston felt that with the current capital parks campaign, another funding initiative might mean the Township would be competing with itself.

In summary, Ms. Johnston felt the most competitive project for grant funds would be the pedestrian connection.

It was the consensus of the Board to move forward with a grant submission for the Stadium and 9<sup>th</sup> Street pedestrian connection.

### **Car Wash**

Chairperson Grant asked Ms. Johnston for an update on the car wash.

Ms. Johnston said she had contacted the Kalamazoo County Land Bank regarding possible funding for demolition, but they are not interested in spending their grant funds on properties that will not be owned by the Land Bank.

Chairperson Grant asked what if any commitment the DDA has from the church regarding the car wash property in return for demolition of the car wash. He noted the church accepted the blighted property and has a public responsibility to remove the blight. Voters ask often about removing the eyesore and he feels pressure to get that done. Although it is not Township or DDA property it would be a win for everyone to remove the building.

There was extended discussion of what might have been discussed with the church in the past and possible ways to move forward. Also discussed was the possibility of contacting demolition contractors to get an idea of the costs that would be involved to demolish the car wash, what the liability and costs of environmental studies and other requirements might be, and the possibility of loaning the church the money for demolition.

After discussion it was agreed the Streetscape/Beautification Sub-Committee would schedule a meeting with church representatives to discuss whether they are still interested in working together to achieve demolition of the car wash and an agreement that would be acceptable to both parties regarding ownership and use of the property.

Mr. Schley said he would find the record of prior negotiations with the church to provide history to share at the meeting.

### **Any Other Business**

Mr. Schley noted the difficulty to enforce snow removal with no uniform mechanism to assess property owners in the policy.

Ms. Heiny-Cogswell reported the suit regarding underground power lines is still in the Michigan Supreme Court.

Mr. Schley commented the wires are being strung over the street anyway.

**Announcements and Adjournment**

There being no further business, the Chair adjourned the meeting at 1:26 p.m.

Oshtemo Charter Township  
Downtown Development Authority

Minutes Prepared: March 23, 2016  
Minutes Approved: June 9, 2016

# Memo



**To:** Oshtemo Charter Township Board  
**From:** Julie Johnston, AICP  
**Date:** September 7, 2016  
**Mtg. Date:** September 13, 2016  
**Subject:** 2<sup>nd</sup> Reading of a Rezoning Request – 10145 West KL Avenue

---

## OBJECTIVE

James Geresy, on behalf of Louis and Barbara Geresy, is seeking Township Board approval for the rezoning of approximately 46.7 acres of property located at the southeast corner of West KL Avenue and 2<sup>nd</sup> Street from AG: Agricultural to RR: Rural Residential District. This is the second and final reading of this request.

## BACKGROUND

### **Subject and Surrounding Properties**

The subject parcel is 46.7 acres in size and has approximately 1,000 feet of frontage on West KL Avenue and 1,988 feet of frontage on 2<sup>nd</sup> Street. Currently being farmed and also the location of a single-family home, the owners of the property intend to use the land for agriculture for only a few more years. Surrounding land uses consist solely of single-family residences, with the subject property being bounded to the north by unplatted Rural Residential (RR) zoned parcels as well as the small *Eggen's Acres* subdivision; to the east by a large RR parcel and the *Oshtemo Valley* and *Veracres* plats; to the west by a handful of Agriculturally zoned parcels currently being used for single-family homes; and to the south by two RR parcels. At this time Township staff is not aware of any intentions to develop a subdivision or site condominium on the subject property.

## **CONSIDERATIONS**

The Zoning Enabling Act, which allows Townships to zone property, does not provide any required standards that must consider when reviewing a rezoning request. However, there are some generally recognized factors that should be deliberated before a rezoning decision is made. These considerations were discussed by the Planning Commission at their meeting on August 11, 2016 and are as follows:

1. Master Plan Designation

Attached to this memo is an excerpt from Oshtemo's Master Plan as well as a future land use map that pertains to this part of the Township. As illustrated on the map, the subject property is within an area that is intended to change from agricultural use to Rural Residential. The rezoning of the subject property from AG to RR would help to fulfill the future land use plans of the Township. Although the Master Plan *encourages* existing farms to continue to operate, the owners of the property intend to cease agricultural activity on the property in a few years, regardless of its zoning status.

2. Consistency of the Zoning Classification in the General Area

Aside from a handful of properties to the west of the subject parcel that are currently zoned as AG, the majority of adjacent properties, and most of those in this part of the Township in general, are zoned as RR. This proposed rezoning is consistent with the prevalent zoning classification of the area.

3. Consistency and Compatibility with General Land Use Patterns in the Area

While some commercial agricultural operations do remain in the southwest quadrant of the Township, the predominant land use is single-family residential, even on some of the aforementioned smaller AG zoned parcels. The requested rezoning is consistent with this pattern.

4. Utilities and Infrastructure

Utilities and infrastructure are often considered in a request for rezoning to ensure that public facilities can service any possible development that would occur on the site. Public water is available along the subject property's KL Avenue frontage, but not along 2<sup>nd</sup> Street. No sanitary sewer service is present or currently planned in this part of the Township, with the nearest sewer main being located approximately 3.5 miles to the east at 9<sup>th</sup> Street.

The presence of public utilities, or lack thereof, within the Rural Residential zoning district has little bearing on potential development density: The minimum area requirements dictated by the Zoning Ordinance for this classification are the same whether or not sewer and water are available.

5. Reasonable Use under Current Zoning Classification

While the AG zoning classification for this property is appropriate for its current land use, the minimum parcel size for agriculturally zoned land—40 acres—means that the 46.7 acre subject parcel may not be divided without falling below the critical area threshold dictated by section 66.000: *Area Requirements, Dwelling Standards and Residential Occupancy* of the Oshtemo Township Zoning Ordinance. The AG district does allow one single family dwelling

to be established on the same piece of property for each 200 feet of continuous road frontage, but such dwellings may not exist on legally distinct parcels unless the 40 acre minimum area requirement is met for any new divisions. While it can be argued that the land does have reasonable use under the current zoning classification, it is of a relatively limited nature, given the impending cessation of commercial farming on the property.

#### 6. Effects on Surrounding Property

Given that the dominate land use in this part of the Township is single-family residential, the requested rezoning will likely have a limited effect, if any, on the surrounding properties. While rezoning to RR does mean that the subject property could one day be subdivided or condominiumized, that is true for many of the surrounding properties as well, so the potential for a shift in density in the area is already present.

The Planning Commission voted unanimously to recommend approval to the Township Board on August 11<sup>th</sup> for the following reasons:

1. The proposed rezoning is consistent with Oshtemo Township's future land use map and is supported by the Master Plan.
2. The proposed rezoning is compatible with the surrounding land uses and zoning classifications.
3. The proposed rezoning will not introduce any potential development patterns not already present in this part of the Township.

The Township Board approved first reading of the rezoning unanimously on August 23, 2016.

#### **INFORMATION PROVIDED**

Application  
Aerial map  
Planning Commission minutes  
Ordinance

#### **STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE**

The Planning Commission and Planning staff recommend a motion of approval for second and final reading from the Township Board for the rezoning of the 46.7 acres from AG: Agricultural District to the RR: Rural Residential District, as described in the attached Ordinance.



7275 W. Main Street, Kalamazoo, Michigan 49009-9334  
Phone: 269-216-5223 Fax: 269-375-7180

**PLEASE PRINT**

PROJECT NAME & ADDRESS \_\_\_\_\_

**PLANNING & ZONING APPLICATION**

Applicant Name : James Geresy

Company \_\_\_\_\_

Address 1288 Oshtemo Trace  
Kalamazoo, MI. 49009

E-mail \_\_\_\_\_

Telephone 269-372-1904 Fax \_\_\_\_\_

Interest in Property My Inheritance

**OWNER\*:**

Name Louis + Barbara Geresy

Address 10145 West K.L. Ave  
Kalamazoo, MI. 49009

Email \_\_\_\_\_

Phone & Fax 269-375-5677

Oshtemo Charter Township  
7275 W MAIN ST  
KALAMAZOO, MI 49009  
Phone : 269-375-4260  
OSHTEMO.TOWNSHIP.ORG

Received From: JAMES GERESY  
Date: 07/07/2016 Time: 9:01:03 AM  
Receipt 123615  
Cashier AMCMILLON

ITEM REFERENCE	AMOUNT
1091 APP - REZONING/ZONING	
APP - REZONING/ZONING	\$2,000.00
TOTAL	\$2,000.00
CHECK 440	\$2,000.00
Total Tendered:	\$2,000.00
Change:	\$0.00

**NATURE OF THE REQUEST:** (Please check the appropriate item)

- 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: \_\_\_\_\_

**BRIEFLY DESCRIBE YOUR REQUEST** (Use Attachments if Necessary):

My parents want to deed me the southern 25 acres M/L of their property, so I can build my new home. I'm told we have to re-zone from Ag. to R.R.

LEGAL DESCRIPTION OF PROPERTY (Use Attachments if Necessary):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PARCEL NUMBER: 3905- 05-19-430-010

ADDRESS OF PROPERTY: Southern 25 Acres M/L of 10145 West K.L. Ave.

PRESENT USE OF THE PROPERTY: Agriculture - Residential

PRESENT ZONING Ag. SIZE OF PROPERTY 47 Acres M/L

NAME(S) & ADDRESS(ES) OF ALL OTHER PERSONS, CORPORATIONS, OR FIRMS  
HAVING A LEGAL OR EQUITABLE INTEREST IN THE PROPERTY:

Name(s)	Address(es)
<u>Louis Geresy JR.</u>	<u>10145 West. K.L. Ave. Kal, Mt. 49009</u>
<u>Barbara Geresy</u>	<u>- Same -</u>

**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.*

Louis Geresy, Barbara Geresy 7-6-16  
Owner's Signature (\* If different from Applicant) Date

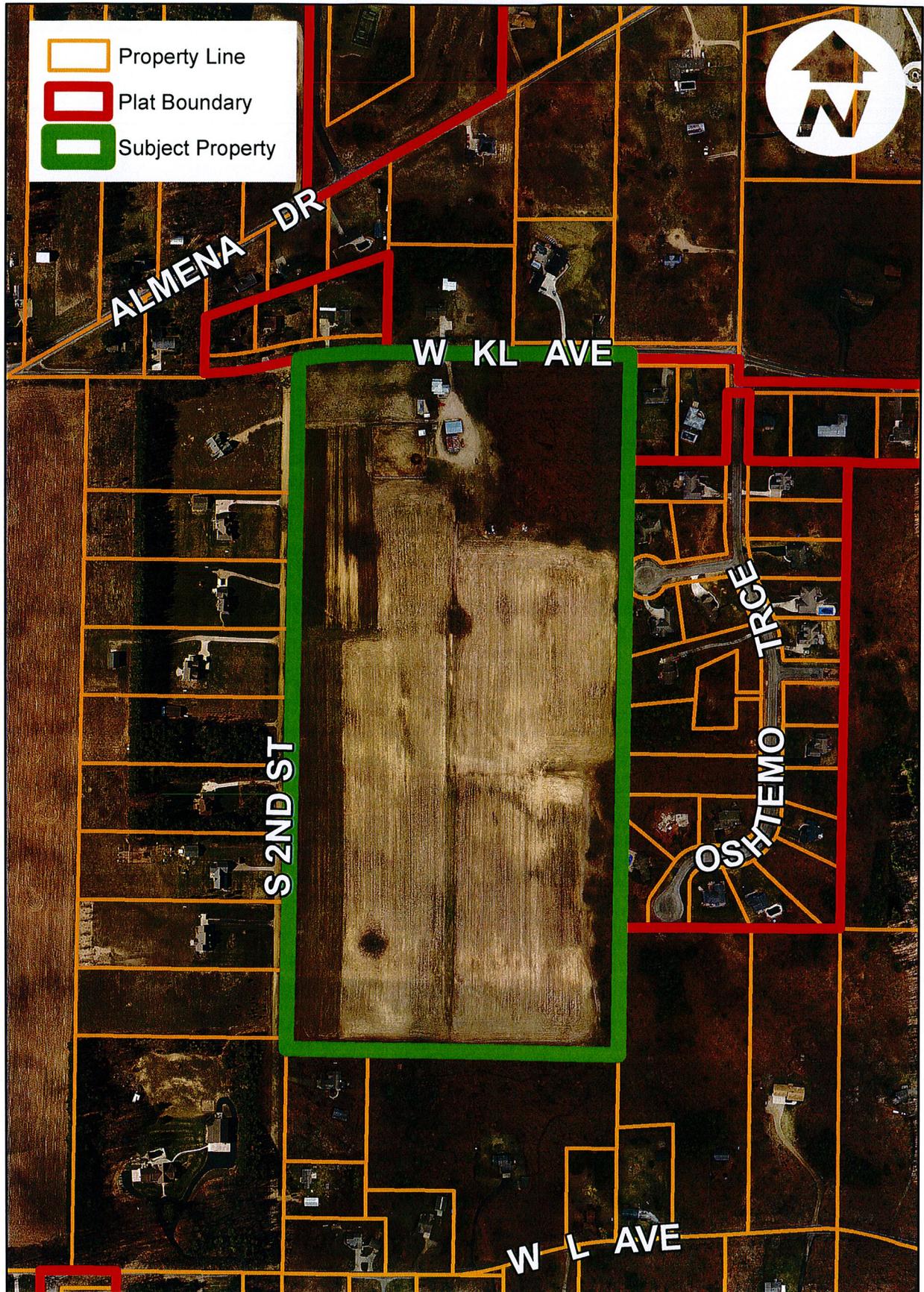
James L. Geresy 7-6-16  
Applicant's Signature Date

- Copies to:
- Planning -1
- Applicant -1
- Clerk -1
- Deputy Clerk -1
- Attorney -1
- Assessor -1
- Planning Secretary - Original

\*\*\*\*  
**PLEASE ATTACH ALL REQUIRED DOCUMENTS**

# 10145 West KL Ave. Rezoning Request

## Aerial Map



**OSHTEMO CHARTER TOWNSHIP  
PLANNING COMMISSION**

**MINUTES OF A MEETING HELD AUGUST 11, 2016**

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**Agenda**

**PUBLIC HEARING: REZONING REQUEST**

**CONSIDERATION OF AN APPLICATION FROM JAMES GERESY, ON BEHALF OF LOUIS AND BARBARA GERESY, FOR THE REZONING OF APPROXIMATELY 47 ACRES LOCATED AT 10145 WEST KL AVENUE FROM AG: AGRICULTURAL DISTRICT TO THE RR: RURAL RESIDENTIAL DISTRICT. PARCEL NO. 3905-19-430-010.**

**PUBLIC HEARING: SPECIAL EXCEPTION USE REQUEST (WEATHERVANE STORAGE)**

**CONSIDERATION OF AN APPLICATION FROM WEATHERVANE STORAGE FOR A SPECIAL EXCEPTION USE AND SITE PLAN REVIEW TO CONSTRUCT A SELF-STORAGE FACILITY, PURSUANT TO SECTION 41.405 OF THE ZONING ORDINANCE AND THE REZONING CONDITIONS ADOPTED BY THE TOWNSHIP BOARD ON JUNE 28, 2016. THE SUBJECT PROPERTY IS LOCATED AT 4221 SOUTH 9TH STREET, IS ZONED I-1: INDUSTRIAL DISTRICT, AND IS APPROXIMATELY 10.82 ACRES. PARCEL NO. 3905-35-405-060.**

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A meeting of the Oshtemo Charter Township Planning Commission was held on Thursday, August 11, 2016, commencing at approximately 7:00 p.m. at the Oshtemo Charter Township Hall.

**ALL MEMBERS WERE PRESENT:**

Millard Loy, Chair  
Fred Antosz, Vice-Chair  
Wiley Boulding, Sr.  
Dusty Farmer  
Pam Jackson  
Mary Smith

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. 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. Jackson seconded the motion. The motion passed unanimously.

## **Public Comment on Non-Agenda Items**

Chairperson Loy noted there were no audience members who wished to comment on non-agenda items and proceeded to the next agenda item.

## **Approval of the Minutes of July 28, 2016**

Chairperson Loy asked if there were any additions, deletions or corrections to the minutes of July 28, 2016. Hearing none, he asked for motion to approve the minutes.

Mr. Boulding, Sr. made a motion to approve the minutes of July 28, 2016 as presented. Mr. Antosz seconded the motion. The motion was approved unanimously.

## **PUBLIC HEARING: REZONING REQUEST CONSIDERATION OF AN APPLICATION FROM JAMES GERESY, ON BEHALF OF LOUIS AND BARBARA GERESY, FOR THE REZONING OF APPROXIMATELY 47 ACRES LOCATED AT 10145 WEST KL AVENUE FROM AG: AGRICULTURAL DISTRICT TO RR: RURAL RESIDENTIAL DISTRICT. PARCEL NO. 3905-19-430-010.**

The Chairperson moved to the next item on the agenda and asked Ms. Johnston to review the application from James Geresy on behalf of Louis and Barbara Geresy for the rezoning of approximately 47 acres located at 10145 West KL Avenue from AG: Agricultural District to RR: Rural Residential District.

Ms. Johnston told Commissioners the applicant requested to have an approximately 47 acre parcel, located at the southeast corner of the West KL Avenue and 2<sup>nd</sup> Street intersection, rezoned from *AG: Agriculture District* to *RR: Rural Residential District*.

She noted the subject parcel has approximately 1,000 feet of frontage on West KL Avenue and 1,988 feet of frontage on 2<sup>nd</sup> Street. Currently being farmed and also the

location of a single-family home, the owners of the property intend to use the land for agriculture for only a few more years. Surrounding land uses consist solely of single-family residences, with the subject property being bounded to the north by unplatted Rural Residential (RR) zoned parcels as well as the small *Eggen's Acres* subdivision; to the east by a large RR parcel and the *Oshtemo Valley* and *Veracres* plats; to the west by a handful of Agriculturally zoned parcels currently being used for single-family homes; and to the south by two RR parcels. At this time Township Staff are not aware of any intentions to develop a subdivision or site condominium on the subject property.

Ms. Johnston noted the Board should consider generally recognized standards and noted, 1) the subject property is within an area that is intended to change from agricultural use to Rural Residential. The rezoning of the subject property from AG to RR would help to fulfill the future land use plans of the Township. Although the Master Plan *encourages* existing farms to continue to operate, the owners of the property intend to cease agricultural activity on the property in a few years, regardless of its zoning status, 2) this proposed rezoning is consistent with the prevalent zoning classification of the area, and 3) while some commercial agricultural operations do remain in the southwest quadrant of the Township, the predominant land use is single-family residential, even on some of the aforementioned smaller AG zoned parcels. The requested rezoning is consistent with this pattern.

Based upon the following considerations, Ms. Johnston said Staff recommended the Planning Commission forward the proposed rezoning to the Township Board with a favorable endorsement:

- The proposed rezoning is consistent with Oshtemo Township's future land use map and is supported by the Master Plan.
- The proposed rezoning is compatible with the surrounding land uses and zoning classifications.
- The proposed rezoning will not introduce any potential development patterns not already present in this part of the Township.

Chairperson Loy asked if there were questions for Ms Johnston.

In answer to questions from Ms. Smith, Ms. Johnston indicated lot sizes in RR are required to be 1-1/2 acres except for open space development which allows smaller lots, but a 40% open space configuration. She confirmed the 47 acres being considered consist of flat land.

Hearing no further questions from Board Members, Chairperson Loy asked if the applicant wished to speak.

Mr. James Geresy, 1288 Oshtemo Trace, Kalamazoo, MI 49009, explained his parents, owners of the land being considered for rezoning, are elderly and wish to

provide the land to him and his sister now. He intends to build a house in the back corner of the property. There is not intent to plat the land, but long term plans may include selling 2-3 5 acre parcels along 2nd Street.

The Chairperson determined Board Members had no questions for Mr. Geresy and asked if there was public comment.

Mr. Mark Barnes, 1314 S 2nd Street, said most of his questions had been answered and that Mr. Louis Geresy was a fabulous neighbor. He hoped positive action on this request will not precipitate rezoning to the west.

Ms. Johnston assured him there were no plans for Township initiated rezoning.

Chairperson Loy moved to Board Deliberations.

Ms. Jackson said the rezoning of the parcel is consistent with the Master Plan, fitting the Planning Commission's charge, and that the property fits in RR.

Ms. Farmer said she is always sorry to lose farm land, but the request fits the Master Plan and she supports the rezoning.

There were no further comments from Commissioners. Chairperson Loy entertained a motion on the recommendation.

Mr. Antosz made a motion to recommend endorsement to the Township Board of the request for rezoning from AG to RR, the 47 acres at 10145 West KL Avenue based on the three considerations by Staff. The motion was supported by Mr. Boulding, Sr. The motion carried unanimously.

**PUBLIC HEARING: SPECIAL EXCEPTION USE REQUEST (WEATHERVANE STORAGE)**  
**CONSIDERATION OF AN APPLICATION FROM WEATHERVANE STORAGE FOR A SPECIAL EXCEPTION USE AND SITE PLAN REVIEW TO CONSTRUCT A SELF-STORAGE FACILITY, PURSUANT TO SECTION 41.405 OF THE ZONING ORDINANCE AND THE REZONING CONDITIONS ADOPTED BY THE TOWNSHIP BOARD ON JUNE 28, 2016. THE SUBJECT PROPERTY IS LOCATED AT 4221 SOUTH 9TH STREET, IS ZONED I-1:INDUSTRIAL DISTRICT, AND IS APPROXIMATELY 10.82 ACRES. PARCEL NO. 3905-35-405-060.**

Chairperson Loy moved to the next item on the agenda and asked Ms. Johnston to review the application for special exception use and site plan review from Weathervane Storage.

Ms. Johnston told the Board the applicant is seeking site plan and special exception use approval from the Oshtemo Township Planning Commission to establish a self-storage facility on the eastern three quarters of the subject property, once the

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 rezoning of a parcel of land located in Land Section 19 from the "AG" Agricultural District to the "RR" Rural Residential District zoning classification. The Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I. AMENDMENT OF LAND SECTION 19. The Oshtemo Charter

Township Zoning Ordinance is hereby amended to rezone approximately 47 acres in Section 19, described as follows:

The rezoning of approximately 47 acres located at 10145 West KL Avenue, Parcel No. 3905-19-430-010, from the "AG" Agricultural District to the "RR" Rural Residential District described more particularly as follows:

SEC 19-2-12 E ½ SE ¼ EXC E 20 R ALSO EXC S 40 R THEREOF.  
\*(H 19-12).

SECTION II. EFFECTIVE DATE AND REPEAL. All Ordinances or parts of Ordinances inconsistent with this amendment are hereby repealed. This Ordinance shall take effect in accordance with state law.

DEBORAH L. EVERETT, Clerk  
OSHTEMO CHARTER TOWNSHIP

# Memo



To: Oshtemo Charter Township Board  
From: Supervisor's Office  
Date: 9/8/2016  
Re: Discussion of Sole Sourcing of Trash Services

---

## **OBJECTIVE**

*Oshtemo Charter Township is performing an initial investigation of sole sourcing its Trash and Recycling services to one vendor. Today's discussion will be a presentation to introduce the Board to this concept, the history of this process in the State of Michigan and the benefits that can be realized from instituting such a process at Oshtemo.*

## **Presentation**

**Bob DeOrsey**  
Municipal Services Manager  
Residential Sales Supervisor

## **Background Information**

### **Project Benefits**

- Safety is the #1 Advantage of implementing this process, resulting in less trucks on Township Roads
- A township controlled program that will provide a safer environment for residents.
- Lower overall costs for this service
- Less truck traffic which results in less road repair / repair costs,
- Three large item and three leaf pick-ups / year, at their resident's homes, as opposed to requiring citizens to haul those items themselves to the township.
- One vendor to complain to makes it easier to identify any service problems

## Process followed by Municipalities that have successfully achieved this Project

1. Brought the concept to Township Board to:
  - a. Describe the project and it's prospective benefits to our community
  - b. Give examples of successful implementation of this project in other communities
  - c. Solicit feedback from the Board as to their desire to conduct further investigations / discussions on this matter
2. Once Township Board agreed that further investigation was desired:
  - a. Determine which services Oshtemo Township desires and would be most beneficial to the Township and its citizens.
  - b. Quantify cost savings estimates and detail other tangible benefits to the community
  - c. Detail all these findings in an updated report and present to the Township Board for approval to go forward with the process
3. When / if Township Board approves implementation of the project, process, assign personnel to:
  - a. Clearly define the process
  - b. outline a time table for implementation
  - c. implement the process
4. Process Example
  - a. Design and Implement a Public Relations program to inform the public the benefits of implementing such a service and to receive feedback from citizens regarding the potential change
    - i. Public Meeting
    - ii. Open House
  - b. Develop a bid package RFP to send out to potential bidders laying out the requirements of the program, term of service, renewal options and other requirements the Township needs from the Vendor.
  - c. Solicit Bids from Waste Hauling Companies – Open to Local and Out of State.
  - d. Decide if these costs will be billed to the consumer directly or if the Township is billed and then bills the citizens? If to the consumer directly have to make sure all citizens know that they will be billed by the contractor and must register if they want trash hauling services in Oshtemo.
  - e. Provisions must be investigated on how to end contracts for individual trash services with those citizens and companies that are presently in contracts with the non-chosen sole source company and whether or not exceptions are allowable?

For this project to be a success, the process must be implemented properly, patiently and by following all the necessary phases of the process. It is typically a six to nine month process.

**INTERLOCAL STATE CONSTRUCTION CODE ENFORCEMENT  
AND ADMINISTRATION AGREEMENT**

AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the undersigned local units of government within the County of Kalamazoo, Michigan, (“Agreement”).

WITNESSETH:

WHEREAS, each of the undersigned local units of government (“Participating Local Unit”) has elected to administer and enforce the Michigan State Construction Code, pursuant to the Stille-Derossett-Hale Single State Construction Code Act, 1972 P.A. 230, as amended, (hereinafter referred to as the “Construction Code Act”), for regulating and controlling building construction within each of the Participating Local Units; and

WHEREAS, it is the desire of the Participating Local Units, pursuant to Section 8 of the Construction Code Act and this Agreement to provide for the joint enforcement and administration of said code(s) under the terms and conditions herein contained and in accordance with the provisions of the “Urban Cooperation Act” (1967 PA 7 – MCL § 124.501 *et seq.*) as well as other pertinent laws and statutes in the State of Michigan.

NOW THEREFORE, in consideration of the premises and the covenants and conditions herein contained, it is hereby agreed by and between the Participating Local Units hereto as follows:

1. Joint Construction Code Authority.

There is hereby created and established a joint construction code authority, known as Southwest Michigan Building Authority (“SMBA”), which shall be a separate legal entity governed by a Board (“SMBA Board”) established by this Agreement and under Section 7 of the Urban Cooperation Act. SMBA shall be a body corporate with authority as the Enforcing Agency of each Participating Local Unit under Section 8b of the State Construction Code Act and is empowered to discharge the responsibilities of the Participating Local Units under the State Construction Code Act to sue and to enjoin any violation of the Construction Code or for a fine or the imprisonment of any violator or any additional duty required by law, this Agreement or Ordinance.

The SMBA Board shall consist of two (2) members appointed by the governing body of each Participating Local Unit chosen from among the Supervisor, Clerk or Treasurer for a two (2) year term. However, in the event an appointed member no longer holds elective office as Supervisor, Clerk or Treasurer for any reason, then the governing body of the Participating Local Unit shall appoint another member chosen from among the Supervisor, Clerk or Treasurer to fill the vacancy for the remaining unexpired term. In addition to regularly-appointed members, the governing body of the Participating Local Unit may appoint two (2) alternates selected from any elected member of its governing body to serve on the SMBA Board, but only when either or both of its appointed members cannot attend SMBA Board meetings. Alternates attending SMBA Board meetings shall have the same authority, including the right to vote, as the appointed member for whom the alternate is attending.

The SMBA Board members appointed by the governing body of each Participating Local Unit shall, by majority vote, select one additional at-large SMBA Board member, who shall serve a one (1) year term and who shall be a resident of Oshtemo Township or Cooper Township. The at-large member shall have all of the authority as other members of the SMBA Board, except no at-large member shall be permitted to vote on the selection of any subsequent at-large member. The residency of the at-large member shall alternate between Oshtemo Township and Cooper Township every year. By way of example, if the first at-large member selected by the SMBA Board to serve a one (1) year term is a resident of Oshtemo Township, then the second at-large member selected by the SMBA Board for the next one (1) year term shall be a resident of Cooper Township and each subsequent at-large member's residency shall continue to alternate between Oshtemo and Cooper Townships in the same manner. Notwithstanding, an at-large member whose term has expired shall continue to serve until such time as the next duly qualified at-large member is selected by the SMBA Board. However, a hold over at-large member shall not diminish or shorten the term of any selected subsequent at-large member, whose term shall be one (1) year from the date of selection, even if the prior member is a hold over. If the SMBA Board cannot agree on the selection of any at-large member, then selection shall be by lot and all names of potential at-large members shall be written on identical slips of paper (together with the residency of potential at-large members, but only in the case of the selection of the first at-large member) and placed in a hat. An appointed member of the SMBA Board shall draw one (1) name from the hat at a public meeting and that person shall be selected as the at-large member.

2. Purpose.

The purpose of SMBA shall be, and authorization is hereby given under Section 5 of the Urban Cooperation Act, and Section 8b of the Construction Code Act, to administer and enforce the State Construction Code within the boundaries of each such Participating Local Units; to enact administrative rules to carry out its functions; to hire sufficient building inspectors, contract inspectors and other personnel necessary to accomplish the foregoing; and to establish a uniform schedule of fees for the issuance of building permits and inspection of work and materials which bear a reasonable relationship to the cost and expense of the administration and enforcement of said Code(s). In addition, SMBA shall have the power to buy, own, sell or lease real or personal property, seek and receive grants, sue or be sued, invest surplus funds and any other necessary and proper matters agreed upon by the Participating Local Units. SMBA shall not, however, have the authority to levy any type of tax or assessment against any Participating Local Unit or property therein.

3. Duties, Functions and Responsibilities of SMBA.

The following duties, functions and responsibilities are hereby delegated to SMBA by the respective Participating Local Units and hereby assumed by SMBA for the benefit of said Participating Local Units.

a. *Administrative Functions.*

- (1) To provide all administrative services necessary to enforce and administer the Construction Code, including the hiring of necessary personnel and staff and the training, employment, replacement, removal, compensation and fringe benefits thereof.

- (2) To contract for any professional or other services needed to fulfill its duties and responsibilities.
- (3) To maintain books of account and proper accounting records of all funds received and disbursed in accordance with the guidelines herein contained and to submit to each Participating Local Unit an accounting report of receipts and disbursements and the status of SMBA not less frequently than quarterly.
- (4) To open and administer bank accounts for the receipt and disbursement of funds paid to SMBA to operate in accordance with the budget adopted by the Participating Local Unit as hereinafter described.
- (5) To prepare an annual budget for the anticipated cost of its operation in accordance with the guidelines herein contained and to submit the same to each Participating Local Unit for its approval on or before November 1 of each year and for the funding of its proportional share of said budget which is not covered by fees collected by SMBA for the succeeding calendar year, January 1 to December 31.
- (6) To set and collect all rates, fees and charges in connection with the functions of SMBA as the enforcing agent for the Participating Local Units and to deposit such funds into appropriate accounts.
- (7) To prepare and have available for use an appropriate application form for all building, mechanical, electrical and plumbing permits.

- (8) To make all necessary inspections required under the law as the enforcing agency for the Participating Local Units as provided for under Section 8b of the Construction Code Act.
- (9) To review all applications for building, plumbing, electrical and mechanical permits, as well as any building code enforcement questions, raised by the Participating Local Units.
- (10) To acquire and maintain equipment, tools and supplies necessary to perform its functions and to provide for reserve funds for future acquisitions, repairs, maintenance and replacements of the same.
- (11) To comply with all local, state and federal laws and regulations pertaining to enforcement of the Construction Code.
- (12) To bond its treasurer and any person having control of any funds in such amounts as will be equivalent to the largest anticipated sum which said person or persons will have within his or her control or possession at any one time.
- (13) To obtain quarters for conducting its operations under lease, purchase or lease option.
- (14) To perform all obligations and duties required to be performed by it that would otherwise be required by the participating local units under the Construction Code Act.

4. Accounting Responsibility.

SMBA shall maintain books and records of its capital investments, receipts and disbursements in accordance with acceptable accounting practices.

5. Obligations of Participating Local Units.

All Participating Local Units shall be obligated and agree as follows:

- a. Participating Local Units shall adopt a State Construction Code Ordinance assuming the responsibility pursuant to the State Construction Code Act for administration and enforcement of said Act, and authorization, pursuant to the Urban Cooperation Act and Section 8b of the State Construction Code Act, to join the Participating Local Units in the joint administration and enforcement of the Construction Code Act and the State Construction Code.
- b. Participating Local Units shall either approve or disapprove SMBA's budget on or before November 1 of each year. If the budget is approved by the governing bodies of all the Participating Local Units, the Participating Local Units shall each be liable to contribute their proportionate share of the approved budget which is not covered by fees collected by SMBA. Such proportionate share shall be determined by the ratio of the dollar value of building permits issued by each Participating Local Unit to the total dollar value of building permits issued in all Participating Local Units for the fiscal year preceding that covered by said budget.
- c. If the proposed budget is not approved by all of the Participating Local Units, the governing body of each Participating Local Unit and the SMBA Board shall meet jointly at a duly noticed public meeting for the purpose of discussing objections to the proposed budget and developing a budget acceptable to all Participating Local Units. If a budget is approved by the governing bodies of all the Participating Local Units at that meeting, the Participating Local Units shall each be liable to

contribute their proportionate share of the approved budget in the same manner and extent as set forth in Section 5b.

- d. If a majority of Participating Local Units approve the proposed budget at the joint meeting with the SMBA Board, but not all of the Participating Local Units approve the budget, then those Participating Local Units that do not approve the proposed budget shall be deemed to have withdrawn from SMBA effective the beginning of the next fiscal year and shall not thereafter be entitled to any further administration or enforcement of the State Construction Code by SMBA. The majority of Participating Local Units approving the budget shall each be liable to contribute their proportionate share of the approved budget, less any reductions caused by the withdrawal of any Participating Local Units not approving the budget, in the same manner and extent as set forth in Section 5b.
- e. If a majority of the Participating Local Units cannot agree upon a budget, this Agreement shall terminate as of the beginning of the next fiscal year and SMBA shall be dissolved. After dissolution of SMBA, each Participating Local Unit shall thereafter be responsible for its own enforcement and administration of the State Construction Code.
- f. In either case, withdrawal under Section 5d or dissolution under Section 5e, any undisbursed funds and assets held by SMBA shall be distributed as set forth in Section 10 of this Agreement.
- g. After a budget has been approved, the Participating Local Units that approved the budget shall pay to the treasurer of SMBA, at the beginning of each quarter, their allocated portions of the approved budget.

- h. All Participating Local Units that have not withdrawn from SMBA shall direct all applications for building, electrical, plumbing and mechanical permits to SMBA for review and approval.
- i. All Participating Local Units that have not withdrawn from SMBA shall cooperate with SMBA and other Participating Local Units in providing the services and coordination of said services with the Planning, Assessing and Ordinance Enforcement Departments of the respective Participating Local Units.
- j. All Participating Local Units that have not withdrawn from SMBA shall promote compliance with the Michigan State Construction Code.

6. General Provisions.

- a. Any municipality not herein specifically named shall be permitted to become a Participating Local Unit in SMBA by adopting a resolution to agree to become a party of this Agreement and accept the conditions and obligations of this Agreement and any bylaws adopted by SMBA. In order to become a Participating Local Unit, the municipality must obtain approval of a majority of the Participating Local Units and from the SMBA Board. Upon approval, new Participating Local Units shall pay a proportionate share of the cost of existing facilities in an amount determined by the SMBA Board. As a condition of approval and participation in SMBA, any new Participating Local Unit agrees to be bound by all the terms of this Agreement and bylaws adopted by SMBA.
- b. This Agreement may be amended at any time by agreement of the governing boards of all of the Participating Local Units, which amendment shall thereafter be binding upon all Participating Local Units.

- c. The term of Agreement shall be five (5) years and may be extended for successive additional five (5)-year terms by joint resolution of the governing bodies of all of the Participating Local Units or until terminated by dissolution of SMBA or written termination executed by the governing boards of all of the Participating Local Units.
- d. SMBA shall maintain adequate insurance coverage on all equipment and property of SMBA and against any loss or damages resulting from the negligence of its agents or employees.
- e. Any dispute arising out of or relating to this Agreement or its breach that cannot be resolved in the normal course of business will be submitted to mediation under the then-current mediation rules and procedures of Mediation.org, a division of the American Arbitration Association. The parties will be required to engage in a good-faith effort to settle the dispute by mediation as a condition precedent to the institution of arbitration, litigation, or other binding adjudication.  
  
The mediation will be confidential. Unless agreed among all of the parties or required to do so by law, the parties and the mediator will not disclose to any person who is not associated with participants in the process any information regarding the process, contents, settlement terms, or outcome of the proceeding.
- f. SMBA shall be audited annually by an independent auditor who shall prepare a written report of the audit and submit the same to SMBA and all Participating Local Units. The audit shall be performed by a certified public accountant selected by SMBA.

7. Board of Appeals.

A Construction Board of Appeals is hereby established consisting of seven persons appointed by the SMBA Board. Members of the Board of Appeals shall be qualified by experience or training to perform the duties of members of the Board of Appeals. The terms of the members of the Board of Appeals shall be two years and until a qualified successor is appointed.

8. Authority of Construction Board of Appeals.

The Construction Board of Appeals shall have such authority, power, rights and duties as are set forth in the uniform ordinances adopted by the Participating Local Units as well as such power and authority as is set forth in the Construction Code Act not inconsistent with the foregoing rights, powers, duties and authority established by local ordinance and the Michigan Construction Code.

9. Effect of an Appeal to the Construction Board of Appeals and of a Decision of said Board.

The effect of an appeal to the Construction Board of Appeals and a decision of said Board shall be as set forth in the Construction Code Act and the State Construction Code where the same is effective within the Participating Local Units.

10. Termination/Withdrawal.

The term of this Agreement is five (5) years as provided for in Section 6, provided that it may be extended for successive additional terms of five (5) years by joint resolution of the governing bodies of all of the Participating Local Units made at any time during the last six (6) months of the term or any extension thereof. Any Participating Local Unit may withdraw from this Agreement pursuant to Section 5d and thereby terminate its rights and duties hereunder except for the withdrawing Participating Local Unit's financial obligation, which shall continue

until the effective date of withdrawal or at any time during the term of this Agreement, provided the Participating Local Unit gives written notice of withdrawal to the SMBA Board not less than six (6) months in advance of the effective date of withdrawal and the Participating Local Unit remains liable for its financial obligation, which shall continue until the effective date of withdrawal.

If a Participating Local Unit withdraws pursuant to Section 5d or provided notice of withdrawal pursuant to this Section, or if this Agreement terminates pursuant to Section 5e and SMBA dissolves, the Participating Local Unit(s) shall be entitled to their respective share of any undistributed funds and assets held by SMBA after all expenses of SMBA have been brought to date in an amount equal to the ratio of the dollar value of building permits issued by the Participating Local Unit to the total dollar value of the building permits issues by all Participating Local Units in the preceding year. Once SMBA is dissolved or a Participating Local Unit withdraws, each affected municipality shall be responsible for its own enforcement and administration of the Construction Code.

IN WITNESS WHEREOF, the undersigned Participating Local Units have executed this Agreement as of the date and day hereinbefore set forth and in pursuance of a duly-adopted resolution of the governing body of said Participating Local Unit adopted at a duly-called meeting of said governing body on the date set forth opposite said Participating Local Unit.

OSHTEMO CHARTER TOWNSHIP  
Kalamazoo County, Michigan  
a municipal corporation

By: \_\_\_\_\_  
Elizabeth Heiny-Cogswell  
Its Supervisor

By: \_\_\_\_\_  
Deborah L. Everett  
Its Clerk

Pursuant to Resolution adopted  
\_\_\_\_\_, 2016

COOPER CHARTER TOWNSHIP  
Kalamazoo County, Michigan  
a municipal corporation

By: \_\_\_\_\_  
Jeffrey R. Sorensen  
Its Supervisor

By: \_\_\_\_\_  
Bonnie L. Sytsma  
Its Clerk

Pursuant to Resolution adopted  
\_\_\_\_\_, 2016

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**BYLAWS  
OF  
SOUTHWEST MICHIGAN BUILDING AUTHORITY (“SMBA”)  
\_\_\_\_\_ , 2016**

**ARTICLE I  
OFFICES**

**1.01**     *Principal Office.* The principal office of the Southwest Michigan Building Authority (SMBA) shall be at such place within the State of Michigan as the SMBA Board may determine from time to time.

**1.02**     *Other Offices.* The Board of SMBA may establish other offices in the State of Michigan.

**ARTICLE II  
PARTICIPATING LOCAL UNITS**

**2.01**     *Members.* Participating Local Units shall consist of those municipal units of government which have become a member of SMBA by executing the Interlocal State Construction Code Enforcement and Administration Agreement.

**ARTICLE III**  
**BOARD**

**3.01**        *General Powers.* The business, property, and affairs of SMBA shall be managed by the SMBA Board.

**3.02**        *Number.*

The SMBA Board shall consist of two (2) members appointed by the governing body of each Participating Local Unit chosen from among the Supervisor, Clerk or Treasurer for a two (2) year term. However, in the event an appointed SMBA Board member no longer holds elective office as Supervisor, Clerk or Treasurer for any reason, then the governing body of the Participating Local Unit shall appoint another member chosen from among the Supervisor, Clerk or Treasurer to fill the vacancy for the remaining unexpired term. In addition to regularly appointed members, the governing body of the Participating Local Unit may appoint two (2) alternates selected from any elected member of its governing body to serve on the SMBA Board, but only when either or both of its appointed members cannot attend SMBA Board meetings. Alternates attending SMBA Board meetings shall have the same authority, including the right to vote, as the appointed member for whom the alternate is attending.

The SMBA Board members appointed by the governing body of each Participating Local Unit shall, by majority vote, select one additional at-large SMBA Board member, who shall serve a one (1) year term and who shall be a resident of Oshtemo Township or Cooper Township. The at-large member shall have all of the authority as other members of the SMBA Board, except no at-large member shall be permitted to vote on the selection of any subsequent at-large member. The residency of the at-large member shall alternate between Oshtemo Township and Cooper Township every year. By way of example, if the first at-large member selected by the SMBA Board to serve a one (1) year term is a resident of Oshtemo Township, then the second at-large member selected by the SMBA Board for the next one (1) year

term shall be a resident of Cooper Township and each subsequent at-large member's residency shall continue to alternate between Oshtemo and Cooper Townships in the same manner. Notwithstanding, an at-large member whose term has expired shall continue to serve until such time as the next duly qualified at-large member is selected by the SMBA Board. However, a hold over at-large member shall not diminish or shorten the term of any selected subsequent at-large member, whose term shall be one (1) year from the date of selection, even if the prior member is a hold over. If the SMBA Board cannot agree on the selection of any at-large member, then selection shall be by lot and all names of potential at-large members shall be written on identical slips of paper (together with the residency of potential at-large members, but only in the case of the selection of the first at-large member) and placed in a hat. An appointed member of the SMBA Board shall draw one (1) name from the hat at a public meeting and that person shall be selected as the at-large member.

**3.03**        *Tenure.* Each Board member of SMBA shall hold office for a two-year term until the member's death, resignation, or removal and may be reappointed not to exceed two consecutive terms.

**3.04**        *Resignation.* Any member may resign at any time by providing written notice to the Participating Local Unit from which he/she was selected. The SMBA Board is to be alerted as soon as the member informs the Participating Local Unit. The resignation will be effective upon receipt and acceptance by the SMBA Board.

**3.05**        *Board Vacancies.* A vacancy on the SMBA Board of a Participating Local Unit's representative shall be filled by that respective Participating Local Unit. A vacancy of the at-large position shall be filled by the SMBA Board pursuant to Section 3.02.

**3.06**        *Regular Meetings.* The SMBA Board shall meet at least quarterly on a date and time to be determined by resolution of the Board.

**3.07**        *Special Meetings.* A special meeting of the SMBA Board shall be called by the secretary on the written request of the chairman or two members of the SMBA Board and on at least 24 hours' written notice to each member of the SMBA Board. The notice shall designate the time, place and purpose(s) of the meeting and shall be served personally or left at the member's usual place of residence by the secretary or someone designated by the secretary. Business shall not be transacted at a special meeting of the SMBA Board unless the business was stated in the notice of the meeting. However, if all members of the SMBA Board are present at a special meeting, then business that might lawfully come before a regular meeting of the SMBA Board may be transacted at the special meeting. Notice of special meetings of the SMBA Board shall be given to the public in accordance with the Michigan Open Meetings Act.

**3.08**        *Meeting Minutes.* Minutes of all SMBA Board meetings shall be kept in accordance with the Michigan Open Meetings Act.

**3.09**        *Quorum.* A majority of the SMBA Board members serving constitutes a quorum for the transaction of any business at any meeting of the Board. Actions voted on by a majority of the members of the Board present at a meeting where a quorum is present shall constitute authorized actions of the SMBA Board unless otherwise required by law.

## **ARTICLE IV**

### **OFFICERS**

**4.01**        *Number.* The officers of the SMBA Board shall be appointed by the Board. The officers shall be a chairman, a secretary, and a treasurer. There may also

be such other officers as the Board deems appropriate. The chairman shall be an elected official from one of the Participating Local Units and shall be a voting member of the Board. Two or more offices may be held by the same person, but such person shall not execute, acknowledge, or verify an instrument in more than one capacity if the instrument is required by law or by the chairman or by the Board to be executed, acknowledged, or verified by two or more officers.

**4.02** *Term of Office.* Each officer shall hold office for the two-year term appointed and until a successor is appointed and qualified. An officer may resign at any time by providing written notice to the SMBA Board. Notice of resignation is effective upon receipt and acceptance.

**4.03** *Vacancies.* A vacancy in any office for any reason may be filled by the Board.

**4.04** *Chairman.* The chairman shall preside at all SMBA Board meetings. The chairman shall have the power to perform duties as may be assigned by the Board. If the chairman is absent or unable to perform his or her duties, the secretary shall perform the chairman's duties until the Board directs otherwise. The chairman shall perform all duties incident to the office.

**4.05** *Secretary.* The secretary shall (a) keep minutes of SMBA Board meetings; (b) be responsible for providing oversight for noticing each Board member as required by law or these bylaws; (c) be the custodian of SMBA records; (d) keep a register of the names and addresses of each officer and Board member; and (e) perform all duties incident to the office and other duties assigned by the chairman or the Board.

**4.06** *Treasurer.* The treasurer shall (a) provide oversight of SMBA funds and securities handled by SMBA staff; (b) review the books and records of SMBA, receipts and disbursements; (c) review deposits of moneys and securities received by

SMBA at such depositories in the SMBA's name that may be designated by the Board; (d) ensure all required SMBA filings; and (e) other duties assigned by the chairman or the Board.

## ARTICLE V

### SMBA DOCUMENT PROCEDURE

No SMBA documents (agreements, insurance and annuity contracts, qualified and nonqualified deferred compensation plans, checks, notes, disbursements, loans, and other debt obligations) shall be signed by any officer, designated agent, or attorney-in-fact unless authorized by the SMBA Board or by these Bylaws.

## ARTICLE VI

### INDEMNIFICATION

**6.01** *Indemnification.* Unless prohibited by law, SMBA will, to the fullest extent now or hereafter permitted by law and by regulations and rulings issued by the Internal Revenue Service, indemnify any Board member or officer of SMBA (and, to the extent provided in a resolution of the Board members or by contract, may indemnify any volunteer, employee or agent of SMBA) who was or is a party to or threatened to be made a party to any threatened, pending, or completed action, suit or proceeding by reason of the fact that the person is or was a Board member, officer, volunteer, employee or agent of SMBA, or is or was serving at the request of SMBA as a Board member, officer, partner, volunteer, employee or agent of another authority, partnership, joint venture, trust or other enterprise, whether for profit or not for profit, against expenses (other than taxes, penalties or expenses of correction) including attorneys' fees (which expenses may be paid by SMBA in advance of a final

disposition of the action, suit or proceeding as provided by law), judgments, penalties, fines and amounts paid in settlement actually and reasonably incurred by the person in connection with the action, suit or proceeding if the person acted (or refrained from acting) in good faith and in a manner the person reasonably believed to be in or not opposed to the best interests of SMBA, and such person is either successful in his or her defense or the proceeding is terminated by settlement and such person has not acted willfully and without reasonable cause with respect to SMBA duties concerned, and with respect to any criminal action or proceedings, if the person had no reasonable cause to believe his or her conduct was unlawful.

**6.02** *Rights to Continue.* This indemnification will continue as to a person who has ceased to be a Board member or officer of SMBA. Indemnification may continue as to a person who has ceased to be a volunteer, employee or agent of SMBA to the extent provided in a resolution of the Board members or in any contract between SMBA and the person. Any indemnification of a person who was entitled to indemnification after such person ceased to be a Board member, officer, volunteer, employee or agent of SMBA will inure to the benefit of the heirs and personal representatives of that person.

**6.03** *Insurance.* SMBA may purchase and maintain insurance on behalf of any person who was or is a Board member, officer, employee, or agent of SMBA. The insurance may protect against any liability asserted against the person and incurred by him or her in any such capacity or arising out of his or her status as such, whether or not SMBA would have power to indemnify against liability under this Article or the laws of the State of Michigan.

**6.04** *Changes in Michigan Law.* If there are any changes in the Michigan statutory provisions applicable to SMBA and relating to the subject matter of this Article, the indemnification to which any person shall be entitled shall be determined by the changed provisions, but only to the extent that the change permits SMBA to

provide broader indemnification rights than the provisions permitted SMBA to provide before the change.

**ARTICLE VII**  
**COMPENSATION**

When authorized by the SMBA Board, a person shall be reasonably compensated for services rendered to SMBA as an officer, Board member, employee, agent, or independent contractor, except as prohibited by these Bylaws.

**ARTICLE VIII**  
**FISCAL YEAR**

The fiscal year of SMBA shall begin on January 1<sup>st</sup> and end on the last day of December.

**ARTICLE IX**  
**AMENDMENTS**

The Board members at any regular or special meeting may amend or repeal these Bylaws, or adopt new Bylaws by vote of a majority of a quorum, if notice setting forth the terms of the proposal has been given to each Board member 48 hours prior to the meeting of the Board. Notwithstanding, the Board shall not adopt, amend or enforce any Bylaw that conflicts with any provision of the Interlocal State Construction Code Enforcement and Administration Agreement by and between the Participating Local Units.

# Memo



**To:** Oshtemo Charter Township Board  
**From:** James W. Porter *JWP*  
**Date:** August 18, 2016  
**Subject:** Amendments to:

- Medical Marihuana Operations Ordinance (Ord. No. 521) – Adopted June 28, 2011;
- Anti-Noise and Public Nuisance Ordinance (Ord. No. 176) – Adopted August 25, 1981;
- Wastewater Service Ordinance (Ord. No. 208) – Adopted February 19, 1985;
- Dangerous Buildings Ordinance (Ord. No. 98) – Adopted November 13, 1973;
- Outdoor Wood-Fired Furnaces Ordinance (Ord. No. 507) – Adopted November 24, 2009;
- Rental Housing Ordinance (Ord. No. 502) – Adopted June 9, 2009; and
- Floodplain Management Ordinance (Ord. No. 510) – Adopted February 9, 2010

**OBJECTIVE**

To remove all reference to the Kalamazoo Area Building Authority (KABA) from the above Township Ordinances.

**BACKGROUND**

The Township Board determined to leave the Kalamazoo Area Building Authority and form a new Authority known as the Southwest Michigan Building Authority (SMBA). In order to avoid changes in the future, depending on whether the Board stays with SMBA or establishes its own building authority, we have created a generic reference to either the Township Official or the Authority Officials in reference to the above listed Ordinances.

**INFORMATION PROVIDED**

Attached is a proposed Ordinance Amendment with red-lined revisions to the various Ordinances referenced.

**STATEMENT OF WHT YOU ARE ASKING BOARD TO APPROVE**

To accept for first reading the proposed Ordinance Amendment to delete all references to KABA and substitute with references to Township and/or Authority Officials.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. \_\_\_\_\_

Adopted: \_\_\_\_\_, 2016

Effective: \_\_\_\_\_, 2016

This Ordinance amends the following Oshtemo Charter Township Ordinances in transitioning to **away from** the Kalamazoo Area Townships Building Authority (“KABA”).

Medical Marihuana Operations Ordinance	(Ord. No. 521) – Adopted June 28, 2011;
Anti-Noise and Public Nuisance Ordinance	(Ord. No. 176) – Adopted August 25, 1981;
Wastewater Service Ordinance	(Ord. No. 208) – Adopted February 19, 1985;
Dangerous Buildings Ordinance	(Ord. No. 98) – Adopted November 13, 1973;
Outdoor Wood-Fired Furnaces Ordinance	(Ord. No. 507) – Adopted November 24, 2009;
Rental Housing Ordinance	(Ord. No. 502) – Adopted June 9, 2009; and
Floodplain Management Ordinance	(Ord. No. 510) – Adopted February 9, 2010

THE CHARTER TOWNSHIP OF OSHTEMO  
KALAMAZOO COUNTY, MICHIGAN  
ORDAINS:

SECTION I. AMENDMENT OF MEDICAL MARIHUANA OPERATIONS

ORDINANCE NO. 521, COMPILED SECTION 126.000. Compiled

Section 126.000 - Medical Marihuana Operations Ordinance No. 521 -

Subsection V. Registration, inspection and licensure requirements,

Subsection 3 Requirements and standards for licensure, Paragraph d is

hereby amended to read as follows:

- d. Electrical and plumbing inspectors (and other inspector(s) within whose expertise an inspection is deemed necessary by the designated Building Officials appointed **by the Township** and/or employed by the ~~Kalamazoo Area Townships~~ **Building Authority (“KABA”)**, as the designated agency of the Township to administer and enforce the State Construction Code), must annually inspect and provide a report confirming that all lighting, plumbing, equipment, and all other means proposed to be used at a Facility to grow, cultivate or distribute marihuana is in accordance with applicable codes.

SECTION II.

AMENDMENT OF ANTI-NOISE AND PUBLIC NUISANCE

ORDINANCE NO. 176, COMPILED SECTION 214.000. Compiled

Section 214.000 – Anti-Noise and Public Nuisance Ordinance No. 176 -

Subsection III. Anti-Noise regulations, Paragraph C Exceptions,

Subparagraph 6 Emergency construction is hereby amended to read as

follows:

6. *Emergency construction.* Construction on any building in any zoning district can occur with a permit from the designated Building Officials appointed **by the Township** and/or employed by the ~~Kalamazoo Area~~ **Townships** Building Authority (“KABA”), as the designated agency of the Township to administer and enforce the State Construction Code, to make "emergency" repairs to buildings from damage such as wind, fire, tornado, etc.

SECTION III.

AMENDMENT OF WASTEWATER SERVICE ORDINANCE NO. 208,

COMPILED SECTION 232.000. Compiled Section 232.000 –

Wastewater Service Ordinance No. 208 - Subsection 11. Water used for

cooling purposes, Paragraph (b) is hereby amended to read as follows:

- (b) No equipment using direct or indirect water cooling may be installed in the Township unless a means of water disposal other than discharge into the Township's sanitary sewers is provided. No person desiring to use any such equipment shall commence installing the same until there has been filed with the Director such information as in his judgment is necessary to enable him to determine whether or not such equipment meets the requirements of this section. No permit for the installation of any such equipment may be issued by the designated Building Officials appointed **by the Township** and/or employed by the ~~Kalamazoo Area~~ **Townships** Building Authority (“KABA”), as the designated agency of the Township to administer and enforce the State Construction Code, involving a connection to the Township's storm sewers until a permit has been obtained from the Director.

SECTION IV.

AMENDMENT OF WASTEWATER SERVICE ORDINANCE NO. 208,

COMPILED SECTION 232.000. Compiled Section 232.000 –

Wastewater Service Ordinance No. 208 - Subsection 12. Discharge into

storm sewers, Paragraph (b) is hereby amended to read as follows:

- (b) No person shall connect or attach any downspout, pipe or drain, or cause the same to be connected or attached, to any public storm sewer, without first having obtained permission, in writing, so as to do from the designated Building Officials appointed by the Township and/or employed by the Kalamazoo Area Townships Building Authority (“KABA”) as the designated agency of the Township to administer and enforce the State Construction Code. Application for such permission shall be filed with the KABA Township Officials and/or Authority Building Officials and shall state the location of the connection and the name and address of the owner and occupant of the premises to be connected and shall be accompanied by sufficient plans and specifications as to enable the KABA Township Officials and/or Authority Building Officials to determine whether the same is proposed to be done in a good and workmanlike manner and in accordance with standard practices and so as not to endanger pedestrians and others using the public streets, alleys, and places. Upon compliance with the foregoing requirements, the KABA Township Officials and/or Authority Building Officials shall issue such permit, but upon the express condition that the applicant shall not use the downspout, pipe or drain, or permit the use thereof, for any of the purposes other than those allowed and set forth in subsection (a) of this section.

SECTION V.

AMENDMENT OF DANGEROUS BUILDINGS ORDINANCE NO. 98,

COMPILED SECTION 253.000. Compiled Section 253.000 – Dangerous

Buildings Ordinance No. 98 - Subsection IV. Notice of dangerous

conditions, Paragraph (C) is amended to read as follows:

- (C) The first notice shall specify the time and place to meet with the Oshtemo Charter Township Ordinance Enforcement Officer to discuss the status of the building or structure, and what steps need to be taken to demolish or otherwise make the building safe. If a satisfactory resolution cannot be reached between the Ordinance Enforcement Officer and the building owner, the matter shall be referred to the designated Building Officials appointed by the Township and/or employed by the Kalamazoo Area Townships Building Authority (“KABA”), as the designated agency of the Township to administer and enforce the State Construction Code. KABA Authority Building Officials shall be requested to inspect the building or structure and provide a written opinion as to whether the building or structure constitutes a dangerous building under the Township Ordinance. If the Township Officials and/or KABA Authority Building Officials determine that the building or structure is a dangerous building, pursuant to the Ordinance, a final notice shall be served on the owner, agent or lessee that is registered with the Township.

SECTION VI. AMENDMENT OF DANGEROUS BUILDINGS ORDINANCE NO. 98,  
COMPILED SECTION 253.000. Compiled Section 253.000 – Dangerous  
Buildings Ordinance No. 98 - Subsection V. Hearing officer, Paragraph  
(C) is amended to read as follows:

- (C) At the hearing, the Hearing Officer shall take testimony of the Township Ordinance Enforcement Officer, **Township Officials and/or Townships** ~~Kalamazoo Area Building Authority (“KABA”)~~ ~~Building~~ Officials, the owner of the property, lessee of the property and any interested party. Not more than five days after the completion of the hearing, the Hearing Officer shall render a decision either closing the proceedings or ordering the building or structure demolished, otherwise made safe, or properly maintained.

SECTION VII. AMENDMENT OF OUTDOOR WOOD-FIRED FURNACES  
ORDINANCE NO. 507, COMPILED SECTION 257.000. Compiled  
Section 257.000 – Wood-Fired Furnaces Ordinance No. 507 - Subsection  
VI. Required setbacks, is amended to read as follows:

The outdoor wood-fired furnace shall not be installed in a location within two hundred (200) feet of any residential building not served by said furnace. The outdoor wood-fired furnace shall be located in the rear yard of the property and at least fifty (50) feet from all property lines. The outdoor wood-fired furnace must be within forty (40) feet of the residence it services. The designated Building Officials appointed **by the Township** and/or employed by the ~~Kalamazoo Area Townships~~ **Townships** Building Authority (“KABA”) as the designated agency of the Township to administer and enforce the State Construction Code, may modify the setbacks on a case-by-case basis, if necessary, to comply with the manufacturer's recommendations or if the same would not create a nuisance for neighbors.

SECTION VIII. AMENDMENT OF OUTDOOR WOOD-FIRED FURNACES  
ORDINANCE NO. 507, COMPILED SECTION 257.000. Compiled  
Section 257.000 – Wood-Fired Furnaces Ordinance No. 507 - Subsection  
VII. Chimney height, is amended to read as follows:

The outdoor wood-fired furnace shall have a chimney that extends at least fifteen (15) feet above the grade at the base of the furnace. The designated Building Officials appointed

by the Township and/or employed by the Kalamazoo Area Townships Building Authority (“KABA”), as the designated agency of the Township to administer and enforce the State Construction Code, may approve a lesser height on a case-by-case basis if necessary to comply with manufacturer's recommendations and if the smoke from the lower chimney height does not create a nuisance for neighbors. Installation of a spark arrestor is required at the top of a chimney.

SECTION IX. AMENDMENT OF OUTDOOR WOOD-FIRED FURNACES

ORDINANCE NO. 507, COMPILED SECTION 257.000. Compiled

Section 257.000 – Wood-Fired Furnaces Ordinance No. 507 - Subsection

VIII. Pre-existing outdoor wood-fired furnaces, is amended to read as

follows:

Any outdoor wood-fired furnace existing as of the adoption of this section shall be exempt from the zoning, setback, and chimney height provisions of this section, provided that a permit is acquired from the designated Building Officials appointed by the Township and/or employed by the Kalamazoo Area Townships Building Authority (“KABA”) as the designated agency of the Township to administer and enforce the State Construction Code, within sixty (60) days of the passage of this section.

SECTION X. AMENDMENT OF RENTAL HOUSING ORDINANCE NO. 502,

COMPILED SECTION 272.000. Compiled Section 272.000 – Rental

Housing Ordinance No. 502 - Subsection VI. Application, the last

paragraph is amended to read as follows:

The Township Rental Housing Inspector shall prepare an annual report at the end of each fiscal year showing the income and expenses of the inspection program for the preceding fiscal year. The report shall contain the fees assessed by the Building Department as or Townships Building Authority as the enforcing agency, the cost incurred in performing the inspections, and the number of units inspected.

SECTION XI. AMENDMENT OF RENTAL HOUSING ORDINANCE NO. 502,

COMPILED SECTION 272.000. Compiled Section 272.000 – Rental

Housing Ordinance No. 502 - Subsection IX. Violations, is amended to

read as follows:

If upon inspection the premises or any part of the premises are found to be in violation of any provision of this Ordinance or the applicable code sections referred to herein, the Rental Housing Inspector or his designated representative shall report the violation of the premises. In the Rental Housing Inspector's discretion, the occupant shall be notified in writing of the violation. The notice shall state the date of inspection, the name of the inspector, the nature of the violation and the time within which the correction shall be completed. If the Rental Housing Inspector or his designated representative determines that a violation constitutes a hazard to the occupants' health or safety under circumstances where the premises cannot be vacated, he or she shall notify the designated Building Officials appointed **by the Township** and/or employed by the ~~Kalamazoo Area~~ **Townships** Building Authority ("~~KABA~~"), as the designated agency of the Township to administer and enforce the State Construction Code, who then shall order the violation corrected within the shortest reasonable time. The owner shall notify the Rental Housing Inspector and the ~~KABA~~ **Township or Authority** Building Officials of having begun compliance within three (3) days. All other violations shall be corrected within a reasonable time. The Rental Housing Inspector shall re-inspect after a reasonable time to ascertain whether the violation has been corrected.

If the Rental Housing Inspector or his designated representative determines that a violation constitutes a hazard to the health or safety of the occupants, the Rental Housing Inspector shall notify the Family Independence Agency within 48 hours. The notice shall state the date of the inspection, the name of the inspector, the nature of the violation, and the time within which the correction shall be completed.

SECTION XII. AMENDMENT OF RENTAL HOUSING ORDINANCE NO. 502,  
COMPILED SECTION 272.000. Compiled Section 272.000 – Rental Housing Ordinance No. 502 - Subsection X. Penalties, the sixth paragraph is amended to read as follows:

If the owner or occupant fails to comply with the notice of violation, the Rental Housing Inspector may bring an action to enforce this act and shall abate or enjoin the violation. If the violation is not corrected and creates imminent danger to the health and safety to the occupants of the premises, or if there are no occupants and the violation creates an imminent danger to the health and safety of the public, the Rental Housing Inspector shall, with the assistance of the designated Building Officials appointed **by the Township** and/or employed by the ~~Kalamazoo Area~~ **Townships** Building Authority ("~~KABA~~"), as the designated agency of the Township to administer and enforce the State

Construction Code, file a motion for a preliminary injunction or temporary relief appropriate to remove the danger during the pendency of the action. The owners and lien holders of record, or owners and lien holders ascertained by the complainant with the exercise of reasonable diligence, shall be served with a copy of the complaint and a summons. The complainant shall also file a notice of the pendency of the action with the appropriate County Register of Deeds office where the premises are located. The court of jurisdiction shall make orderly determinations consistent with the objectives of this Ordinance. The court may enjoin the maintenance of unsafe, unhealthy or unsanitary conditions or violations of this Ordinance and may order the Defendant to make repairs or corrections necessary to abate the conditions.

SECTION XIII. AMENDMENT OF FLOODPLAIN MANAGEMENT ORDINANCE

NO. 510, COMPILED SECTION 273.000. Compiled Section 273.000 – Floodplain Management Ordinance No. 510 - Subsection I. Title and agent designated, is amended to read as follows:

This Ordinance shall be known and may be cited as the Oshtemo Charter Township "Floodplain Management Ordinance." Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230 of the Public Acts of 1972, as amended, the designated Building Officials appointed by the Township and/or employed by the ~~Kalamazoo Area Townships~~ Building Authority ("KABA"), as the designated agency of the Township to administer and enforce the State Construction Code, are hereby designated as the enforcing agent to discharge the responsibility of Oshtemo Charter Township under Act 230 of the Public Acts of 1972, as amended, State of Michigan. Oshtemo Charter Township assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this Ordinance.

SECTION XIV. AMENDMENT OF FLOODPLAIN MANAGEMENT ORDINANCE

NO. 510, COMPILED SECTION 273.000. Compiled Section 273.000 – Floodplain Management Ordinance No. 510 - Subsection II. Code appendix enforced, is amended to read as follows:

Pursuant to the provisions of the State Construction Code, in accordance with Section 8b(6) of Act 230 of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the designated Building Officials appointed by the Township and/or employed by the ~~Kalamazoo Area Townships~~ Building Authority ("KABA"), as the designated agency of the Township to administer and enforce the State Construction Code.

SECTION XV. EFFECTIVE DATE. This Ordinance shall take effect upon publication in accordance with Michigan law. All Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance are hereby repealed.

DEBORAH L. EVERETT, CLERK  
OSHTEMO CHARTER TOWNSHIP