

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
November 15, 2016

The Oshtemo Township Board work session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 6:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Public Works Director Marc Elliott, and 5 interested people.

Kalamazoo County Sheriff's Department – Capt. Jim VanDyken provided information on recent activities in the Township.

Discussion – Property, Liability & Vehicle Insurance – information was provided on proposals submitted by three insurance carriers. The Board will take action at the December 13th meeting.

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

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

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Public Works Director Marc Elliott, Planning Director Julie Johnston, Parks Director Karen High, and 5 interested people.

CITIZEN COMMENTS

Inquiry from an audience member regarding the Township position on Michigan House Bill 409 regarding medical marijuana facilities; Attorney Porter advised there is a Township ordinance addressing them.

CONSENT AGENDA

Items on the consent agenda were:

- a) Minutes of October 25th regular meeting.
- b) Receipts & Disbursements Report
- c) Fire Department Grant Applications
- d) Public Works Technical Specialist Job Description
- e) Consideration of 2017 Planning Fee Schedule
- f) 2017 Poverty Exemption Standards
- g) 2017 Depositories
- h) 2017 Township Board Meeting Dates
- i) Board Appointments (DDA)

Trustee Carr requested item d be removed from the consent agenda.

Motion by Taylor, second by Ford to approve the consent agenda as amended. Carried 7-0.

PUBLIC HEARING - FIRE PROTECTION SPECIAL ASSESSMENT DISTRICT

There was no public comment. Motion by Taylor, second by Culp to adopt the Fire Protection Special Assessment Resolution for 2017 at 2.5 mills, in the amount of \$1,764,284. Roll call showed Carr-no, Culp-yes, Everett-yes, Farmer-yes, Ford-yes, Heiny-Cogswell-yes, Taylor-yes.

PUBLIC HEARING - STREET LIGHT SPECIAL ASSESSMENT DISTRICT

There was no public comment.

Motion by Everett, second by Ford to adopt the Street Light Special Assessment Resolution for 2017 at .3 mills, in the amount of \$140,630. Roll call showed Culp-yes, Everett-yes, Farmer-yes, Ford-yes, Heiny-Cogswell-yes, Taylor-yes, Carr-yes.

PUBLIC HEARING - POLICE PROTECTION SPECIAL ASSESSMENT DISTRICTS

Dave Bushouse, 792 North 7th Street, requested clarification of the public notice regarding the description of the districts; Supervisor Heiny-Cogswell advised the 2003-1 includes all commercial and multiple family housing, 2009-1 includes balance of the Township.

Supervisor Heiny-Cogswell advised she had received comment from resident Gordon Lanker in support of the current police contract and special assessments.

Motion by Culp, second by Farmer to adopt the Police Protection Special Assessment Districts Resolution for 2017 at 3.8 mills for District 2003-1 and .9 mills for District 2009-1 in the amount of \$1,156,758. Roll call showed Everett-yes, Farmer-yes, Ford-yes, Heiny-Cogswell-yes, Taylor-yes, Carr-yes, Culp-yes.

PUBLIC HEARING – GENERAL & SPECIAL REVENUE FUNDS BUDGET/GENERAL TAX LEVY ROUTINE EXPENDITURES & PURCHASES

There was no public comment.

Motion by Culp, second by Taylor to adopt the General Fund Budget Resolution for 2017 at .9765 mills in the amount of \$735,871 and a resolution regarding routine expenditures and purchases based on the Purchasing Policy referred to in the resolution. Roll call showed Farmer-yes, Ford-yes, Heiny-Cogswell-yes, Taylor-yes, Carr-no, Culp-yes, Everett-yes.

RESOLUTIONS - OFFICIALS SALARIES

Motion by Taylor, second by Ford to adopt the resolution establishing the Supervisor salary at \$70,006 for 2017. Roll call showed Ford-yes, Heiny-Cogswell-abstain, Taylor-yes, Carr-no, Culp-yes, Everett-yes, Farmer-yes.

Motion by Taylor, second by Ford to adopt the resolution establishing the Clerk salary at \$70,006 for 2017. Roll call showed Heiny-Cogswell-yes, Taylor-yes, Carr-no, Culp-yes, Farmer-abstain, Everett-yes, Ford-yes.

Motion by Everett, second by Farmer to adopt the resolution establishing the Treasurer salary at \$70,006 for 2017. Roll call showed Taylor-yes, Carr-no, Culp-abstain, Everett-yes, Farmer-yes, Ford-yes, Heiny-Cogswell-yes.

Trustee Taylor commented he felt the trustee compensation base salary should be increased since the full time elected salaries have been. Trustee Ford commented the budget has already been set.

Motion by Taylor, second by Farmer to adopt the resolution establishing the Trustee salary at \$2,520 per year plus \$100.00 per board meeting and \$50.00 per committee meeting for 2017. Roll call showed Carr-no, Culp-yes, Everett-yes, Farmer-yes, Ford-no, Heiny-Cogswell-yes, Taylor-yes.

ADOPTION OF 2017 BUDGET IN GENERAL & DETAILED FORMATS

Supervisor Heiny-Cogswell presented the total budget in the formal format and the detailed "blue line" format.

Motion by Culp, second by Everett to adopt the 2017 budget in the formal and detailed formats. Carried 6-1 with Carr voting no.

CAPITAL IMPROVEMENT PLAN 2017-2022

Supervisor Heiny-Cogswell presented the Capital Improvement Plan for adoption and a request to authorize the Supervisor to sign agreements with the Road Commission of Kalamazoo County (RCKC) for all non-motorized projects outlined in the plan.

Motion by Taylor, second by Ford to adopt the Capital Improvement Plan 2017 – 2022. Carried 6-1 with Carr voting no.

Motion by Farmer, second by Ford to authorize the Supervisor to sign agreements with the RCKC for non-motorized projects outlined in the CIP. Carried 7-0.

POLICE PROTECTION AGREEMENT

Supervisor Heiny-Cogswell presented the proposed 2017 Police Protection Agreement noting it maintains the current level of service with one lieutenant, one sergeant, one traffic officer, one community policing officer, and five patrol officers. She advised the final cost per officer was received prior to the meeting; the total cost is \$1,163,467.

In response to board member questions, she advised the increase is due to increase in the officers' contracts, COLA, etc.; Capt. VanDyken will provide a breakdown of the increase.

Motion by Ford, second by Farmer to approve the police protection agreement with Kalamazoo County in the amount of \$1,163,467. Carried 6-1 with Carr voting no.

RESOLUTION OF SUPPORT – DRAKE FARMSTEAD PARK GRANT APPLICATION

Supervisor Heiny-Cogswell presented a request for a resolution of support for a grant application to the Enbridge Donation Program; the grant would fund the Drake Farmstead Park project; she noted there is no grant match required.

Motion by Taylor, second by Ford to adopt the resolution of support. Roll call showed Culp-yes, Everett-yes, Farmer-yes, Ford-yes, Heiny-Cogswell-yes, Taylor-yes, Carr-yes.

CONSIDERATION OF TRUSTEE DUTIES

Supervisor Heiny-Cogswell advised due to the election of current Trustee Farmer as Clerk and current Clerk Everett as trustee, there is an opportunity to retain Trustee-Elect Everett as a part time staff member, who brings almost thirty years of experience. She noted Board approval is required to assign "other duties" to a trustee.

In response to board member questions, Attorney Porter advised her role as Assistant to the Supervisor would not cause incompatibilities; Supervisor Heiny-Cogswell advised the position was approved by the Board in 2010 and has been filled in the past, it is a permanent part time position.

Motion by Ford, second by Culp to approve assigning the duties of Assistant to the Supervisor to Trustee-Elect Everett, effective when the term as trustee begins. Carried 6-1 with Everett abstaining.

BUILDING CODE ORDINANCE – TEXT AMENDMENTS – FIRST READING

Attorney Porter advised the Southwest Michigan Building Authority (SMBA) Board is recommending establishing the Building Board of Appeals with not less than three or more than seven members appointed by the Authority. The current ordinance mandates seven.

Trustees Farmer and Taylor felt three is too few, they would prefer no less than five. Attorney Porter noted Cooper Township has held First Reading, a text change would require them to start the process over. He also noted the Township has representation on the SMBA board and will have input.

Dave Bushouse, 792 North 7th Street, commented there have been very few meetings in the past.

Motion by Farmer, second by Taylor to accept the text amendment for First Reading with the change of language to no less than five and no more than seven members and set Second Reading for December 13th. Carried 7-0.

OTHER BUSINESS

Item d removed from consent agenda – Public Works Technical Specialist Job Description
In response to Trustee Carr's questions, Supervisor Heiny-Cogswell advised Marc Elliott is the Director of Public Works, this position would assist him, it is a full-time position with a budgeted salary of \$45,000. Mr. Elliott comment there is an absolute need for the position.

Motion by Farmer, second by Ford to approve the job description for Public Works Technical Specialist.
Carried 6-1 with Carr voting no.

BOARD MEMBER COMMENTS

Trustee Taylor commented he has enjoyed serving, it has been an honor to serve the citizens, and would like to be of assistance in the future.

Trustee Carr requested her comments be provided verbatim:

"First I want to congratulate everyone here on their win for the 2016 election. And a big thank you to those who voted to put their trust in me for the Township Trustee these past 4 years, it's certainly been an experience. A special thanks to the benevolent "Oshtemo 7" team for the opportunity to work and run with such a great group of people who have the utmost integrity and honesty. We ran a great campaign on real township issues. To the incumbent winners who ran on the Republican ticket 4 years ago and switched parties this election because they felt Oshtemo leaned more toward the democrats I would only say that our commitment and values should represent the best interest of the tax payers and not party affiliation. Having more experience doesn't mean good judgement comes with it. Going forward my hope is this township will change their ways to become more transparent and inclusive for better relationships countywide. By inclusive I mean encourage working with the residents, local authorities including builders, contractors and developers who on the contrary are not the greedy mongrels portrayed by some on this board. These people work for a living like all of us to provide for their families to have a good life. They build the stores you shop in, the homes you live in, apartments and condos, so we can all live in a community we are proud of. Thank you again, God Bless America."

Supervisor Heiny-Cogswell thanked Trustees Taylor and Carr for their service and Trustee Taylor's service as PMN representative and continuing to serve on the DDA. She also noted one of the Oshtemo 7 was formerly a Democrat. She thanked Stan Rakowski, former Trustee, for serving on the insurance review committee. She wished all a Happy Thanksgiving.

Trustee Farmer thanked all for their service on the board and invited the audience to stay for the swearing in of the new board after the meeting.

Trustee Ford congratulated Trustee Farmer for the courage to step away from an established career to run for Clerk.

CLOSED SESSION

Motion by Taylor, second by Everett to adopt a resolution to adjourn to closed session to consult with legal counsel for purposes of discussing pending litigation because to do so in an open meeting would have a detrimental effect upon the Township's position and disclose matters protected by attorney client privilege. Roll call showed Taylor-yes, Carr-yes, Culp-yes, Everett-yes, Farmer-yes, Ford-yes, Heiny-Cogswell-yes.

The Board adjourned to closed session at approximately 8:20 p.m.

Motion by Heiny-Cogswell, second by Ford to return to open session at approximately 8:35 p.m. Carried 7-0.

Motion by Ford, second by Farmer to direct legal counsel to proceed as discussed in closed session.
Carried 6-1 with Carr voting no.

There was no further business and the meeting was adjourned at approximately 8:40 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Supervisor