

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

February 28, 2023

Refer to page 3 for Virtual Meeting Information

REGULAR MEETING
6:00 P.M.
AGENDA

1. Call to Order
2. Remote Location Identification (for remote attendance when permitted by statute)

WORK SESSION ITEMS

3. Update - Organizational Review
4. Other Updates & Business

BREAK (Time Permitting) – 7:05 P.M.

REGULAR SESSION ITEMS – 7:15 P.M.

5. Pledge of Allegiance
6. Township Mission/Vision/Core Values
7. Public Comment on Non-Regular Session Items
8. Consent Agenda
 - a. Approve Minutes of February 14th, 2023, Regular Meeting
 - b. Purchasing Policy Amendments
9. **A. First Reading – Code Amendment – Sections 64.90 and 65.60**
Consideration of amendments to the Township Zoning Ordinance to allow extension requests for site plans and special uses, limited to one additional year, to be handled administratively.
- B. First Reading – Code Amendment – Section 50.10**
Consideration of amendments to the Township Zoning Ordinance to provide clarification on how frontage is measured, whether lots or building sites need to be situated on a public road or street, and when a deviation for an unbuildable parcel is warranted.
10. Consideration of Street Light Improvements
11. Discussion on Fruit Belt Trail MNRTF Grant Applications
12. Consideration of Postal Service Area Consolidation Letter
13. Consideration of Job-Sharing Option for Position(s) – e.g. Parks Director
14. Discussion on Township Board Process to Fill Board Vacancy
15. Public Comment
16. Board Member Comments
17. 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 or staff member to respond at a later date. More complicated questions can be answered during Township business hours through web contact, phone calls, email (oshtemo@oshtemo.org), walk-in visits, or by appointment.
- 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. While comments that include questions are important, depending on the nature of the question, whether it can be answered without further research, and the relevance to the agenda item at hand, the questions may not be discussed during the Board deliberation which follows.

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, but it is not required.

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 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 does not follow these guidelines.

(adopted 5/9/2000)
(revised 5/14/2013)
(revised 1/8/2018)

Questions and concerns are welcome outside of public meetings during Township Office hours through phone calls, stopping in at the front desk, by email, and by appointment. The customer service counter is open from Monday-Thursday, 8 a.m.-1 p.m. and 2-5 p.m., and on Friday, 8 a.m.–1 p.m. Additionally, questions and concerns are accepted at all hours through the website contact form found at www.oshtemo.org, email, postal service, and voicemail. Staff and elected official contact information is provided below. If you do not have a specific person to contact, please direct your inquiry to oshtemo@oshtemo.org and it will be directed to the appropriate person.

Oshtemo Township Board of Trustees		
<u>Supervisor</u>		
Libby Heiny-Cogswell	216-5220	libbyhc@oshtemo.org
<u>Clerk</u>		
Dusty Farmer	216-5224	dfarmer@oshtemo.org
<u>Treasurer</u>		
Clare Buszka	216-5260	cbuszka@oshtemo.org
<u>Trustees</u>		
Cheri Bell	372-2275	cbell@oshtemo.org
Kristin Cole	375-4260	kcole@oshtemo.org
Zak Ford	271-5513	zford@oshtemo.org
Kizzy Bradford	375-4260	kbradford@oshtemo.org

Township Department Information			
<u>Assessor:</u>			
Kristine Biddle	216-5225	assessor@oshtemo.org	
<u>Fire Chief:</u>			
Greg McComb	375-0487	gmccomb@oshtemo.org	
<u>Ordinance Enforcement:</u>			
Rick Suwarsky	216-5227	rsuwarsky@oshtemo.org	
<u>Parks Director:</u>			
Karen High	216-5233	khigh@oshtemo.org	
Rental Info	216-5224	oshtemo@oshtemo.org	
<u>Planning Director:</u>			
Iris Lubbert	216-5223	ilubbert@oshtemo.org	
<u>Public Works Director:</u>			
Anna Horner	216-5228	ahorner@oshtemo.org	

Zoom Instructions for Participants

Before a videoconference:

1. You will need a computer, tablet, or smartphone with a speaker or headphones. You will have the opportunity to check your audio immediately upon joining a meeting.
2. If you are going to make a public comment, please use a microphone or headphones with a microphone to cut down on feedback, if possible.
3. Details, phone numbers, and links to videoconference or conference call are provided below. The details include a link to “**Join via computer**” as well as phone numbers for a conference call option. It will also include the 11-digit Meeting ID.

To join the videoconference:

1. At the start time of the meeting, click on this link to [join via computer](#). You may be instructed to download the Zoom application.
2. You have an opportunity to test your audio at this point by clicking on “Test Computer Audio.” Once you are satisfied that your audio works, click on “Join audio by computer.”

You may also join a meeting without the link by going to [join.zoom.us](#) on any browser and entering this **Meeting ID: 856 6068 9723**

If you are having trouble hearing the meeting or do not have the ability to join using a computer, tablet, or smartphone then you can join via conference call by following instructions below.

To join the conference by phone:

1. On your phone, dial the teleconferencing number: **1-929-205-6099**
2. When prompted using your touchtone (DTMF) keypad, enter the Meeting ID number: **856 6068 9723#**

Participant controls in the lower-left corner of the Zoom screen:



Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- Participants – opens a pop-out screen that includes a “Raise Hand” icon that you may use to raise a virtual hand. **This will be used to indicate that you want to make a public comment.**
- Chat – opens pop-up screen that allows participants to post comments during the meeting.

If you are attending the meeting by phone, to use the “Raise Hand” feature **press *9 on your touchtone keypad.**

Public comments will be handled by the “Raise Hand” method as instructed above within Participant Controls.

Closed Caption:



Turn on Closed Caption:

Using the icons at the bottom of the Zoom screen:

1. Click on the “Live Transcription” button.
2. Then select “Show Subtitle”.

Mission:

To advance the quality of life of all residents through a commitment to responsible growth, and value-driven municipal services that promote the relationships among economic vitality, environmental stewardship, and social equity.

Vision:

A sustainable and innovative community built through a legacy of planned, responsible growth and rural preservation.

Core Values:

PUBLIC SERVICE

- Fair treatment to all people.
- Each customer is welcomed and that their input is wanted.
 - Difficult questions are not marginalized.
- Allow residents to interact directly with the township staff and officials.
- Decisions are made based on the value to our Township and residents.

SUSTAINABILITY

- Meet the needs of the present without compromising future generations.
 - Consider the environment through practices that reduce impacts.
 - Value conscious decision making.
 - Committing to quality Fire and Police protection.

INNOVATION

- Providing the best value-conscious technology currently available.
- Leverage new technologies and ways of doing business to increase accessibility and improve services.

PROFESSIONALISM

- Hire staff with strong core competencies within their given profession.
- Commitment to continuous improvement to government operations.
- Dedicated to open communicate to improve productivity and effectiveness.

INTEGRITY

- Decisions are made logically through the collection of evidence, facts, and public input.
 - When promises are made, we follow through.
 - We do not obfuscate – we say what we mean and do what we say.
 - Transparent governmental practices are of the highest priority.

FISCAL STEWARDSHIP

- Ensure that taxpayer investments are spent wisely, effectively and efficiently.

Memorandum

Date: 24 February 2023
To: Township Board
From: Libby Heiny-Cogswell, Supervisor
Subject: Purchasing Policy Amendments



Objective

Board motion to accept the changes to the Purchasing Policy Amendments

Background

Board discussed the Purchasing Policy drafted amendments at the 2-14-2023 work session, and determined general consensus to adopt the changes, pending accountant review. Accountant Josh Gabrielse reviewed and on February 24th provided, "I have read through it and I don't see any issues. It makes a lot of sense to me to make that change."

Information Provided

Purchasing Policy Amendments 2023

Core Values

Professionalism, Fiscal Stewardship

OSHTEMO CHARTER TOWNSHIP

PURCHASING POLICY

Revised: 2/14/2023 (Proposed)

General Purpose:

The purpose of this purchasing policy is to ensure the efficient procurement of appropriate goods and services for use in the normal and routine operation of the Charter Township of Oshtemo. This policy ensures the accountability, transparency, and ethical behavior of Township purchasing representatives, yet supports an efficient process.

Summary Statement of Policy:

The policy is designed to serve as a guide for all purchases by Township employees and elected officials on behalf of Oshtemo Township.

Actual Policy as Written:

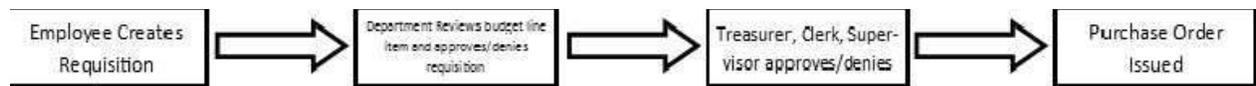
The Township Board of Trustees has the fiduciary oversight, and the Supervisor is the purchasing agent, for all purchases. Department Heads and assigned employees shall be responsible for purchasing goods and services for their departments/area, such as for certain standard supplies and services. All purchases must be budgeted for, and properly documented, in accordance with this policy. Other than those specifically listed, this policy does not afford anyone the ability to make purchases in excess of what has been budgeted for their specific department budget. Purchasers shall not consider appropriations contained in the budget as a mandate to expend funds, nor does the budget constitute authorization to commit the Township to purchases, as such authorization originates from the provisions in this policy. This purchasing policy is based on dollar thresholds. The practice of separating the work of vendors into separate invoices to circumvent the policy is prohibited. The intention of this policy is to give Department Heads latitude to keep operations moving and for Department Heads to keep the Supervisor apprised of operations and purchases.

Purchases should be awarded to the lowest responsible bidder. Consideration shall be given to: quality of goods/services; conformity with specifications; suitability to the requirements of the township; delivery of goods; and past performance of vendor. The Township shall attempt to purchase the highest quality goods and services in the best interest of the Township. In this process, the Township shall serve as an equal opportunity purchaser, favoring local vendors only when all other factors are equal.

Department Heads shall conduct monthly review of funds assigned to them and are responsible for reporting any variance to the Supervisor or his or her designee. Designees of any Official will be reported to the Township Board during the annual budget process.

Non-Discrimination Requirements:

In accordance with the requirements of 1976 P.A. 453 (Michigan Civil Rights Act) and 1976 P.A. 220 (Michigan Handicapped Rights Act) and the Oshtemo Charter Township Non-Discrimination Ordinance No. 549 adopted August 27, 2013, to the greatest extent possible, the Township will do business with vendors of goods and services which “do not discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, familial status, citizenship, gender identity, sexual orientation, genetic information, or because of a physical or mental disability/handicap that is unrelated to the person's ability to perform the duties of a particular job or position. Any vendor found to not comply with these requirements shall be ineligible to do business with the Township.



Authorization to Purchase:

Purchasers are authorized and required to make purchases of goods or services through the formal requisition process using the purchase order program. Employees must get the following requisition authorization depending on the type of purchase they are requesting. Note: Supervisor, Treasurer or Clerk may determine any particular item can be presented for information to the Township Board. Department Heads will review budget monthly and submit reports and request amendments (using electronic Budget Amendment Form – T Drive) to the Township Supervisor. Corrections will be submitted to the Township Clerk (using electronic Journal Correction Form – T Drive). The Supervisor, Clerk, and Treasurer will review the budget quarterly to verify purchases are being made in accordance with purchasing policy and annual budget.

- 1) *Purchases that have been budgeted for in the annual budget \$10,000 or less:* Purchaser initiates requisition using purchase order program, and Township Officials (or their designee) and Department Heads shall monitor sum of purchases for adherence to annual budget. The Township Supervisor, Treasurer, or Clerk must then review and approve the requisition for their respective offices.
- 2) *Purchases that have been budgeted for in the annual budget for capital items >\$10,000:* Capital purchases that have been budgeted for in the annual budget, including but not limited to large capital items such as vehicle purchases, road construction, water construction, and sewer construction, shall not require further Township Board approval up to \$50,000. These capital items will be detailed to the Township Board during the annual budget meeting process. These items will be included in the annual budget in the blue detail line items within each General Ledger category. Department Heads will provide a written update on the consent agenda or presentation at the meeting will be provided to the Board on the purchasing process used and the selected vendor or contractor.

- 3) *Purchases that have been budgeted for in the annual budget, less than or equal to \$2,000:* Purchaser must first receive authorization from their Department Head or Supervisor, Clerk or Treasurer for their respective offices. Department Head or Township Official shall identify source of funds from the annual budget. Upon authorization, purchaser shall make requisition request using the purchase order program. The Township Board will be informed via receipts and disbursements reports.
- 4) *Purchases that have not been budgeted for in the annual budget, less than or equal to \$2,000:* Purchaser must first receive authorization from their Department Head or Supervisor, Clerk or Treasurer for their respective offices. Department Head or Township Official shall identify source of funds from the annual budget. ~~Upon authorization,~~ Purchaser shall make requisition request using the purchase order program. The Township Board will be informed via receipts and disbursements reports, and the Board will make budget amendments for all such purchases no less than quarterly.
- 5) *Purchases that have not been detailed in the annual budget greater than \$2,000, or purchases that end up costing more than the detailed amount in the annual budget:* Purchaser must first receive recommendation from their Department Head and the Township Supervisor. The Township Board must then both approve the requisition and amend the annual budget. Purchaser then creates requisition in the purchase order program.

Using the above guidelines, a purchase order must be generated before the purchase is made.

There are three means by which the Township selects a service provider or material product. These are: a) sealed bids, b) informal quotes, and c) sole source purchasing. Refer to detail on each, below. It is the practice of Oshtemo Township to provide vendors with fair and equal opportunities to compete for work. Summaries shall state method used. Department Heads will review the method of procurement for vendor or service providers with the Township Supervisor. Employees will adhere to the Township Gratuity Policy in the employee handbook regarding gifts from vendors.

Selecting Vendors/Service Providers:

A. Sealed Bid Procedure:

Sealed bids may be obtained using a request for proposal (RFP), a set of detailed specifications, or contract documents (plans and specifications). Publication or communication of proper notice of the need for bids shall be arranged for in the manner which will bring the information to the attention of appropriate professionals, contractors, or vendors. A minimum of three bids are recommended for all purchases over \$10,000. Employees may choose to seek multiple bids for purchases less than or equal to \$10,000 as well. The Township may choose to forego the bidding procedure due to circumstances that would result in a savings to the Township and if the quality of services provided will not be diminished due to the lack of bidding.

All bids received by the Township will be time/date stamped when received. All bids must be sealed when received; unsealed bids will not be accepted. Bids will be opened by the Township

Supervisor or personnel appointed by the Supervisor at the place and time described in the bid advertisement and shall be open to the public. Once the bid opening process is complete, staff will prepare a written purchase recommendation. If approved, staff will inform the winning bidder. The Township reserves the right to reject any and all bids and is not required to accept the lowest bid. In general, the Township works in accordance with the Qualifications-Based Selection (QBS)*.

(*From online: “Qualifications-Based Selection (QBS) is a procurement process established by the United States Congress as a part of the Brooks Act[1] (Public Law 92-582; see also 40 USC 1101 et. seq.)[2] and further developed as a process for public agencies to use for the selection of architectural and engineering services for public construction projects. It is a competitive contract procurement process whereby consulting firms submit qualifications to a procuring entity (owner) who evaluates and selects the most qualified firm, and then negotiates the project scope of work, schedule, budget, and consultant fee.” Additional information on QBS in Michigan is available at www.qbs-mi.org).

B. Quoting Procedure:

Quotes may be obtained by means of discussion and/or written outline scope of services request. A minimum of three quotes from professionals, contractors, or vendors is recommended for substantive purchases. The Township may choose to forego the quoting procedure due to circumstances that would result in a savings to the Township and if the quality of services provided will not be diminished due to the lack of quoting.

All quotes received by the Supervisor’s Office or designee will be time/date stamped when received. Quotes do not need to be sealed. Quotes may be opened at the time they are received. The approving party must approve or deny all purchases that have been quoted according to purchasing standards previously stated. The Township reserves the right to reject any and all quotes and is not required to accept the lowest quote. In general, the Township works in accordance with the quality based selection on all quotes.

C. Sole Source Purchasing:

In recognition that certain products and services are clearly superior and/or compatible with township operations, the approving party may determine that a specific product or vendor be the sole source of purchasing for the Township. In doing so, the items will be purchased without a formal bidding process. Examples of sole source purchasing include engineering, information technology, insurances, and auditing services.

Purchaser will periodically evaluate composite billings and compare sole source vendor with other vendors, for comparison of pricing and quality, and provide summary of review and decision. Suggested review period is every three years.

Methods of Payment

Petty Cash:

Miscellaneous purchases under \$25 may be made using the petty cash fund in accordance with this policy. Petty cash is maintained by the Treasurer. Receipts must be submitted to the Treasurer for reimbursement. The Treasurer shall keep petty cash in his/her office and may designate additional areas in which petty cash may kept; e.g., in the Fire Department.

The Treasurer will review petty cash disbursements prior to replenishing the fund. Records of petty cash distribution will be kept in the Treasurer's office and are available at all times for review.

Checks:

Checks are the standard form of payment from the Township. A check will be issued through the purchase order process, unless another form of payment is requested.

Credit Cards (for employee use):

Township credit cards may be used to make purchases from vendors where credit terms are not available (such as travel), as well as for one time non routine items. Treasurer manages credit card availability to employees. **Please see the Township's Credit Card Policy.** Purchaser must submit detailed receipt to Clerk's office.

Purchases made on credit cards are subject to transaction and credit limits established for each individual card by the Treasurer.

Contracts:

In general, all contracts are approved through the Township Supervisor who by law is the purchasing agent for the Township. The Supervisor signs the contracts and may do so if signature aligns with purchasing policy herein (budget) and state law. The Treasurer and Clerk co-sign the payments.

Education and Training:

The employee's Department Head shall approve all requests for continuing education, conferences, and external training, prior to registration. Department Head shall approve based on annual budgeted education/training line item and shall not exceed the annual appropriated amount without budget amendment per previous guidelines.

Cooperative Government Contracts:

Should the Township be able to secure quality products at favorable prices by joining with other local units of government, or participating in a State of Michigan or federal government purchasing program, the Township Supervisor may waive the formal bidding process.

Emergency Purchases:

Emergency purchases can be authorized only when health, safety, and/or welfare of Township residents or their property are endangered through unexpected circumstances, when normal operations of the Township would be severely hampered by a long delay, or when Township property or employees are endangered through unexpected circumstances. Normal purchasing procedures outlined in this policy may be suspended when such circumstances exist. In the case of an emergency situation, the Township Supervisor, Treasurer, Clerk, Fire Chief, or Maintenance Director can authorize the immediate purchase of any materials, supplies, equipment, or services

needed to resolve the emergency situation. The Supervisor will report all emergency purchases to the Township Board at its next scheduled meeting.

Change Orders (Within Annual Budget Detail):

Staff & Supervisor are expected to document all change orders through the purchase order program in excess of 10% of the original contracted price. Approval is subject to Supervisor review and approval and availability of funds.

Change Orders: (Outside Annual Budget Detail):

Supervisor or Staff will include up to an additional 10% of contract or specified lump sum amount in all project budgets for capital projects when submitting request to Township Board to award contract. Request will identify source of payment funds. As with any other budget approval, Board approval shall be subject to monies availability in either annual budget or in Township reserves. Subsequently, Supervisor can approve change orders within the additional approved budget amount. Supervisor shall work in consultation with consultants and/or Staff to make determination.

Tax Exempt Status:

Section 4 of the General Sales Tax Act, MCL 205.54(5); MSA 7.524(5) and Michigan Sales and Use Tax Rule, 1979 AC, R205.79, provide that sales to the United States Government, the State of Michigan and their political subdivisions, departments and institutions are not taxable when ordered and paid for by warrant on government funds. In the alternative, the government may claim exemption at the time of purchase by providing the seller with a signed statement to the effect that the purchaser is a governmental entity. Statement is available upon request from the Clerk's office.

Forms:

Every Township vendor is required to complete an IRS W-9 form or have this form on record prior to the release of payment for goods and services.

Documentation:

When a purchase order is requested all supporting documentation should be attached to the requisition within the purchase order program (bids, board resolution, etc.). Once a purchase order requisition is approved, all invoices for goods and services will be attached in the accounts payable program.

This policy will be in effect upon adoption by the Township Board and will remain in effect until rescinded by the Township Board. Revisions or amendments must be approved by the Township Board, and must be recorded in writing and maintained with this original policy by the Township Clerk. This policy, and all subsequent amendments, will be provided by the Clerk to all Township Board members, Department Heads, and employees.

A motion was made by, seconded by, to adopt the restatement of the Purchasing Policy.

Upon the call for a vote, the following voted "Aye":

Ford, Bell, Cole, Bradford, Farmer, Buszka, Heiny-Cogswell

The following voted "Nay": None

The following "Abstained": None

The following were Absent: None

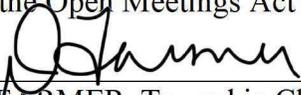
The Supervisor declared that the motion has been adopted.



DUSTY FARMER, Clerk
Oshtemo Charter Township

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of an Excerpt of the Minutes of a meeting of the Oshtemo Charter Township Board, held on November 13, 2018, at which meeting all members were present and voted upon the same as indicated in said Minutes; that said meeting was held in accordance with the Open Meetings Act of the State of Michigan.



DUSTY FARMER, Township Clerk

Memorandum

Date: 8 February 2023
To: Township Board
From: Libby Heiny-Cogswell, Supervisor
Subject: Purchasing Policy Update - Draft



Objective

Board discussion to streamline purchasing policy and therefore create more efficient procedure.

Proposed Motion: Township Board approval of 2023 amendments to the Purchasing Policy.

Background

Discussion with Department Heads for the organizational review is yielding constructive information. The overall information will be discussed with the Board in coming meetings after the internal discussions are completed. The issue of Department Head ability to approve some level of purchases arose during the recent discussions. In the interest of efficiency and respect for staff and elected official's time, it is worthwhile for the Board to go ahead and discuss this prospect.

Earlier versions of the purchasing policy granted department heads authority to purchase items up to \$2,000, for items that are included either specifically or as part of a lump sum within the Board approved budget. The current policy does not permit this. department head exercise of judgement.

As just one example today, Fire Chief and I traded a few emails today and I had about 20 software procedural 'clicks' to edit a request, and to approve the purchase of a \$137 pair of fire gloves. Not efficient use of my or the Chief's time. The recommendation of the Supervisor is to allow Oshtemo's Department Heads and the Supervisor to increase operational efficiency through granting Department Heads the latitude to exercise their professional judgement for purchases within the budget up to \$2,000.

Board can also discuss and consider authorizing Department Heads authority to approve purchase of items up to \$2,000 that are not within the budget, but following the protocol of identifying the source of the funds and entering the request in the budget amendment spreadsheet, which in turn goes to the Board at least quarterly.

Information Provided

Purchasing Policy 2023 (draft)

MEMORANDUM



Date:

To: Township Board

From: James Porter *[Signature]*

Subject: Zoning Text Amendment Section 5.10 64.90 and 65.60

OBJECTIVE WITH RECOMMENDED MOTION:

Motion: To accept the Planning Commission Recommendation

I make the Motion to the accept the Planning Commission’s Recommendation and accept Ord No. 648 for first reading amending Sections 50.10, 64.90 and 65.60 of the Township Zoning Ordinances and set 2nd reading for March 14, 2023.

BACKGROUND:

The Planning Commission at its meeting of January 24, 2023, held a public hearing to consider amendments to sections 50.10 64.90 and 65.62 to address the following

- To require minimum lot, parcel and building site frontage to be “contiguous”
- To limit the approval of site plans to one year and a one-year extension
- To allow the Planning Director to grant a one-year extension for an approved special use if zoning ordinance criteria are met

information provided

INFORMATION PROVIDED:

I have attached a copy of the proposed ordinance along with the recommendation from the planning commission and a redlined version of the text amendments.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 648

Adopted: _____

Effective: _____

OSHTEMO CHARTER TOWNSHIP ORDINANCE

An Ordinance to amend the Oshtemo Charter Township Zoning Ordinance, Article 50.10 A+C Schedule of Regulation, Article 64.90A Conformity to Approved Site Plan, and Article 65.60 Duration of Approval. This Ordinance repeals all Ordinances or parts of Ordinances in conflict.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

SECTION I. AMMENDMENT TO SECTION 50.10 (A) AND (C) OF THE SCHEDULE OF REGULATIONS (CHART REMAIN UNCHANGED), WHICH SHOULD READ, IN SUMMARY, AS FOLLOWS:

50.10 SCHEDULE OF AREA, FRONTAGE, AND/OR WIDTH REQUIREMENTS

- A. No building permit shall be issued therefore, and no buildings constructed, placed or moved upon any Parcel, Lot, or Building site less than the area and frontage requirements as specified in this Section; nor where the same would be located upon a Parcel, Lot, or Building site of land with an area of ten acres or less having a depth of greater than four times the width of said Parcel, Lot, or Building Site.

All Parcels must have the contiguous frontage specified in this Section on a dedicated public road or street with the width of said required frontage maintained until at least the required building setback line.

All Lots or Building sites must be situated on a public road or street with the width at building setback line as specified in the Section.

Building sites within nonresidential site condominiums must be situated on a public road or street or a private street easement with the width at building setback as specified in this Section.

Parcels, Lots, or Building sites which meet the requirements of the Nonconforming Uses, Structures and Land section of this Zoning

Ordinance may be issued a building permit provided all other requirements of this Ordinance are met.

C. For any Parcel deemed unbuildable by the foregoing and not subject to Section 50.10.E, the Planning Commission is hereby given the right to grant a deviation for the existing subject Parcel to become buildable where the subject Parcel meets all of the following criteria and where, in the opinion of said Planning Commission, the spirit of the foregoing provisions are still observed, public safety, health, and welfare secured, and substantial justice thereby accomplished:

1. The existing subject Parcel under consideration was established prior to March 31, 1997
2. The existing subject Parcel under consideration satisfies the minimum dimensional requirements of a platted Lot within the R-1, R-2, R-3, R-4, and R-C districts as set forth in Section 50.10A.;
3. The dimensions of neighboring lawfully nonconforming properties located within 300 feet would support said deviation.

SECTION II.

AMENDMENT TO SECTION 64.90(A) REGARDING SITE PLAN REVIEW WHICH SHOULD READ, IN SUMMARY, AS FOLLOWS:

64.90 CONFORMITY TO APPROVED SITE PLAN

- A. Approval of the Site Plan shall be valid for a period of one year after the date of approval. If a building permit has not been obtained and on-site development actually commenced within said one year, the Site Plan approval shall become void and a new approval obtained before any construction or earth change is commenced upon the site. A one-year extension may be granted by the Planning Director or their designee if requested prior to the expiration of the one-year validity period.

SECTION III.

AMENDMENT TO SECTION 65.60 B AND B4 OF SPECIAL USES WHICH SHALL READ, IN SUMMARY, AS FOLLOWS:

65.60 DURATION OF APPROVAL

- B. Extensions. The Planning Director or their designee shall have the authority to grant a one-year extension of such Special Use where the

applicant therefor satisfies any of the following existing circumstances:

(4) Beyond the one-year extension that can be granted administratively, successive extensions may be granted by the Planning Commission for such periods of time as said Planning Commission determines to be reasonable and proper under the following criteria.

SECTION IV

EFFECTIVE DATE AND REPEAL.

All Ordinances or parts of Ordinances inconsistent with the Ordinance are hereby repealed. This Ordinance shall take effect upon publication after adoption in accordance with State Law.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

RECOMMENDATION OF THE OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION RESULTING FROM PUBLIC HEARINGS CONDUCTED ON FEBRAURY 9, 2023

The Oshtemo Charter Township Planning Commission hereby recommends APPROVAL of the following additions and amendments to the Township Zoning Ordinance:

The amendment to Article 50, Section 50.10, Schedule of Area, Frontage, and/or Width Requirements of the Township Zoning Ordinance, to read, in summary, as follows

SEE ATTACHMENT

The amendment to Article 64, Section 64.90, Conformity to Approved Site Plan of the Township Zoning Ordinance, to read, in summary, as follows:

SEE ATTACHMENT

The amendment to Article 65, Section 65.60, Duration of Approval of the Township Zoning Ordinance, to read, in summary, as follows:

SEE ATTACHMENT

A copy of the Planning Commission Staff Report and Meeting Minutes from the February 9, 2023 Public Hearing are attached to this Recommendation.

OSHTEMO CHARTER TOWNSHIP PLANNING COMMISSION

Date: February 22, 2023

By: 
Iris Lubbert
Township Planning Director

Final Action by Oshtemo Charter Township Board

_____ APPROVED _____

_____ DENIED _____

_____ REFERRED BACK TO PLANNING COMMISSION



January 31, 2023

Mtg Date: February 9, 2023
To: Planning Commission
From: Iris Lubbert, AICP, Planning Director
Subject: Public Hearing: Amendments to Section 50.10

Objective:

Consideration of amendments to Section 50.10 Schedule of Regulations for recommendation to the Township Board.

Background:

Through various public inquiries, staff has become aware of a number of regulations outlined in Section 50.10 of the Ordinance which require clarification. To ensure consistency of how the ordinance is enforced, through discussions with staff and research of past projects, the proposed changes remove subjectivity. Amendments focus on clarifying how frontage is measured, whether lots or building sites need to be situated on a public road or street, and when a deviation for an unbuildable parcel is warranted.

Attachments: Proposed amendments to Section 50.10

50.10 SCHEDULE OF AREA, FRONTAGE, AND/OR WIDTH REQUIREMENTS

A. No building permit shall be issued therefore, and no buildings constructed, placed, or moved upon any Pparcel, Llot, or Bbuilding site less than the area and frontage requirements as specified in this Section; nor where the same would be located upon a Pparcel, Llot, or Bbuilding site of land with an area of ten acres or less having a depth of greater than four times the width of said parcel, lot or building site.

All Pparcels must have the contiguous frontage specified in this Section on a dedicated public road or street with the width of said required frontage maintained until at least the required building setback line.

All Llots, or Bbuilding sites must be situated on a public road or street, unless otherwise permitted within the ordinance, with the width at building setback line as specified in this Section.

Building sites within nonresidential site condominiums must be situated on a public road or street or a private street easement with the width at building setback as specified in this Section.

Parcels, Llots, or Bbuilding sites which meet the requirements of the Nonconforming Uses, Structures and Land section of this Zoning Ordinance may be issued a building permit provided all other requirements of this Ordinance are met.

Schedule of Area, Frontage, and/or Width Requirements		
Minimum Area Required per Dwelling Unit	R-1, R-2, R-3, R-4, and R-C	R-5
Parcels (unplatted)	50,000 sq. ft.	Refer to Section 49.150.D
Lots (platted)/Building Sites		
No Water or Sewer	22,000 sq. ft.	
Water or Sewer	15,000 sq. ft.	
Water and Sewer	10,560 sq. ft.	
Minimum Frontage or Width Required	R-1, R-2, R-3, R-4, and R-C	R-5
Parcels Frontage (unplatted)	200 feet	Refer to Section 49.150.C
Lots (platted)/Building Sites (Width at building setback)	100 feet	

Minimum Area Required	C, C-R, or BRP	I-R	I-1	I-2	I-3
Parcels	50,000 sq. ft.	Refer to Section 23.60.A.2	50,000 sq. ft.	50,000 sq. ft.	50,000 sq. ft.
Lots/Building Sites					
No Water or Sewer	30,000 sq. ft.				
Water or Sewer	18,000 sq. ft.				

Water and Sewer	13,200 sq. ft.				
Minimum Frontage or Width Required	C, C-R, or BRP	I-R	I-1	I-2	I-3
Parcels (frontage)	200 ft.	200 ft.	200 ft.	200 ft.	200 ft.
Lots/Building Sites (Width at setback)					
No Water or Sewer	120 ft.				
Water or Sewer	120 ft.				
Water and Sewer	120 ft.				
AG and RR Dimensional Requirements					
District	Type	Dimensional Requirements			
AG	Parcel, <u>L</u> ot, lot or <u>B</u> uilding site area:	40 acre* parcel/tract size			
	Frontage:	200 feet			
RR	Parcels, <u>L</u>ots, or <u>B</u>uilding sites				
	Area requirements:	1.5 acres			
	Minimum frontage:	200 feet			
	Lot, <u>B</u>uilding sites within an Open Space Community				
	Area requirements:	Density of 1.0 dwelling units per acre			
	Minimum frontage:	120 feet			
*Minimum of three (3) acres and 200 feet of public street frontage required per dwelling unit.					

B. Any attempt to circumvent the intent and purpose of the foregoing provisions by multiple conveyances, contracts, leases, or agreements or any combination of the foregoing shall be considered a violation and shall prohibit the issuance of a building permit or the construction or location of buildings upon the land in question and shall subject the violator to the fines and penalties provided in the Township Zoning Ordinance.

C. For any Parcel deemed unbuildable by the foregoing and not subject to Section 50.10.E, The Planning Commission is hereby given the right to grant a deviation for the existing subject Parcel to become buildable from the foregoing where the subject Parcel meets all of the following criteria and where, in the opinion of said Planning Commission, the spirit of the foregoing provisions are still observed, public safety, health, and welfare secured, and substantial justice thereby accomplished:

1. (1) The existing subject Parcel under consideration was established prior to March 31, 1997 and is not considered lawfully nonconforming pursuant to Section 50.10.E;
2. (2) pThe existing subject Parcel under consideration satisfies the minimum dimensional area requirements of a platted Lot within the R-1, R-2, R-3, R-4, and R-C districts as set forth in Section 50.10.A;

~~1.3.~~ ~~(3)~~ ~~The~~ dimensions of neighboring lawfully nonconforming properties located within 300 feet would support said deviation.

Additionally, the Planning Commission is hereby given the right and authority, in furthering the public health, safety, and general welfare, to require any or all of the following as a condition in granting a deviation: conveyance or dedication to the public of a 66-foot wide right-of-way for ingress or egress to and from interior land having otherwise insufficient or inadequate public access for normal, proper and logical development; shared and/or cross access with an adjacent property(s); and, restricted or prohibited curb-cuts when the Access Management Guidelines cannot be satisfied and reasonable access is otherwise available to the subject parcel.

~~C.D.~~ The purpose of the within provisions is to secure the more orderly development of property in unplatted areas through the encouragement and regulation of open spaces between buildings and lessening of congestion, the encouragement of more efficient and conservative land use, the facilitating of transportation, sewage disposal, water supply and other public requirements and by providing for future access to interior land which might not otherwise be adaptable to proper and advantageous development.

~~D.E.~~ Section 50.10.A shall not apply to any ~~P~~parcel, ~~L~~lot, or ~~B~~building site, the boundaries of which have heretofore been established by any instrument recorded previous to October 4, 1965, in the office of the Register of Deeds for Kalamazoo County, Michigan or previously established by operation of law, provided that notwithstanding such exception, not more than one dwelling shall be allowed at any time on less than 200 feet of frontage on any unplatted ~~P~~parcel unless otherwise permitted under this Ordinance.

~~E.F.~~ Frontage, width, and area requirements in Section 50.10.A shall not apply to any ~~P~~parcel, ~~L~~lot, or ~~B~~building site with buildings or regulator stations for essential services.

~~F.G.~~ The Planning Director or designee is hereby given the right to grant relief to ~~P~~parcels of land having a depth greater than four times the width of said parcel provided (1) the boundaries of the subject parcel have heretofore been established by an instrument recorded previous to March 31, 1997 and (2) the ~~P~~parcel satisfies the minimum area and frontage requirements stated for parcels in Section 50.10.

Additionally, the Planning Director or designee is hereby further given the right and authority, in furthering the public health, safety, and general welfare, to require the conveyance or dedication to the public of a 66-foot wide right-of-way for ingress or egress to and from interior land having otherwise insufficient or inadequate public access for normal, proper and logical development as a condition to the granting of any relief as herein provided. The decision of the Planning Director may be appealed to the Zoning Board of Appeals.



January 31, 2023

Mtg Date: February 9, 2023

To: Planning Commission

From: Iris Lubbert, AICP, Planning Director

Subject: Public Hearing: Amendments to Sections 64.90 and 65.60

Objective:

Consideration of amendments to Sections 64.90 Conformity to Approved Site Plan and 65.60 Duration of Approval for recommendation to the Township Board.

Background:

Per the Township Zoning Ordinance, Site Plans and Special Uses are valid for a period of one year after the date of their approval; the applicant may request an extension from the original approving body prior to the expiration of the one-year validity period. Over the past year multiple projects have come before the Planning Commission requesting an extension of their approval. After reviewing a number of these requests, the Planning Commission felt that extension requests could be handled administratively and requested that the Ordinance be amended accordingly. The attached proposed changes to Sections 64.90 and 65.60 would allow extension requests, limited to one additional year, to be handled administratively.

Attachments: Proposed amendments to Sections 64.90 and 65.60

64.90 CONFORMITY TO APPROVED SITE PLAN

- A. Approval of the Site Plan shall be valid for a period of one year after the date of approval. If a building permit has not been obtained and on-site development actually commenced within said one year, the Site Plan approval shall become void and new approval obtained before any construction or earth change is commenced upon the site. A one-year extension Extensions may be granted by the Planning Director or their designee ~~the approving body~~ if requested prior to the expiration of the one-year validity period.
- B. Property which is the subject of Site Plan approval must be developed in strict compliance with the approved Site Plan and any approved amendments thereto or modifications thereof pursuant to Section 64.100. If any site is not developed in compliance with said Site Plan, the approval shall be revoked. Notice of such revocation shall be made by written notice by the Township to the developer at the last known address. Upon revocation of Site Plan approval, no further construction activities may be commenced upon the site other than for the purpose of correcting any violations.
- C. The Township may, upon proper application by the developer and in accordance with the procedure established in this ordinance, approve a modification to the Site Plan to coincide with the developer's construction, provided such construction satisfies the criteria placed upon the previously granted Site Plan approval and the Zoning Ordinance.
- D. At least one complete set of record construction drawings signed by a licensed architect, engineer, landscape architect, or contractor shall be submitted to the Township or its designee at the time of application for a Certificate of Occupancy or, in the case of residential developments before a Building Permit may be issued.

These drawings shall indicate any changes approved by the Township to the original Site Plan. Additionally, the correct location, size, etc. of any preexisting utilities or facilities shall be specified.

65.60 DURATION OF APPROVAL

- A. Period of approval. Any property which is the subject of a Special Use which has not been used for a period of one year for the purposes for which such Special Use was granted shall thereafter be required to be used for only permissible uses set forth in the particular zoning classification in which the property is located and the permit for such Special Use shall thereupon terminate unless extended by the Planning Commission upon application for such extension filed with said Planning Commission.
- B. Extensions. The Planning Director or their designee ~~Said Planning Commission~~ shall have the authority to grant a one year ~~a~~ extension of such Special Use where the applicant therefor satisfies ~~the Planning Commission of~~ any of the following existing circumstances:
1. The delay in commencement or completion of the project subject to the Special Use approval was beyond the control of the applicant and the applicant has in good faith attempted to meet the foregoing time schedule.
 2. The project is in the process of being developed for the Special Use purpose and has reasonably progressed towards completion.
 3. The complexity or size of the project requires additional time for either commencement or completion of construction, which commencement and completion appear feasible and probable if permitted. Under this circumstance, the Planning Commission shall have the authority to grant an initial longer period for commencement and/or completion at the time of approving the original Special Use.
 4. Beyond the one year extension that can be granted administratively, ~~S~~ successive extensions ~~of time~~ may be granted by the Planning Commission for such periods of time as said Planning Commission determines to be reasonable and proper under the foregoing criteria.
 5. Where a Special Use is terminated by lapse of time, any new application for a Special Use shall be heard and determined anew based upon circumstances then existing.

**OSHTEMO CHARTER TOWNSHIP
PLANNING COMMISSION**

DRAFT MINUTES OF A MEETING HELD FEBRUARY 9, 2023

Agenda

PUBLIC HEARING: CODE AMENDMENT – SECTIONS 64.90 AND 65.60

Consideration of amendments to the Township Zoning Ordinance, for recommendation to the Township Board, to allow extension requests for site plans and special uses, limited to one additional year, to be handled administratively.

PUBLIC HEARING: CODE AMENDMENT – SECTION 50.10

Consideration of amendments to the Township Zoning Ordinance, for recommendation to the Township Board, to provide clarification on how frontage is measured, whether lots or building sites need to be situated on a public road or street, and when a deviation for an unbuildable parcel is warranted.

WORK SESSION:

STEERING COMMITTEE: OSHTEMO HOUSING STUDY

A meeting of the Oshtemo Charter Township Planning Commission was held Thursday, February 9, 2023, commencing at approximately 6:00 p.m. at the Oshtemo Township Hall, 7275 West Main Street.

MEMBERS PRESENT: Phil Doorlag
Deb Everett
Zak Ford, Township Board Liaison
Scot Jefferies
Alistair Smith, ZBA Liaison

MEMBERS ABSENT: Anna Versalle, Chair
Micki Maxwell, Vice Chair

Also present were Iris Lubbert, Planning Director, Martha Coash, Recording Secretary, and three guests, including Emily Petz of the W.E. Upjohn Institute and Curt Aardema of AVB.

Call to Order and Pledge of Allegiance

Due to the absence of both the Chair and Vice Chair, Ms. Lubbert called the meeting to order at approximately 6:00 p.m. and indicated an Acting Chair needed to be appointed.

Mr. Smith **made a motion** to appoint Mr. Ford as Acting Chair. Mr. Jefferies **seconded the motion**. The **motion was approved** unanimously.

Mr. Ford invited those in attendance to join in reciting the Pledge of Allegiance.

Approval of Agenda

He asked if there were any changes to the agenda. Hearing none, he let the agenda stand as published.

Public Comment on Non-Agenda Items

Mr. Curt Aardema of AVB, indicated he was present to listen to the housing discussion. As property owners in the Township, AVB wants to understand in what direction the Township is moving. He also noted he had redlined comments regarding the density bonus discussion and imagery for the mixed use district which were prepared with the assistance of experts in the field and handed them out for future reference. The materials he handed out are attached to these Minutes.

Approval of the Minutes of the Meeting of January 26, 2023

The Acting Chair determined there were no additions, deletions, or corrections to the Minutes of the Meeting of January 26, 2023 and asked for a motion.

Mr. Smith **made a motion** to approve the Minutes of the Meeting of January 26, 2023 as presented. Ms. Everett **seconded the motion**. The **motion was approved** unanimously.

Acting Chair Ford moved to the next item on the agenda and opened a public hearing.

PUBLIC HEARING: CODE AMENDMENT – SECTIONS 64.90 AND 65.60 CONSIDERATION OF AMENDMENTS TO THE TOWNSHIP ZONING ORDINANCE, FOR RECOMMENDATION TO THE TOWNSHIP BOARD, TO ALLOW EXTENSION REQUESTS FOR SITE PLANS AND SPECIAL USES, LIMITED TO ONE ADDITIONAL YEAR, TO BE HANDLED ADMINISTRATIVELY.

Ms. Lubbert explained that per the Township Zoning Ordinance, Site Plans and Special Uses are valid for a period of one year after the date of their approval; the applicant may request an extension from the original approving body prior to the expiration of the one-year validity period. Over the past year multiple projects have come before the Planning Commission requesting an approval extension.

After reviewing a number of these requests, the Planning Commission felt extension requests could be handled administratively and requested the Ordinance be amended accordingly. She said the proposed changes to Sections 64.90 and 65.60

would allow extension requests, limited to one additional year, to be handled administratively. She recommended the amendments be considered for recommendation to the Township Board.

Mr. Smith felt the proposed amendments addressed the concerns expressed by the Commission and asked if it would create more work for staff members.

Ms. Lubbert said it would actually be easier for staff and require less of their time to address extension requests in this manner.

There were no comments from the public.

Hearing no further comments from Commissioners, Mr. Ford asked for a motion.

Mr. Smith made a motion to approve the amendments to Sections 64.90 and 65.50 as proposed, and to recommend them to the Township Board for approval. Ms. Everett seconded the motion. The motion was approved unanimously.

PUBLIC HEARING: CODE AMENDMENT – SECTION 50.10
CONSIDERATION OF AMENDMENTS TO THE TOWNSHIP ZONING ORDINANCE, FOR RECOMMENDATION TO THE TOWNSHIP BOARD, TO PROVIDE CLARIFICATION ON HOW FRONTAGE IS MEASURED, WHETHER LOTS OR BUILDING SITES NEED TO BE SITUATED ON A PUBLIC ROAD OR STREET, AND WHEN A DEVIATION FOR AN UNBUILDABLE PARCEL IS WARRANTED.

Ms. Lubbert said that through various public inquiries staff became aware of the need for clarification of a number of regulations outlined in Section 50.10 of the Ordinance. To ensure consistency in how the ordinance is enforced, through discussions with staff and research of past projects, the proposed changes remove subjectivity. Amendments focus on clarifying how frontage is measured, whether lots or building sites need to be situated on a public road or street, and when a deviation for an unbuildable parcel is warranted.

Mr. Doorlag asked for clarification regarding how property with a development between the property and the public road would be affected by this change.

Ms. Lubbert indicated such a development would not be affected as it would be built under a PUD or other ordinance mechanism with its own standards.

There were no public comments.

Hearing no further comments from Commissioners, Mr. Ford asked for a motion.

Mr. Smith made a motion to approve the amendments to Section 50.10 as proposed, and to recommend them to the Township Board for approval. Ms. Everett seconded the motion. The motion was approved unanimously.

The Acting Chair moved to the next agenda item.

WORK SESSION:

a. Steering Committee: Goals for the Oshtemo Housing Study, continued

Ms. Lubbert indicated that at the regular January 26th Planning Commission meeting, Ms. Emily Petz from the W.E. Upjohn Institute for Employment Research, showcased some of the information gathered to date through housing survey results.

Based on the information collected, draft goals for the plan developed by staff were shared with the Planning Commission for consideration and discussion in order to work toward finalizing goals for the project. When established, the goals will assist in identifying appropriate tools and strategies. This is the next step in determining where we want to go with housing in the Township. The resulting housing plan is considered a master plan document.

Commissioners engaged in extensive discussion and questions for Ms. Lubbert and Ms. Petz regarding the draft goals, as well as the overall process to be followed to complete the housing study.

A number of changes to the draft goals were made based on Commissioner discussion and input. Using the amended goals, Ms. Petz will attend the next Planning Commission meeting where the Commission will start work on the objectives to support the goals.

Acting Chair Ford moved to the next item on the agenda.

PUBLIC COMMENT

There were no public comments.

OTHER UPDATES AND BUSINESS

There were no updates or other business to consider.

ADJOURNMENT

With there being no further business to consider, Chairperson Versalle adjourned the meeting at approximately 7:27 p.m.

Minutes prepared:
February 10, 2023

Minutes approved:
_____, 2023

Mixed Use Residential Density and Density Bonus

*Black font is the language offered by Iris on January 6th for the January 12th Planning Commission Meeting.

**Red-line changes are items discussed in the January 12th work-session and / or now offered for consideration.

(8) Residential Density and Density Bonus.

i. **Overall Density:** The overall density within the development schematic plan's residential and mixed use areas shall match the intended character of the correlating Sub Area Plan; each density category is defined within Table 30.20.1 below. A comprehensive development plan that is being proposed without a correlating Sub Area Plan and is within a C: Local Business District designation shall be considered under the high density residential category. Areas designated purely for commercial development may not be included in the overall gross density calculation.

a) Senior housing is excluded from maximum residential density calculations

b) With a two-thirds majority vote of the Planning Commission and the Township Board the Maximum Gross Density in the "High" Residential Character / Density Category on Table 30.20.1 below may be increased as determined by the Planning Commission and Township Board. Examples of reasons for the possible increases can include but are not limited to the following:

i. The increased density supports the housing goals for the Township

ii. There is extraordinary benefit to the Township

iii. The proposed project can reasonably support the increased density as demonstrated by the applicant.

ii. **Density Bonus.** The Planning Commission may determine a density bonus, up to the maximum gross density defined within Table 30.20.1, upon finding that the proposed development provides additional public benefits to the overall

community as outlined below. For the purpose of calculating the density bonus one (1) point shall equate to one (1) additional unit an acre.

- a) Dedication of land(s) for a public park and/or community buildings, if acceptable to the Township Board (2 – 4 points as determined by Planning Commission based on impact to overall community).
- b) Dedication of land(s) for the purpose of private parks that incorporate usable amenities. Acceptable amenities include playground equipment, picnic areas with grills and tables, tennis courts, baseball diamonds, etc. (1 - 2 points as determined by Planning Commission based on impact to the private community).
- c) The project incorporates, either through the development schematic plan or within the design and/or development standards, a guaranteed range of housing opportunities through various housing types: for example, lofts, townhomes, mixed use, cottages, single-family homes, apartments, etc. (1 - 4 points as determined by the Planning Commission based on the variety of housing types).
- d) The project incorporates, within the design or development standards, significant use of sustainable building design and/or site design features such as, stormwater filtration landscaping, low impact stormwater management, optimized energy performance, on-site renewable energy, passive solar heating, use of reused/ recycled/ renewable materials, indoor air quality mechanisms, green roofs, bird collision deterrents, or other elements identified as sustainable by established groups such as the US Green Building Council (LEED) or ANSI National Green Building Standards. (2-4 points as determined by the Planning Commission based on the level of efficiency and impact to overall community).
- e) Provision of usable common open space in an amount which is at least 50 percent greater than the minimum common open space percentage required by Section. (1 point)
- f) The project includes designs that improve walkability and Walk Score,.... This may include items like non-motorized paths in addition to sidewalks, inclusion of transit amenities / transit oriented design, etc. (1-3 points as determined by the Planning Commission).
- g) Provision of other exceptional public benefits within the development (1-2 points as determined by Planning Commission based on impact to overall community).

- h) The project offers off-site road improvements, or on-site improvements benefiting the broader community (1-4 points as determined by the Planning Commission).
- i) The project incorporates other goals of the Township beyond those that maybe be contained within a specific sub area plan governing the project (1-2 points as determined by the Planning Commission).
- j) The project provides for the preservation of significant natural features such as large tree(s), tree groupings, topography, etc (1-2 points as determined by the Planning Commission).
- k) The project benefits a Historic building or resource (1 - 2 points as determined by Planning Commission based on impact).
- l) The project involves development or redevelopment of a property classified as a Brownfield (1 - 4 points as determined by Planning Commission based on impact).

m) The project incorporates housing occupied by senior, workforce or low-income housing individuals under 120% of Area Median Income as defined by HUD and/or MSHDA (1 - 3 points as determined by Planning Commission based on impact).

g)

Residential Character/Density Category	Initial Gross Density	Maximum Gross Density with Density Bonus
Agricultural	1 unit an acre	N/A
Low	4 units an acre	N/A
Medium/Transitional	4 units and acre	8 units an acre
High	8 units an acre	16 units an acre

Memorandum



Date: February 28, 2023
To: Township Board
From: Zach Pearson, Public Works Project Manager
Subject: Consumers Energy Lighting Contract

Objective

Resolution approving changes in the standard lighting contract with Consumers Energy and budget authorization.

Background

The Township utilizes cost savings in energy usage to continue converting older high-pressure sodium (HPS) lights to more efficient LED fixtures.

As staff sees the opportunity to improve the streetlight system, such as converting or adding new lighting from safety concerns or in coordination with capital projects, this initiative is pursued. Currently, there are three projects underway. Consumers Energy requires a resolution from the Township Board when adding or changing lighting types to amend the standard lighting contract. Public Works is seeking a resolution to authorize the changes to the standard lighting contract for all three projects.

The projects are:

- Beech Avenue – convert existing HPS to LEDs and add additional LEDs to meet current Consumer Energy spacing guidelines (\$8,157.00)
- Sunset Road and Meridian Ave – convert existing HPS to LEDs (\$500.00)
- Parkview Ave – new lighting for roundabout configurations (\$9,081.00)

The 2023 budget includes \$30,000 for capital outlay and upgrades and will cover the costs of all three projects. No new money requested.

**OSHTEMO CHARTER TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN**

**RESOLUTION APPROVING CHANGES IN THE STANDARD LIGHTING CONTRACT
WITH CONSUMERS ENERGY**

Adopted: _____, 2023

Effective: _____, 2023

WHEREAS, Oshtemo Charter Township has a Standard Lighting Contract with Consumers Energy dated October 2, 2018, and a Change in Standard Lighting Contract dated September 15, 2022 ; and

WHEREAS, Oshtemo Charter Township wishes to authorize a change in lighting service for the following:

- Parkview Avenue roundabout lighting contract number 100000184687
- Sunset Road lighting improvements contract number 103035156878
- Beach Avenue lighting improvements contract number 103035156878; and

NOW THEREFORE IT IS HEREBY RESOLVED, that the Oshtemo Charter Township Supervisor is authorized to execute the Authorization for Change in Standard Lighting Contract form 547 for the above referenced lighting improvements.

Motion was made by _____ and seconded by _____, to adopt the foregoing Resolution.

Upon roll call vote the following voted "aye":

The following voted "nay":

The following were absent:

The Supervisor declared the motion carried, and the resolution duly adopted.

Dusty Farmer, Clerk
Oshtemo Charter Township

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Oshtemo Charter Township Board held February 28, 2023 which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Board was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.

Dusty Farmer, Clerk
Oshtemo Charter Township



A CMS Energy Company

CEM Support Center

Consumers Energy, CEM Support Center, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

September 15, 2022

NOTIFICATION #:
1062082169

OSHTEMO TOWNSHIP
7275 W MAIN ST
KALAMAZOO, MI 49009-821C

REFERENCE: THDPY22 PARKVIEW (AROUNDABOUT) ST LGHTS, KALAMAZOO

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:

Winter Construction Costs:	\$ -
Installation Charge:	\$ 9,081.00
Additional Costs	
Total Estimated Cost:	\$ 9,081.00
Less Prepayment Received:	\$ -
Total Estimated Cost Due:	\$ 9,081.00

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:

Andre Taylor at 269-337-2245



A CMS Energy Company

Dear New Electric Customer:

Thank you for your request for electric service. In order to expedite your request and meet your schedule, we have developed the following list of items requiring action by you (Customer Responsibilities). These requirements must be met before we can install your service.

CUSTOMER RESPONSIBILITIES

- 1) Service Location: A copy of our design document may be included in your customer packet. If included, your service entrance equipment should be located at the spot indicated by an "X" as shown on the design document (Form 2804). Install the meter socket 3½ - 5 feet above final grade of this location.
- 2) Meter Socket: Residential metering equipment furnished free of charge, owned and maintained by Consumers Energy includes: meters and one or two position self-contained meter sockets. Contact the company representative assigned to your notification for locations to pick-up the meter socket. For metering installations that require a three or more position self-contained meter socket, the customer will be required to purchase approved meter sockets from a distributor or supplier of their choice.
- 3) Payment: An invoice may be included in your customer packet. If included, the deposit amount on the invoice must be paid prior to installation of your service. Additional charges may apply and will be billed/or a refund issued upon completion of your service installation.
- 4) Site Conditions: The site must be within three (3) inches of final grade before we can install your service. If you have requested an underground service, you will need to clear a 12-foot wide path that is free of building materials, brush, trees, shrubs, etc, along the proposed service route to avoid delays. Our Forestry Department can provide this service for you at an additional charge. For overhead service, nominal line clearing will be provided at no charge. Any extensive line clearing may require additional charges. After your service is installed, we will backfill and place excavated earth over the trench. You are responsible for the final restoration and ensuring that the grading over the trench is at the required level.
- 5) Staking: To avoid damage, you must mark (stake) your existing private underground facilities such as: well, septic systems, sprinkler system, any underground wires, buried LPG tanks, piping, or other unusual buried facilities. These stakes must be apparent when we arrive to install the service. We cannot reimburse you for damage to facilities that are not properly staked. You do not need to stake the utilities' electric, gas or communication lines.
- 6) Mobile Home or Temporary Service: If you requested service to a mobile home or temporary electric service, you will be required to set your own pole or install a pipe for underground service in accordance with Consumers Energy specifications. Contact the Consumers Energy representative assigned to your notification for additional information.
- 7) Construction Repair: If additional line work is required to reach your location due to site conditions or other unusual circumstances, extra charges may be incurred.
- 8) **ELECTRICAL INSPECTION: YOU ARE RESPONSIBLE FOR ENSURING THAT ALL ELECTRICAL PERMITS AND INSPECTIONS ARE OBTAINED BEFORE ANY SERVICE CONNECTIONS CAN BE MADE. WIRINGS MUST COMPLY WITH LOCAL AND STATE ELECTRICAL CODES. NOTE: CAUTION SHOULD BE USED WHEN WORKING INSIDE FUSE PANEL. PANEL MAY BE ENERGIZED AFTER SERVICE IS**
- 9) Additional Charges: Underground services installed during the months of December through April may be subject to an additional charge. Unusual site conditions may also require an additional charge. These charges will be communicated to you in advance of construction.
- 10) Joint Trenching: Discounts for installation of electric and gas service in the same trench (joint trench) are applied in calculating the gas service contribution.
- 11) Usage Rate: Customers are billed at a general service rate while the structure is under construction. If the structure is a home, then the owner of the home, upon receiving a Certificate of Occupancy, should call 1-800-477-5050 to ensure the gas and/or electric rates are changed to an appropriate rate.

Please keep these procedures in a convenient location to review as we proceed with designing your service and constructing the job. If any of the characteristics of the service request are changed and not communicated to us, you may experience delays and/or additional charges.

If you have any questions regarding these requirements please direct inquiries to:

Andre Taylor at 269-337-2245

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

PLEASE RETURN THE CHECKED DOCUMENTS BELOW TO CONSUMERS ENERGY IN THE ENVELOPE PROVIDED	
TO EXPEDITE SERVICE, RETURN VIA EMAIL TO:	
<u>POBoxCEServiceRequest@cmsenergy.com</u>	
<input type="checkbox"/>	AGREEMENT FOR INSTALLATION (Please return all pages of contracts) (Form 93, Form 94 and Form 95 - 2 Page Document Each) (Form 861, Form 862 and Form 230 - 4 Page Document Each)
<input checked="" type="checkbox"/>	PAYMENT WITH INVOICE STUB (BOTTOM STUB IS REQUIRED FOR PROCESSING)
<input type="checkbox"/>	REQUEST FOR ELEVATED CUSTOMER DELIVERY PRESSURE
<input checked="" type="checkbox"/>	STANDARD LIGHTING CONTRACT (MUST BE CERTIFIED BY CLERK)
<input type="checkbox"/>	SIGNED CUSTOMER ATTACHMENT PROGRAM (CAP) CONTRACT (PLEASE ENSURE TO CHECK PAYMENT OPTION ON CONTRACT)
<input type="checkbox"/>	GO READY FORM (FORM 1250) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
<input type="checkbox"/>	SITE READY PHOTO(S) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
<input type="checkbox"/>	OTHER:
NOTIFICATION REFERENCE NUMBERS	
ELECTRIC SERVICE NOTIFICATION:	
GAS SERVICE NOTIFICATION:	
ELECTRIC OH DISTRIBUTION NOTIFICATION:	
ELECTRIC UG DISTRIBUTION NOTIFICATION:	
GAS MAIN NOTIFICATION:	
STREETLIGHT NOTIFICATION:	1062082169



OSHTEMO TOWNSHIP
7275 W MAIN ST
KALAMAZOO MI 49009-8210

Amount Due: \$9,081.00
Please pay by: September 29, 2022

Invoice Number	9323443777
PO Number	
PO Date	
Bill Date	09/15/22

Account: 3000 2013 3041

THDPY22 PARKVIEW (AROUNDABOUT) ST LGHTS KALAMAZOO - STREETLIGHTING - NOTIFICATION NUMBER (s):
1062082169 -

NONENERGY INVOICE

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
Electric Streetlights-Removal	1.0 EA	\$9,081.00	\$9,081.00
TOTAL DUE:			\$9,081.00

See Page 2 for Payment Options.
Consumers Energy is regulated by the Michigan Public Service Commission, Lansing, Michigan

INVOICE QUESTIONS - Contact: Andre Taylor -269-337-2245 -

Fold, detach and mail this stub with your check made payable to Consumers Energy. Please write your account number on your check.



CONSUMERS ENERGY
CEM Support Ctr - Lansing RM 122
PO Box 30162
Lansing, MI 48909-7662

PREPAYMENT REQUEST

Account: 3000 2013 3041

Amount Due: \$9,081.00
Please pay by: September 29, 2022

Enclosed:

6 330032789782 000009081001 0000 2056 5 300020133041 H



AUTHORIZATION FOR CHANGE IN
STANDARD LIGHTING CONTRACT
(COMPANY-OWNED) FORM 547

Contract Number

Consumers Energy Company is authorized as of by the of , to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the of , dated .

Lighting Type:

Notification Number(s):

Construction Work Order Number(s):

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated shall remain in full force and effect.

of

By: _____
(Signature)

(Printed)

Its _____
(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the Township of OSHTEMO, dated 10/2/2018, in accordance with the Authorization for Change in Standard Lighting Contract dated 9/15/2022, heretofore submitted to and considered by this commission council board ;and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the Township _____.

STATE OF MICHIGAN

COUNTY OF Kalamazoo

I, _____, Clerk of the Township of OSHTEMO, do hereby certify that the foregoing resolution was duly adopted by the commission council board of said municipality, at the meeting held on _____.

Dated: _____

Municipal Customer Type:
Township _____

GENERAL UNMETERED EXPERIMENTAL LIGHTING RATE GU-XL

<i>Number of Luminaires</i>	<i>Nominal Watts</i>	<i>Luminaire Type</i>	<i>Fixture Type</i>	<i>Fixture Style</i>	<i>Install Remove</i>	<i>Location</i>
1	54 ▼	LED ▼	Cobrahead ▼	Non-Cutc ▼	Remove ▼	5527 PARKVIEW AVE (EAST SIDE C
1	54 ▼	LED ▼	Cobrahead ▼	Non-Cutc ▼	Remove ▼	5318 PARKVIEW AVE

▼ Insert item

Submit



A CMS Energy Company

CEM Support Center

Consumers Energy, CEM Support Center, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

December 19, 2022

NOTIFICATION #:
1063847151-1063687634

OSHTEMO TOWNSHIP
7275 W MAIN ST
KALAMAZOO, MI 49009-821C

REFERENCE: BEECH AVE, KALAMAZOO

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:

Winter Construction Costs:	\$ -
Installation Charge:	\$ 8,157.00
Additional Costs	
Total Estimated Cost:	\$ 8,157.00
Less Prepayment Received:	\$ -
Total Estimated Cost Due:	\$ 8,157.00

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:

Tanya Gilroy at 616-251-0574



A CMS Energy Company

Dear New Electric Customer:

Thank you for your request for electric service. In order to expedite your request and meet your schedule, we have developed the following list of items requiring action by you (Customer Responsibilities). These requirements must be met before we can install your service.

CUSTOMER RESPONSIBILITIES

- 1) Service Location: A copy of our design document may be included in your customer packet. If included, your service entrance equipment should be located at the spot indicated by an "X" as shown on the design document (Form 2804). Install the meter socket 3½ - 5 feet above final grade of this location.
- 2) Meter Socket: Residential metering equipment furnished free of charge, owned and maintained by Consumers Energy includes: meters and one or two position self-contained meter sockets. Contact the company representative assigned to your notification for locations to pick-up the meter socket. For metering installations that require a three or more position self-contained meter socket, the customer will be required to purchase approved meter sockets from a distributor or supplier of their choice.
- 3) Payment: An invoice may be included in your customer packet. If included, the deposit amount on the invoice must be paid prior to installation of your service. Additional charges may apply and will be billed/or a refund issued upon completion of your service installation.
- 4) Site Conditions: The site must be within three (3) inches of final grade before we can install your service. If you have requested an underground service, you will need to clear a 12-foot wide path that is free of building materials, brush, trees, shrubs, etc, along the proposed service route to avoid delays. Our Forestry Department can provide this service for you at an additional charge. For overhead service, nominal line clearing will be provided at no charge. Any extensive line clearing may require additional charges. After your service is installed, we will backfill and place excavated earth over the trench. You are responsible for the final restoration and ensuring that the grading over the trench is at the required level.
- 5) Staking: To avoid damage, you must mark (stake) your existing private underground facilities such as: well, septic systems, sprinkler system, any underground wires, buried LPG tanks, piping, or other unusual buried facilities. These stakes must be apparent when we arrive to install the service. We cannot reimburse you for damage to facilities that are not properly staked. You do not need to stake the utilities' electric, gas or communication lines.
- 6) Mobile Home or Temporary Service: If you requested service to a mobile home or temporary electric service, you will be required to set your own pole or install a pipe for underground service in accordance with Consumers Energy specifications. Contact the Consumers Energy representative assigned to your notification for additional information.
- 7) Construction Repair: If additional line work is required to reach your location due to site conditions or other unusual circumstances, extra charges may be incurred.
- 8) **ELECTRICAL INSPECTION: YOU ARE RESPONSIBLE FOR ENSURING THAT ALL ELECTRICAL PERMITS AND INSPECTIONS ARE OBTAINED BEFORE ANY SERVICE CONNECTIONS CAN BE MADE. WIRINGS MUST COMPLY WITH LOCAL AND STATE ELECTRICAL CODES. NOTE: CAUTION SHOULD BE USED WHEN WORKING INSIDE FUSE PANEL. PANEL MAY BE ENERGIZED AFTER SERVICE IS**
- 9) Additional Charges: Underground services installed during the months of December through April may be subject to an additional charge. Unusual site conditions may also require an additional charge. These charges will be communicated to you in advance of construction.
- 10) Joint Trenching: Discounts for installation of electric and gas service in the same trench (joint trench) are applied in calculating the gas service contribution.
- 11) Usage Rate: Customers are billed at a general service rate while the structure is under construction. If the structure is a home, then the owner of the home, upon receiving a Certificate of Occupancy, should call 1-800-477-5050 to ensure the gas and/or electric rates are changed to an appropriate rate.

Please keep these procedures in a convenient location to review as we proceed with designing your service and constructing the job. If any of the characteristics of the service request are changed and not communicated to us, you may experience delays and/or additional charges.

If you have any questions regarding these requirements please direct inquiries to:

Tanya Gilroy at 616-251-0574



A CMS Energy Company

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

PLEASE RETURN THE CHECKED DOCUMENTS BELOW TO CONSUMERS ENERGY IN THE ENVELOPE PROVIDED	
TO EXPEDITE SERVICE, RETURN VIA EMAIL TO:	
<u>POBoxCEServiceRequest@cmsenergy.com</u>	
<input type="checkbox"/>	AGREEMENT FOR INSTALLATION (Please return all pages of contracts) (Form 93, Form 94 and Form 95 - 2 Page Document Each) (Form 861, Form 862 and Form 230 - 4 Page Document Each)
<input checked="" type="checkbox"/>	PAYMENT WITH INVOICE STUB (BOTTOM STUB IS REQUIRED FOR PROCESSING)
<input type="checkbox"/>	REQUEST FOR ELEVATED CUSTOMER DELIVERY PRESSURE
<input checked="" type="checkbox"/>	STANDARD LIGHTING CONTRACT (MUST BE CERTIFIED BY CLERK)
<input type="checkbox"/>	SIGNED CUSTOMER ATTACHMENT PROGRAM (CAP) CONTRACT (PLEASE ENSURE TO CHECK PAYMENT OPTION ON CONTRACT)
<input type="checkbox"/>	GO READY FORM (FORM 1250) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
<input type="checkbox"/>	SITE READY PHOTO(S) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: <u>POBoxCEServiceRequest@cmsenergy.com</u>
<input type="checkbox"/>	OTHER:
NOTIFICATION REFERENCE NUMBERS	
ELECTRIC SERVICE NOTIFICATION:	
GAS SERVICE NOTIFICATION:	
ELECTRIC OH DISTRIBUTION NOTIFICATION:	
ELECTRIC UG DISTRIBUTION NOTIFICATION:	
GAS MAIN NOTIFICATION:	
STREETLIGHT NOTIFICATION:	1063847151-1063687634

**NOTICE FOR NATURAL GAS AND ELECTRIC CUSTOMERS
WINTER CONSTRUCTION/PRACTICAL DIFFICULTIES CHARGES**

An **additional** construction charge of \$3.00 per foot for all **underground construction footage** will be applied to gas and electric facilities installed **starting December 15, 2022 through April 1, 2023**. To help you avoid this charge, we have included important dates and site requirements below. **Please note that Electrical inspection is a requirement for construction for Electric and Joint trench requests.**

**NATURAL GAS AND UNDERGROUND ELECTRIC SERVICE
FROM EXISTING FACILITIES**

Applications/request for service **must be received on or before November 1, 2022; the job site must be ready including inspection; and all required permits, easements (if applicable) and estimated payments must be received on or before November 22, 2022.** (Please note that the November 22, 2022, payment deadline replaces the payment due date listed at the top of your invoice.)

If you are in the early stages of construction, please make sure your basement (or foundation) is backfilled, and the service route from the building to the property line is leveled and sloped for appropriate grade. Please keep this route clear of all dirt and building materials so that our employees can work safely and efficiently.

If you're unable to meet the above dates or site conditions, you may want to consider installing conduit for your Consumers Energy natural gas and/or electric service. Conduits that are properly installed and usable will not incur the winter charges.

GAS MAIN AND UNDERGROUND PRIMARY ELECTRIC EXTENSIONS

Application/request for main and primary underground electric extension **must be made on or before October 3, 2022, and the following must be completed on or before November 1, 2022:**

1. All payments must be made in advance, including your service payment. Please note that the November 1, payment deadline replaces the payment due date listed at the top of your invoice.
2. Governmental agencies must have returned required construction permits.
3. The site must be clear and ready for construction, including the service route.
4. Consumers Energy must receive all required easements.

GAS METERS

You do **not** need to call us to request gas meter installation for single-unit buildings that require a 250 Metris meter. We will set gas meters within 5 days after the gas service has been installed.

To schedule installation of a gas meter for a multifamily building or building that requires a meter larger than a 250 Metris meter, please call us at (800) 477-5050. These installations require connecting a fuel line to our meter bracket and at least one permanent natural gas appliance. Also, we need your help to access the building. If your township requires a pressure test inspection tag, please verify this has been completed before requesting a meter set.

NOTE: To help us schedule your meter set when you need it and avoid delays, we suggest that you apply for your natural gas and electric service at the same time you apply for your building permit.

If you have any questions, please call your Project Coordinator or Service Technician:

Tanya Gilroy at 616-251-0574



OSHTEMO TOWNSHIP
7275 W MAIN ST
KALAMAZOO MI 49009-8210

Amount Due: \$8,157.00
Please pay by: January 02, 2023

▶ Invoice Number	9324034520
PO Number	
PO Date	
Bill Date	12/19/22

▶ **Account: 3000 2060 3829** ◀

▶ BEECH AVE KALAMAZOO - STREETLIGHTING - NOTIFICATION NUMBER (s): - 1063847151-1063687634

NONENERGY INVOICE

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
Electric Streetlights-CIAC	7.0 EA	\$100.00	\$700.00
Electric Streetlight Conversion	1.0 EA	\$7,457.00	\$7,457.00
TOTAL DUE:			\$8,157.00

See Page 2 for Payment Options.
Consumers Energy is regulated by the Michigan Public Service Commission, Lansing, Michigan

INVOICE QUESTIONS - Contact: Tanya Gilroy -616-251-0574 -

Fold, detach and mail this stub with your check made payable to Consumers Energy. Please write your account number on your check.



CONSUMERS ENERGY
CEM Support Ctr - Lansing RM 122
PO Box 30162
Lansing, MI 48909-7662

PREPAYMENT REQUEST

Account: 3000 2060 3829

Amount Due: \$8,157.00
Please pay by: January 02, 2023
▶ **Enclosed:**

6 330033285815 000008157000 0000 2056 3 300020603829 H



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT(COMPANY-OWNED) FORM 547**

Contract Number: 103035156878

Consumers Energy Company is authorized as of _____ by the Township of OSHTEMO, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the Township of OSHTEMO, dated 10/2/2018.

Lighting Type: General Unmetered Light Emitting Diode Lighting Rate GU-LED

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10/2/2018 shall remain in full force and effect.

Notification Number(s): 1063687634

Comments:

Township of OSHTEMO

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the Township of OSHTEMO, dated 10/2/2018, in accordance with the Authorization for Change in Standard Lighting Contract dated _____,

heretofore submitted to and considered by this commission council board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the Township.

STATE OF MICHIGAN
COUNTY OF KALAMAZOO

I, _____, clerk of the Township of OSHTEMO do hereby certify that the foregoing resolution was duly adopted by the

commission council board of said municipality, at the meeting held on _____.

Dated:

Municipal Customer Type: Township



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT(COMPANY-OWNED) FORM 547**

Contract Number: 100000184687

Consumers Energy Company is authorized as of _____ by the Township of OSHTEMO, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the Township of OSHTEMO, dated 2/1/2013.

Lighting Type: General Service Unmetered Lighting Rate GUL, Standard High Intensity Discharge

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 2/1/2013 shall remain in full force and effect.

Notification Number(s): 1063847151

Comments:

Township of OSHTEMO

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the Township of OSHTEMO, dated 2/1/2013, in accordance with the Authorization for Change in Standard Lighting Contract dated _____,

heretofore submitted to and considered by this commission council board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the Township.

STATE OF MICHIGAN
COUNTY OF KALAMAZOO

I, _____, clerk of the Township of OSHTEMO do hereby certify that the foregoing resolution was duly adopted by the

commission council board of said municipality, at the meeting held on _____.

Dated:

Municipal Customer Type: Township

GENERAL SERVICE UNMETERED LIGHTING RATE GUL, STANDARD HIGH INTENSITY DISCHARGE

- (3) 100 watt HPS Cobrahead Cutoff to Remove at location 7,4,6;



A CMS Energy Company

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., Lansing, MI 48906-4754

February 14, 2023

NOTIFICATION #:
1065624490

OSHTEMO TOWNSHIP
7275 W MAIN ST
KALAMAZOO, MI 49009-821C

REFERENCE: SUNSET RD, KALAMAZOO

Dear Valued Customer,

Thank you for contacting Consumers Energy for your energy needs. Please note the Notification Number above and include it on any correspondence you send. Please note the Account Number, located above the Account Name on your invoice, when submitting payment.

Enclosed for approval and signature is the original Authorization for Change and Resolution covering the replacement and/or installation of streetlight(s). You are responsible for the final restoration.

The estimated cost for your energy request is as follows:

Non Refundable Agreement for Installation of Electric Facilities:

Winter Construction Costs:	\$	-
Installation Charge:	\$	500.00
Additional Costs		
Total Estimated Cost:	\$	500.00
Less Prepayment Received:	\$	-
Total Estimated Cost Due:	\$	500.00

Please sign and return the original Authorization for Change and Resolution in the enclosed self-addressed envelope or email to: POBoxCEServiceRequest@cmsenergy.com. Payment in full is required before the installation can be scheduled for construction.

Please review all attached materials carefully and direct inquiries for your request to:

Gabriel Poletti at 810-760-3485



A CMS Energy Company

Dear New Electric Customer:

Thank you for your request for electric service. In order to expedite your request and meet your schedule, we have developed the following list of items requiring action by you (Customer Responsibilities). These requirements must be met before we can install your service.

CUSTOMER RESPONSIBILITIES

- 1) Service Location: A copy of our design document may be included in your customer packet. If included, your service entrance equipment should be located at the spot indicated by an "X" as shown on the design document (Form 2804). Install the meter socket 3½ - 5 feet above final grade of this location.
- 2) Meter Socket: Residential metering equipment furnished free of charge, owned and maintained by Consumers Energy includes: meters and one or two position self-contained meter sockets. Contact the company representative assigned to your notification for locations to pick-up the meter socket. For metering installations that require a three or more position self-contained meter socket, the customer will be required to purchase approved meter sockets from a distributor or supplier of their choice.
- 3) Payment: An invoice may be included in your customer packet. If included, the deposit amount on the invoice must be paid prior to installation of your service. Additional charges may apply and will be billed/or a refund issued upon completion of your service installation.
- 4) Site Conditions: The site must be within three (3) inches of final grade before we can install your service. If you have requested an underground service, you will need to clear a 12-foot wide path that is free of building materials, brush, trees, shrubs, etc, along the proposed service route to avoid delays. Our Forestry Department can provide this service for you at an additional charge. For overhead service, nominal line clearing will be provided at no charge. Any extensive line clearing may require additional charges. After your service is installed, we will backfill and place excavated earth over the trench. You are responsible for the final restoration and ensuring that the grading over the trench is at the required level.
- 5) Staking: To avoid damage, you must mark (stake) your existing private underground facilities such as: well, septic systems, sprinkler system, any underground wires, buried LPG tanks, piping, or other unusual buried facilities. These stakes must be apparent when we arrive to install the service. We cannot reimburse you for damage to facilities that are not properly staked. You do not need to stake the utilities' electric, gas or communication lines.
- 6) Mobile Home or Temporary Service: If you requested service to a mobile home or temporary electric service, you will be required to set your own pole or install a pipe for underground service in accordance with Consumers Energy specifications. Contact the Consumers Energy representative assigned to your notification for additional information.
- 7) Construction Repair: If additional line work is required to reach your location due to site conditions or other unusual circumstances, extra charges may be incurred.
- 8) **ELECTRICAL INSPECTION: YOU ARE RESPONSIBLE FOR ENSURING THAT ALL ELECTRICAL PERMITS AND INSPECTIONS ARE OBTAINED BEFORE ANY SERVICE CONNECTIONS CAN BE MADE. WIRINGS MUST COMPLY WITH LOCAL AND STATE ELECTRICAL CODES. NOTE: CAUTION SHOULD BE USED WHEN WORKING INSIDE FUSE PANEL. PANEL MAY BE ENERGIZED AFTER SERVICE IS**
- 9) Additional Charges: Underground services installed during the months of December through April may be subject to an additional charge. Unusual site conditions may also require an additional charge. These charges will be communicated to you in advance of construction.
- 10) Joint Trenching: Discounts for installation of electric and gas service in the same trench (joint trench) are applied in calculating the gas service contribution.
- 11) Usage Rate: Customers are billed at a general service rate while the structure is under construction. If the structure is a home, then the owner of the home, upon receiving a Certificate of Occupancy, should call 1-800-477-5050 to ensure the gas and/or electric rates are changed to an appropriate rate.

Please keep these procedures in a convenient location to review as we proceed with designing your service and constructing the job. If any of the characteristics of the service request are changed and not communicated to us, you may experience delays and/or additional charges.

If you have any questions regarding these requirements please direct inquiries to:

Gabriel Poletti at 810-760-3485

**NOTICE FOR NATURAL GAS AND ELECTRIC CUSTOMERS
WINTER CONSTRUCTION/PRACTICAL DIFFICULTIES CHARGES**

An **additional** construction charge of \$3.00 per foot for all **underground construction footage** will be applied to gas and electric facilities installed **starting December 15, 2022 through April 1, 2023**. To help you avoid this charge, we have included important dates and site requirements below. **Please note that Electrical inspection is a requirement for construction for Electric and Joint trench requests.**

**NATURAL GAS AND UNDERGROUND ELECTRIC SERVICE
FROM EXISTING FACILITIES**

Applications/request for service **must be received on or before November 1, 2022; the job site must be ready including inspection; and all required permits, easements (if applicable) and estimated payments must be received on or before November 22, 2022.** (Please note that the November 22, 2022, payment deadline replaces the payment due date listed at the top of your invoice.)

If you are in the early stages of construction, please make sure your basement (or foundation) is backfilled, and the service route from the building to the property line is leveled and sloped for appropriate grade. Please keep this route clear of all dirt and building materials so that our employees can work safely and efficiently.

If you're unable to meet the above dates or site conditions, you may want to consider installing conduit for your Consumers Energy natural gas and/or electric service. Conduits that are properly installed and usable will not incur the winter charges.

GAS MAIN AND UNDERGROUND PRIMARY ELECTRIC EXTENSIONS

Application/request for main and primary underground electric extension **must be made on or before October 3, 2022, and the following must be completed on or before November 1, 2022:**

1. All payments must be made in advance, including your service payment. Please note that the November 1, payment deadline replaces the payment due date listed at the top of your invoice.
2. Governmental agencies must have returned required construction permits.
3. The site must be clear and ready for construction, including the service route.
4. Consumers Energy must receive all required easements.

GAS METERS

You do **not** need to call us to request gas meter installation for single-unit buildings that require a 250 Metris meter. We will set gas meters within 5 days after the gas service has been installed.

To schedule installation of a gas meter for a multifamily building or building that requires a meter larger than a 250 Metris meter, please call us at (800) 477-5050. These installations require connecting a fuel line to our meter bracket and at least one permanent natural gas appliance. Also, we need your help to access the building. If your township requires a pressure test inspection tag, please verify this has been completed before requesting a meter set.

NOTE: To help us schedule your meter set when you need it and avoid delays, we suggest that you apply for your natural gas and electric service at the same time you apply for your building permit.

If you have any questions, please call your Project Coordinator or Service Technician:

Gabriel Poletti at 810-760-3485



A CMS Energy Company

CEM Support Center

Consumers Energy, Lansing Service Center, Rm. 122, 530 W. Willow St., P.O. Box 30162 Lansing, MI 48909-7662

PLEASE RETURN THE CHECKED DOCUMENTS BELOW TO CONSUMERS ENERGY IN THE ENVELOPE PROVIDED

TO EXPEDITE SERVICE, RETURN VIA EMAIL TO:
POBoxCEServiceRequest@cmsenergy.com

<input type="checkbox"/>	AGREEMENT FOR INSTALLATION (Please return all pages of contracts) (Form 93, Form 94 and Form 95 - 2 Page Document Each) (Form 861, Form 862 and Form 230 - 4 Page Document Each)
--------------------------	--

<input checked="" type="checkbox"/>	PAYMENT WITH INVOICE STUB (BOTTOM STUB IS REQUIRED FOR PROCESSING)
-------------------------------------	---

<input type="checkbox"/>	REQUEST FOR ELEVATED CUSTOMER DELIVERY PRESSURE
--------------------------	---

<input checked="" type="checkbox"/>	STANDARD LIGHTING CONTRACT (MUST BE CERTIFIED BY CLERK)
-------------------------------------	--

<input type="checkbox"/>	SIGNED CUSTOMER ATTACHMENT PROGRAM (CAP) CONTRACT (PLEASE ENSURE TO CHECK PAYMENT OPTION ON CONTRACT)
--------------------------	--

<input checked="" type="checkbox"/>	GO READY FORM (FORM 1250) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: POBoxCEServiceRequest@cmsenergy.com
-------------------------------------	--

<input type="checkbox"/>	SITE READY PHOTO(S) TO EXPEDITE SERVICE, RETURN VIA EMAIL TO: POBoxCEServiceRequest@cmsenergy.com
--------------------------	--

<input type="checkbox"/>	OTHER:
--------------------------	--------

NOTIFICATION REFERENCE NUMBERS

ELECTRIC SERVICE NOTIFICATION:	
GAS SERVICE NOTIFICATION:	
ELECTRIC OH DISTRIBUTION NOTIFICATION:	
ELECTRIC UG DISTRIBUTION NOTIFICATION:	
GAS MAIN NOTIFICATION:	
STREETLIGHT NOTIFICATION:	1065624490



**AUTHORIZATION FOR CHANGE IN STANDARD LIGHTING
CONTRACT(COMPANY-OWNED) FORM 547**

Contract Number: 103035156878

Consumers Energy Company is authorized as of _____ by the Township of OSHTEMO, to make changes, as listed below, in the lighting system(s) covered by the existing Standard Lighting Contract between the Company and the Township of OSHTEMO, dated 10/2/2018.

Lighting Type: General Unmetered Light Emitting Diode Lighting Rate GU-LED

Except for the changes in the lighting system(s) as herein authorized, all provisions of the aforesaid Standard Lighting Contract dated 10/2/2018 shall remain in full force and effect.

Notification Number(s): 1065624490

Comments: 11479943

Township of OSHTEMO

By: _____

(Signature)

(Printed)

Its: _____

(Title)

This Agreement may be executed and delivered in counterparts, including by a facsimile or an electronic transmission thereof, each of which shall be deemed an original. Any document generated by the parties with respect to this Agreement, including this Agreement, may be imaged and stored electronically and introduced as evidence in any proceeding as if original business records. Neither party will object to the admissibility of such images as evidence in any proceeding on account of having been stored electronically.

RESOLUTION

RESOLVED, that it is hereby deemed advisable to authorize Consumers Energy Company to make changes in the lighting service as provided in the Standard Lighting Contract between the Company and the Township of OSHTEMO, dated 10/2/2018, in accordance with the Authorization for Change in Standard Lighting Contract dated _____,

heretofore submitted to and considered by this commission council board; and

RESOLVED, further, that the _____ Clerk be and are authorized to execute such authorization for change on the behalf of the Township.

STATE OF MICHIGAN
COUNTY OF KALAMAZOO

I, _____, clerk of the Township of OSHTEMO do hereby certify that the foregoing resolution was duly adopted by the

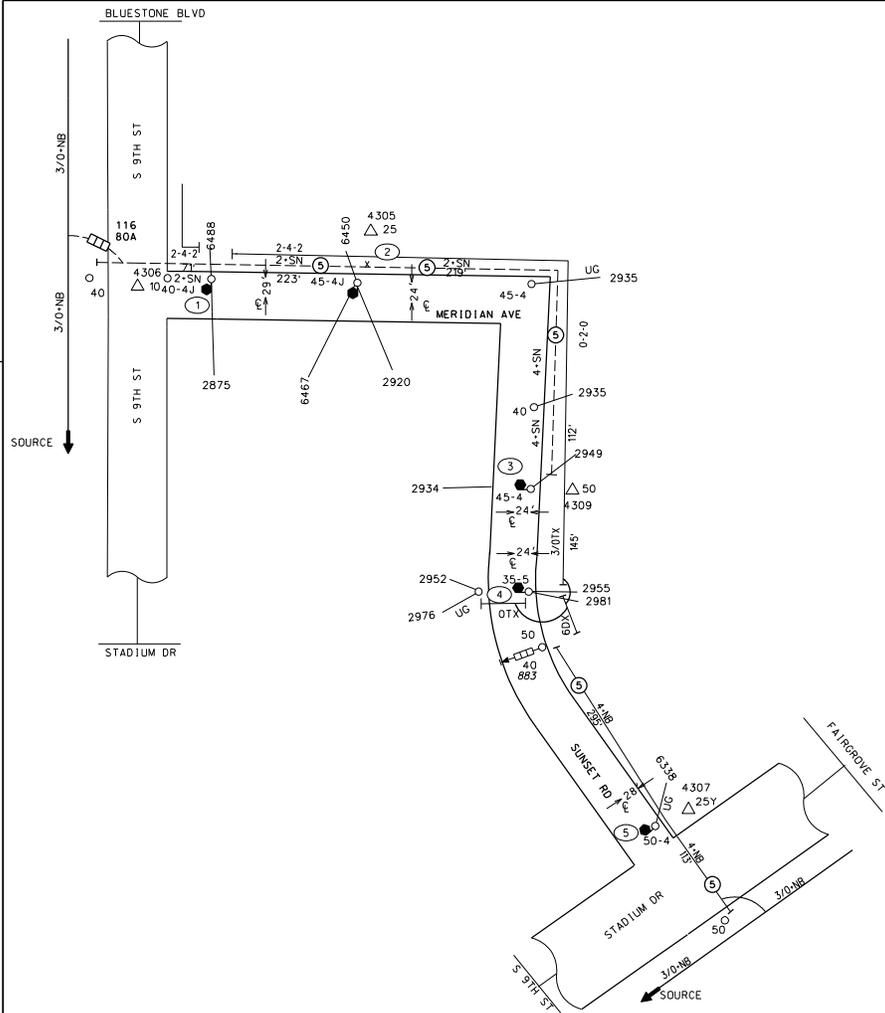
commission council board of said municipality, at the meeting held on _____.

Dated:

Municipal Customer Type: Township

GENERAL UNMETERED LIGHT EMITTING DIODE LIGHTING RATE GU-LED

- (5) 40 watt LED Cobrahead NA to Install at location LOCATION 1 -5;



- ①
 INSTALL
 40W LED
 FIGURE 42-102-2
 FIGURE 42-103-1
 ATTACH AT 25' 4"
 12' BRKT
 BOND TO NEUT
 FIGURE 42-105-1 DETAIL B
 NOTES
 FEED STL FROM TLM 4306
 4" TO GIVE 16" BETWEEN COMM AND DL
- ②
 INSTALL
 40W LED
 FIGURE 42-102-2
 FIGURE 42-103-1
 ATTACH AT 25' 4"
 12' BRKT
 BOND TO NEUT
 FIGURE 42-105-1 DETAIL B
 NOTES
 FEED STL FROM TLM 4306
 4" TO GIVE 16" BETWEEN COMM AND DL
- ③
 INSTALL
 40W LED
 FIGURE 42-102-2
 FIGURE 42-103-1
 ATTACH AT 25'
 6' BRKT
 BOND TO NEUT
 FIGURE 42-105-1 DETAIL B
 NOTES
 FEED STL FROM TLM 4309
- ④
 INSTALL
 40W LED
 FIGURE 42-102-2
 FIGURE 42-103-1
 ATTACH AT 25'
 6' BRKT
 BOND TO NEUT
 FIGURE 42-105-1 DETAIL B
 NOTES
 FEED STL FROM TLM 4309
- ⑤
 INSTALL
 40W LED
 FIGURE 42-102-2
 FIGURE 42-103-1
 ATTACH AT 25' 4"
 12' BRKT
 BOND TO NEUT
 FIGURE 42-105-1 DETAIL B
 NOTES
 FEED STL FROM TLM AT INTERSECTION
 4" TO GIVE 16" BETWEEN COMM AND DL

MISS DIG System, Inc.
 1-800-482-7171

SUBSTATION		METER ORDER NUMBER		METER NUMBER		READ		METER LOCATION	
RIX ROAD	0938	SUNSET RD. K200 ECNC STL							
CIRCUIT	01	TLM NUMBER	# OF RDS	OHMS	CM NO. 100007155752	JOB PURPOSE: NEW STL INSTALLATIONS			
FAIRLANE	01	521115			ORDER TYPE	NOTIFICATION NUMBER	DESIGN NUMBER	ORDER NUMBER	
		CE STAKING REQ'D <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		FORESTRY REQ'D <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ECNC STL	1065624490	11479943	UPSTREAM SECTIONALIZING DEVICE: 116-80A	
SHEET C SHEET 1 OF 1 SCALE 1"=100'		KALAMAZOO		CO	DSHTMD	TWP T 02S R 11W		SEC. 15	

CONSUMERS ENERGY CONTACTS		
DEPARTMENT	NAME	NUMBER
COORDINATOR	GABRIEL POLETTI	8102418179
DESIGNER	ZACH MISONI	7403581052



OSHTEMO TOWNSHIP
7275 W MAIN ST
KALAMAZOO MI 49009-8210

Amount Due: \$500.00
Please pay by: February 28, 2023

Invoice Number	9324429302
PO Number	
PO Date	
Bill Date	02/14/23

Account: 3000 2110 0197

SUNSET RD KALAMAZOO - STREETLIGHTING - NOTIFICATION NUMBER (s): - - - - - 1065624490 -

NONENERGY INVOICE

DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
40 W LED Cobrahead	5.0 EA	\$100.00	\$500.00
TOTAL DUE:			\$500.00

See Page 2 for Payment Options.
Consumers Energy is regulated by the Michigan Public Service Commission, Lansing, Michigan

INVOICE QUESTIONS - Contact: Gabriel Poletti -810-760-3485 -

Fold, detach and mail this stub with your check made payable to Consumers Energy. Please write your account number on your check.



CONSUMERS ENERGY
CEM Support Ctr - Lansing RM 122
PO Box 30162
Lansing, MI 48909-7662

PREPAYMENT REQUEST

Account: 3000 2110 0197

Amount Due: \$500.00
Please pay by: February 28, 2023

Enclosed:

6 330033586163 000000500009 0000 2056 6 300021100197 H



TOWNSHIP ATTORNEY'S OFFICE
7275 WEST MAIN STREET
KALAMAZOO, MI 49009-9334
PHONE: 269-375-7195
FAX: 269-233-5410

Postmaster General Louis DeJoy
The United States Postal Service
475 L'Enfant Plaza S.W.
Washington D.C. 20260

Re: *United states Postal Service - Sorting and Delivery United Center, Oshtemo Township
Kalamazoo County Michigan*

Dear Postmaster General,

We are writing on behalf of the 24,000 residents of Oshtemo Charter Township. We are the fastest growing community in Kalamazoo County. We were extremely troubled to discover, from a representative of the National Association of Postal Supervisors, that a huge change is coming to our community, without notice or an opportunity, to comment.

We have been told that the post office currently located on 9th Street, in our community, is going to be converted to a Sorting and Delivery Center. Based on the information we received this will result in hundreds of vehicles entering and leaving the site on a daily basis. We are extremely troubled by this for several reasons.

First, there appears to be a total lack of transparency by the Postmaster General's Office and a complete failure to comply with the Postal Accountability and Enhancement Act (Public Law 109 – 435). To date, we received no notice, nor have we been asked to comment, on the proposal to locate this facility within our community. We object to not having been notified or given an opportunity to comment. We have a number of concerns about the location being considered for the United Center.

The subject property being considered for transition to a Sorting and Delivery United Center is located on one of the busiest roads in our community. It is also located just South of the intersection of Stadium Drive and 9th Street. One of the busiest intersections in Kalamazoo County. The traffic problem is further exacerbated by the fact that the facility is located mid-block without any traffic control devices to handle the increase in traffic. Our planners and engineers, on staff, have warned us of the likelihood

that this facility will create a significant traffic hazard. What, if any, traffic studies have been done to determine whether or not this is the appropriate site for a Sorting and Delivery United Center?

You need to be aware that the property being considered is located directly across the street from one of our busiest public parks. We are very concerned about the impact this will have upon individuals accessing the park as well as those using the park for recreational purposes. Was there any type of environmental impact study done to determine where the sorting and delivery center should be located?

You should be aware that if you locate the United Center on 9th Street, in Oshtemo Township, that much of the traffic will be passing by not one, but two, schools in our community. It is our understanding that all this traffic must remain upon local roads and cannot use the Interstate Highway System. If that is the case, you will have a large number of students, accessing the schools in our area will be at greater risk due to this intense increase in traffic on 9th Street.

You must reconsider your current proposal and take the appropriate steps to follow Federal Law and provide us with the opportunity for public input.

When you reconsider your position, please take into account, the negative impacts that will also happen to the rural communities surrounding Kalamazoo. The loss of a Post Office in these small communities will be devastating. Moving mail faster, at the expense of the people, is not progress.

Very truly yours,

Oshtemo Charter Township Board

Memorandum



Date: 28 February 2023
To: Township Board
From: HR Board Work Group - Trustee Cheri Bell,
Treasurer Clare Buszka, HR/Benefit Coordinator Sara Feister
Subject: Consideration of Job Share Option for Parks Director

Objective

Proposed motion for consideration of the job share option for the Parks Director position.

Background

At the Township Board meeting on 02/14/23, Township Supervisor Libby Heiny-Cogswell gave notice of her pending retirement on 05/01/23. Libby also expressed an interest in the Parks Director position, in a part time, job share capacity with our current Parks Director, Karen High. The HR Board Work Group met on 02/23/23 to discuss this as a potential option.

Motion to Consider

The recommendation from the HR Board Work Group is that we evaluate our current Parks Director applicants, including Karen High & Libby Heiny-Cogswell. Upon the initial sort of the applicants, 3 out of 7 applications were identified as candidates we would like to interview for the Parks Director position (not including Karen High & Libby Heiny-Cogswell). If Karen High & Libby Heiny-Cogswell are selected to hire, they would assume the job share classification and both work part time. If they are not selected for hire, the candidate who is selected will assume a full-time position.

Additional Information

1. Advantages of job sharing:
 - a. Flexibility in work schedules
 - b. Greater exchange of skills & knowledge
 - c. Less stress at peak times
2. Disadvantages of job sharing
 - a. Difficulties in replacing employees
 - b. Challenges with finding compatible partners
 - c. Additional employees to supervise

Attached Information

1. U.S Department of Labor guidance on job sharing

Core Values

Public Service, Sustainability, Professionalism, Integrity, Fiscal Stewardship



U.S. DEPARTMENT OF LABOR

Job Sharing

Job sharing means that two (or more) workers share the duties of one full-time job, each working part time, or two or more workers who have unrelated part-time assignments share the same budget line. The [Fair Labor Standards Act \(FLSA\)](#) does not address job sharing. Job sharing is a matter of agreement between an employer and an employee (or the employee's representative).

The benefits of job sharing are said to include increased morale and productivity. Job sharing can also be an attractive way to recruit new employees and retain current ones. In order for a job sharing arrangement to be successful, however, both individuals must be able to handle the position as efficiently as one person.

Webpages on this Topic

[Coverage Under the Fair Labor Standards Act \(FLSA\) Fact Sheet](#) General information about who is covered by the FLSA.

- Agencies
- Forms
- Guidance Search
- FAQ
- About DOL
- News
- Contact Us



U.S. DEPARTMENT OF LABOR

200 Constitution Ave NW
 Washington, DC 20210
[1-866-4-USA-DOL](tel:1-866-4-USA-DOL)
[1-866-487-2365](tel:1-866-487-2365)
www.dol.gov

FEDERAL GOVERNMENT

- White House
- Coronavirus Resources
- Disaster Recovery Assistance Español
- DisasterAssistance.gov
- USA.gov
- Notification of EEO Violations
- No Fear Act Data
- U.S. Office of Special Counsel

LABOR DEPARTMENT

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- Office of Inspector General
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- Emergency Accountability Status Link
- A to Z Index

ABOUT THE SITE

- Freedom of Information Act
- Disclaimers
- Plug-Ins Used on DOL.gov
- Accessibility Statement

Connect With DOL



- Site Map
- Important Website Notices
- Privacy & Security Statement

Memorandum

Date: 24 February 2023
To: Township Board
From: Libby Heiny-Cogswell, Supervisor
Subject: Township Board Process to Fill Vancancy - Information



Objectives

- Discussion by Township Board with Legal to further understanding of the Board Vacancy appointment process.
- Determination whether consensus on the process the Oshtemo Board will follow on a Supervisor vacancy appointment, or to discuss further at subsequent meeting.
- Township Board vote to accept Supervisor resignation effective May 1st, 2023.

Background & Information Provided

Supervisor Heiny-Cogswell provided Board notice on February 14th that she will resign the Supervisor position effective May 1st, 2023. The Board is tasked with the duty to appoint the next Supervisor and can discuss the steps or process they wish to follow.

Information Provided

Information from the Michigan Townships Association and the Michigan Compiled Laws 168.379, for reference in Board discussions.

Core Values

Public Service, Professionalism, Fiscal Stewardship

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.370 Elective or appointive township office; appointment to fill vacancy; temporary appointment; effect of resignation; special election; vacancy in office of township constable.

Sec. 370. (1) Except as provided in section 370a or subsection (2), if a vacancy occurs in an elective or appointive township office, the vacancy must be filled by the township board, and the individual appointed shall hold the office for the remainder of the unexpired term.

(2) If 1 or more vacancies occur in an elective township office that cause the number of members serving on the township board to be less than the minimum number of board members that is required to constitute a quorum for the transaction of business by the board, the board of county election commissioners shall make temporary appointment of the number of members required to constitute a quorum for the transaction of business by the township board. An official appointed under this subsection shall hold the office only until the official's successor is elected or appointed and qualified. An official who is temporarily appointed under this subsection shall not vote on the appointment of himself or herself to an elective or appointive township office.

(3) If a township official submits a written resignation from an elective township office, for circumstances other than a resignation related to a recall election, that specifies a date and time when the resignation is effective, the township board, within 30 days before that effective date and time, may appoint an individual to fill the vacancy at the effective date and time of the resignation. The resigning official shall not vote on the appointment.

(4) Except as provided in subsection (5), if the township board does not make an appointment under subsection (3), or if a vacancy occurs in an elective township office and the vacancy is not filled by the township board or the board of county election commissioners within 45 days after the beginning of the vacancy, the county clerk of the county in which the township is located shall call a special election within 5 calendar days to fill the vacancy. Not later than 4 p.m. on the fifteenth calendar day after the county clerk calls a special election under this section, the county party committee for each political party in the county in which the township is located shall submit a nominee to fill the vacancy. The special election must be held on the next regular election date that is not less than 60 days after the deadline for submitting nominees under this section or 70 days after the deadline for submitting nominees under this section if the next regular election date is the even year August primary or the general November election. Notice of the special election must be given in the same manner required by section 653a. A special election called under this section does not affect the rights of a qualified elector to register for any other election. An individual elected to fill a vacancy shall serve for the remainder of the unexpired term.

(5) Subsection (4) does not apply to the office of township constable. If a vacancy occurs in the office of township constable, the township board shall determine if and when the vacancy is filled by appointment. If the township board does not fill the vacancy by appointment, the office of township constable must remain vacant until the next general or special election in which township offices are filled.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1968, Act 36, Imd. Eff. May 21, 1968;—Am. 1980, Act 193, Imd. Eff. July 8, 1980;—Am. 1983, Act 226, Imd. Eff. Nov. 28, 1983;—Am. 1990, Act 83, Imd. Eff. May 25, 1990;—Am. 2003, Act 302, Eff. Jan. 1, 2005;—Am. 2005, Act 71, Imd. Eff. July 14, 2005;—Am. 2014, Act 94, Imd. Eff. Apr. 3, 2014;—Am. 2022, Act 104, Imd. Eff. June 16, 2022.

Compiler's note: Enacting section 4 of Act 71 of 2005 provides:

"Enacting section 4. If any portion of this amendatory act or the application of this amendatory act to any person or circumstances is found invalid by a court, the invalidity shall not affect the remaining portions or applications of this amendatory act that can be given effect without the invalid portion or application, if the remaining portions are not determined by the court to be inoperable, and to this end this amendatory act is declared to be severable."

Popular name: Election Code

Filling Township Board Vacancies

Due to Death or Resignation



Michigan Townships Association
Member Information Services
December 2015

**Revised Statutes of 1846 (EXCERPT)
Resignations, Vacancies and Supplying Vacancies.**

41.56 Resignations of officers.

Sec. 56.

Resignations of all [township] officers shall be in writing, signed by the officer resigning, and addressed to the township board and shall be delivered to and filed by the township clerk. The resignation shall be effective when accepted by the township board.

**MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954**

168.370 Elective or appointive township office; appointment to fill vacancy; temporary appointment; effect of resignation; special election; vacancy in office of township constable.

Sec. 370.

(1) Except as provided in section 370a or subsection (2), if a vacancy occurs in an elective or appointive township office, the vacancy shall be filled by appointment by the township board, and the person appointed shall hold the office for the remainder of the unexpired term.

(2) If 1 or more vacancies occur in an elective township office that cause the number of members serving on the township board to be less than the minimum number of board members that is required to constitute a quorum for the transaction of business by the board, the board of county election commissioners shall make temporary appointment of the number of members required to constitute a quorum for the transaction of business by the township board. An official appointed under this subsection shall hold the office only until the official's successor is elected or appointed and qualified. An official who is temporarily appointed under this subsection shall not vote on the appointment of himself or herself to an elective or appointive township office.

(3) If a township official submits a written resignation from an elective township office, for circumstances other than a resignation related to a recall election, that specifies a date and time when the resignation is effective, the township board, within 30 days before that effective date and time, may appoint a person to fill the vacancy at the effective date and time of the resignation. The resigning official shall not vote on the appointment.

(4) Except as provided in subsection (5), if the township board does not make an appointment under subsection (3), or if a vacancy occurs in an elective township office and the vacancy is not filled by the township board or the board of county election commissioners within 45 days after the beginning of the vacancy, the county clerk of the county in which the township is located shall call a special election within 5 calendar days to fill the vacancy. Not later than 4 p.m. on the fifteenth calendar day after the county clerk calls a special election under this section, the township party committee for each political

party in the township shall submit a nominee to fill the vacancy. The special election shall be held on the next regular election date that is not less than 60 days after the deadline for submitting nominees under this section or 70 days after the deadline for submitting nominees under this section if the next regular election date is the even year August primary or the general November election. Notice of the special election shall be given in the same manner required by section 653a. A special election called under this section does not affect the rights of a qualified elector to register for any other election. A person elected to fill a vacancy shall serve for the remainder of the unexpired term.

(5) Subsection (4) does not apply to the office of township constable. If a vacancy occurs in the office of township constable, the township board shall determine if and when the vacancy shall be filled by appointment. If the township board does not fill the vacancy by appointment, the office of township constable shall remain vacant until the next general or special election in which township offices are filled.

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.370a Filling vacancy in township office; term of appointee; term of elected successor.

Sec. 370a.

Notwithstanding the provisions of section 370, if a vacancy occurs in an elective or appointive township office, which vacancy is filled by appointment by the township board or the board of county election commissioners and the vacancy occurs more than 7 days before the nominating petition filing deadline as provided in section 349 for the general November election that is not the general November election at which a successor in office would be elected if no vacancy, then the person appointed shall hold office only until a successor is elected at the next general November election in the manner provided by law and qualifies for office. The successor shall hold the office for the remainder of the unexpired term.

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.363 Township officers; oath of office.

Sec. 363.

All township officers shall, before entering upon the duties of their offices, take and subscribe the oath as provided in section 1 of article 11 of the state constitution before the township clerk or other officer authorized to administer oaths, and file the same with the township clerk who shall record the same; and such oath shall be administered without reward and certified by the officer before whom the same was taken, with the date of taking the same.

When a vacancy occurs on the township board due to the death of a board member:



1. The clock starts ticking the day after the vacancy occurs (the day after the board member dies). The township board has **45 days** to appoint a person to fill the vacancy. (MCL 168.370(4))



2. The official's deputy (clerk or treasurer, optional for supervisor) **continues** as deputy until the new official is appointed. The deputy does not vote, and a deputy supervisor does not moderate a meeting. (MCLs 41.61 and 41.72a(3) (supervisor); 41.69 (clerk); and 41.77(5) (treasurer))



3. The only statutory requirement for holding township board elective office is that a candidate **must** be a **qualified elector** of the township and **registered to vote**. To be a qualified elector, a person must be 18 years of age, a U.S. citizen, and have lived in the township at least 30 days (property ownership is NOT required). (MCLs 168.11 and 168.342)



4. The person appointed to fill the vacancy **must** take the **oath** of office (should be taken within the 45 days to fill vacancy to qualify for office). (MCL 168.363)



5. A new clerk or treasurer **must** appoint a deputy. The supervisor **may** appoint a deputy. The deputies are also required to take the oath. (MCLs 41.69, 41.77(5), and 41.61)



6. The **salary of the office** continues. A person appointed to elective office during the term of office receives the currently established salary for that office. (MCL 41.95) This may require prorating the salary between the former and new officials according to payroll period.



7. If the vacancy **occurs** more than 7 days before the 15th Tuesday prior to the August midterm primary, a person appointed to fill that vacancy must run in the next primary and general election to retain that office. The person elected serves for the remainder of the term. (MCL168.370a) (**NEW, PA 94 of 2014, effective April 3, 2014**)



If the vacancy **occurs** 7 days or less before the 15th Tuesday prior to the August midterm primary, a person appointed to fill that vacancy is appointed for the remainder of the term. (MCL 168.370a) (**NEW, PA 94 of 2014, effective April 3, 2014**)

(All township board members' terms run four years, concurrent with the Presidential term of office.)



8. If the township board fails to fill the vacancy within 45 days, the **county clerk must schedule a special election** on the next regular election date (of the four election days) that is: (1) at least 60 days after the deadline for submitting nominees, or (2) at least 70 days after the deadline for submitting nominees if the next regular election date is the even year August primary or the general November election. Township/county **political parties select nominees** (independent or write-in candidates can also qualify), so no primary election is held. The person elected serves for the remainder of the term. (MCL 168.370(4))

When a vacancy occurs on the township board due to the resignation of a board member:



1. To resign, a board member must submit his or her signed resignation **in writing** to the board. The board must vote (at a regular or special board meeting) to **accept** the resignation for the resignation to take effect. (MCL 41.56)

a) If the resigning official gives an effective date of resignation that comes **prior** to the board meeting where the board accepts the resignation, then the vacancy occurs on the **date of the board meeting**. The official would serve and be compensated up to that date.

b) If the resigning official gives an effective date that comes **after** the board meeting where the board accepts the resignation, then the vacancy occurs on the **effective date in the resignation letter**.

c) The board may appoint someone to fill the vacancy **up to 30 days prior** to the effective date of resignation. The new official may take the oath prior to taking office, but is not “clothed” with the authority of the office until the resignation takes effect.



2. The clock starts ticking the day after the vacancy occurs (the day after the resignation takes effect). The township board has **45 days** to appoint a person to fill the vacancy. (MCL 168.370(4))



3. The official's deputy **DOES NOT** continue as deputy. (MCLs 41.69, 41.77(5), and 41.61)



4. The only statutory requirement for holding township board elective office is that a candidate **must** be a **qualified elector** of the township and **registered to vote**. To be a qualified elector, a person must be 18 years of age, a U.S. citizen, and have lived in the township at least 30 days (property ownership is **NOT** required). (MCLs 168.11 and 168.342)



5. The person appointed to fill the vacancy **must** take the **oath** of office (should be taken within the 45 days to fill vacancy to qualify for office). (MCL 168.363)



6. A new clerk or treasurer **must** appoint a deputy. The supervisor **may** appoint a deputy. The deputies must also take the oath. (MCLs 41.69, 41.77(5), and 41.61)



7. The **salary of the office** continues. A person appointed to elective office during the term of office receives the currently established salary for that office. (MCL 41.95) This may require prorating the salary between the former and new officials according to payroll period.



8. If the vacancy **occurs** more than 7 days before the 15th Tuesday prior to the August midterm primary, a person appointed to fill that vacancy must run in the primary and general election to retain that office. The person elected serves for the remainder of the term. (**NEW, PA 94 of 2014, MCL 168.370a, April 3, 2014**)



If the vacancy **occurs** 7 days or less before the 15th Tuesday before the August midterm primary, a person appointed to fill that vacancy is appointed for the remainder of the term. (**NEW, PA 94 of 2014, MCL 168.370a**)
(All township board members' terms run four years, concurrent with the Presidential term.)



9. If the township board fails to fill the vacancy within 45 days, the **county clerk must schedule a special election** on the next regular election date (of the four election days) that is: (1) at least 60 days after the deadline for submitting nominees, or (2) at least 70 days after the deadline for submitting nominees if the next regular election date is the even year August primary or the general November election. Township/county **political parties select nominees** (independent or write-in candidates can also qualify), so no primary election is held. The person elected serves for the remainder of the term. (MCL 168.370(4))

Frequently Asked Questions

Q Our supervisor resigned November 30. What do we do now?

First, you need to confirm that the resignation has actually taken effect.

A resigning township board member must submit a written resignation to the township board, stating the date on which his or her resignation will take effect—the last day they intend to hold office. At a regular or special meeting of the township board, the board must vote to accept the resignation before it can become effective. Once the board accepts the resignation, it takes effect either on the date stated in the letter or the date the board voted to accept it, whichever comes later.

For example, let's say that the supervisor stated his resignation was effective November 1, but the board doesn't meet and vote to accept it until November 15. The resignation is not effective until November 15, and the supervisor actually held office and should be paid through that date.

If the supervisor stated his resignation date as November 30, and the board voted to accept it at the November 15 board meeting, then the supervisor holds office until November 30, and is paid through that date.

Q When do we appoint someone to fill the vacancy?

The township board must appoint someone to fill a vacancy on the township board within 45 calendar days after the vacancy is created. The appointee must take the oath of office before assuming the office.

Q How do we choose the appointee?

The township board can appoint anyone who is eligible to hold elective township office—basically any person who has been registered to vote and a resident of the township for at least 30 days. The board is not required to advertise the vacancy or solicit resumes, but doing so may attract a larger or more capable pool of candidates. The township board does not consider a slate of candidates—instead, the first person nominated who receives a second and a majority vote of the board members present and voting is the appointee. All interviews conducted by the township board, and any actions taken by the board to “shorten the list” of candidates, must be done in open session at a public board meeting. As always, the vote to appoint must be a voice vote, not a paper or secret ballot.

Q How long will the appointee serve?

If the vacancy occurs more than 182 days prior to the mid-term general November election (November 4, 2014), then the position must be on the 2014 August primary and November general election ballot. The person appointed to fill the vacancy serves only until the election is certified and the winner takes the oath of office (it can be the person appointed to fill the vacancy). The winner serves out the remainder of the term.

Q Our board is divided, and with the vacancy, we have four members voting on the appointment. What if we can't agree on a candidate?

If the township board does not appoint someone to fill the vacancy, the county clerk must call a special election at the township's expense to fill the vacancy. Whoever is elected will fill out the remainder of the term; the position is not also on the mid-term election ballot. It is, however, usually in the best interest of the township for the board to work together, possibly making compromises or concessions, to do their duty as elected officials and fill the vacancy within the 45 days.

Q If the clerk resigns, is her deputy automatically the new clerk?

No, when an elected official *resigns*, the appointment of his or her deputy also ends.

Q Who can write or issue checks if the clerk or treasurer resigns?

No one. If a clerk or a treasurer resigns, the deputy's appointment also ends. Until a new clerk or treasurer is appointed, no checks, payments or disbursements can be issued. In other words, no checks can be written, and no paychecks or bill payments can be made.

So it can be important for a township board to consider the implications of voting to accept a clerk or treasurer's resignation, especially if he or she does not give the board a lot of advance notice. A township board does not have to vote to accept a resignation as soon as it receives it.

Sometimes a resigning official is just having a temporary "bad day," and a board can consider holding off on accepting the resignation to give them time to cool down.

But even if a resigning official is serious about resigning, and has no intention of staying or working until their resignation is accepted by the board, a board can delay the loss of the deputy by holding off on voting until potential candidates for a vacancy can be identified.

However, a vacancy is not official until the board has voted to accept the resignation—so the resigning official can change their mind and withdraw their resignation if the board has not yet voted to accept it.

And a resignation does not take effect until the board votes to accept it and the last day has been reached. So that means that the resigning official is still legally entitled to the salary of the office until the resignation takes effect, regardless of whether they perform any of the duties of the office in the meantime.

Q Our treasurer is thinking about retiring, but she wants to be available to help train her successor. Is that possible?

Yes. The resigning official can give any date in the future as the effective date of his or her resignation. The township board may appoint the successor up to 30 days prior to that effective date, although the resigning official cannot vote to appoint his or her successor. It is important to note that this can **only** be done within 30 days prior to the date of resignation and no earlier than that.

The outgoing treasurer is paid through the date of his or her resignation. The new treasurer is not paid the treasurer's salary until the outgoing treasurer's resignation takes effect **and** the new treasurer takes the oath.

Q May another township board member be appointed to fill a vacancy in another board office?

Yes.

Q May a township board member vote to appoint him or herself to another board office vacancy?

Yes. MCL 168.370, the section of the Michigan Election Law governing vacancies in elective township office, states that a vacancy shall be filled by appointment by the township board. (MCL 168.370(1)) This means that it is the duty of each board member to vote on the appointments to the township board.

There are two exceptions to that rule:

MCL 168.370(2) specifically states that an official who is temporarily appointed by the board of county election commissioners to restore a quorum when enough vacancies occur to prevent a quorum "shall not vote on the

appointment of himself or herself to an elective or appointive township office” (township board offices are “elective” offices).

MCL 168.370(3) also specifically addresses a situation when a township board member submits a written resignation in advance of his or her effective resignation date, and the board appoints a person to fill the vacancy within 30 days prior to that effective date:

“If a township official submits a written resignation from an elective township office, for circumstances other than a resignation related to a recall election, that specifies a date and time when the resignation is effective, the township board, within 30 days before that effective date and time, may appoint a person to fill the vacancy at the effective date and time of the resignation. The resigning official shall not vote on the appointment.”

So the “resigning official **shall not** vote on the appointment” of his or her **successor**. According to MTA Legal Counsel, this prohibition is limited to voting, and does not require the person to recuse themselves from discussions on the appointment, just abstaining from voting.

Because the Election Law states specific exceptions to the rule, and does not specifically prohibit a township board member from voting to appoint him or herself to an elective or appointive township office where the vacancy is created by death or resignation and does not involve a temporary appointment to restore quorum, a township official may vote to appoint him or herself to fill a board vacancy.

Q If a board member is appointed to fill a vacancy in another board office, can they vote to appoint the person to succeed them?

Yes. Once a board member is appointed to and takes the oath to assume another board office, then he or she no longer holds the prior office. They do not have to resign their prior office. MCL 168.370(3) states: “The resigning official shall not vote on the appointment.” Because the Election Law specifically prohibits the resigning official from voting on the appointment of their successor, but does not prohibit an official who did not resign, MTA Legal Counsel interpret that to mean that the board member whose appointment created a vacancy may vote on filling that previously held office.

Q Must the person appointed to fill a township board vacancy take the oath of office—even if they are already a board member?

Yes. Every time a person is appointed (or elected) to township board office, they must take the oath of office to qualify to hold the office. This includes a person who is already a trustee, for example, who is appointed to fill a vacancy in another board office.

Q Who has authority to administer oaths to township officials?

The positions that are authorized by law to administer the oath of office are the township clerk/deputy clerk, supervisor/deputy supervisor, county clerk/deputy county clerk, notary public, judge/justice (of any court of record), and state senator or representative.