



7275 W. MAIN STREET, KALAMAZOO, MI 49009
269-216-5220 Fax 269-375-7180 www.oshtemo.org

Capital Improvements Committee

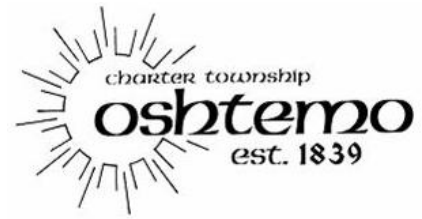
VIRTUAL ZOOM MEETING
Tuesday, July 21, 2020
1:00 P.M.

Meeting Agenda - VIRTUAL

1. Welcome/Introductions/Call to Order. The Chair shall welcome members and call the meeting to order.
2. Meeting Summaries. Members shall review summaries of prior meetings: April 21, 2020 is attached. (Summaries of special meeting of March 10th and meeting of January 21st are forthcoming).
3. Sanitary Sewer Hardship Program. The Board has adopted a Public Sanitary Sewer Hardship Financing or Deferment Ordinance (Ordinance No. 620). This program allows residents in true financial hardship the ability to apply such funds towards the Township's sanitary sewer connection fees and/or private plumbing expenses. A supplemental mortgage policy was also adopted to clarify current procedures. (attached)
4. Mandatory Sewer Connection Program. Staff will report on compliance progress of the "300" and review connection progress. A second communication has been mailed to affected properties (the "300") which received formal notices to connect but have not yet connected to the sewer. This second letter was a notice of suspension of Township enforcement of non-connections for the remainder of 2020 due to COVID-19. (sample letter is attached)
5. Bond Notice Re-Publication (USDA, Phase 1 Sewer Extensions). Staff will share information on the Township Board's re-publication of a resolution to bond. The Bond amount is limited to the Phase 1 Sanitary Sewer Project. Staff will also describe construction schedule expectations. Pre-construction meetings with each neighborhood are expected to take place in August. (A re-publication overview is attached)
6. USDA, Phase 2 Sewer Extensions. The Township is continuing to work on design plans for the second phase with Fleis & Vandenbrink. Acquisition of permits from EGLE and RCKC is scheduled to be completed in February 2021.
7. DDA Gateway Project, (9th and Stadium). This Brownfield redevelopment project is nearing completion. Remaining punch-list items will be summarized.
8. Drake Road Non-Motorized Path Project(s).
 - M43 to Green Meadows. This "TAP" Project is complete, however a dispute regarding eligible pay items has been raised. MDOT has held a Regional Office Review (ROR) and a decision is expected in the next few weeks.
 - Green Meadows to KL Avenue. The start of this Safety Grant Project (Fed Award = \$\$311,625) was delayed @ 2.5 months due to utility conflicts with AT&T. (AT&T informed us they had failed to relocate their facility virtually the same day parties met to coordinate project start. Pre-existing easement rights caused Oshtemo to Contract with AT&T for the relocation.) Awarded to Brenner Excavating (bid = , the non-motorized facility work is now anticipated to start July 21. (bid tabulation is attached)

9. Stadium Drive Non-Motorized Projects. The first phase of Stadium Drive Sidewalks from 11th St to Quail Run Drive went out to bid on July 10, 2020. Construction is anticipated to begin in early-mid August for this 6 ft wide concrete sidewalk to be installed on both sides of Stadium Drive (see attached bid summary). [Status of the next phase will also be reviewed.]
10. Buckham Highland/Sky King Meadows 3 Sanitary Pump Station Generator. An emergency generator has been installed at this existing sanitary sewer pump station as part of the SKM 3 project. Site restoration work remains outstanding. (This was the last pump station in the Township that lacked independent, emergency power generation capacity should the electrical service to the station be interrupted.)
11. 8th Street Closure Due to Flooding. Oshtemo is participating with RCKC to identify appropriate project alternatives to address the flooding of South 8th St. and the street's ongoing closure due to high groundwater. Project alternatives under consideration will be reviewed with CIC members.
12. RCKC 2020 Roadway Maintenance. RCKC Engineering and Public Relations Director, the attending RCKC representative will be asked to update CIC Members on the progress status of the 2020 RCKC roadway maintenance projects in Oshtemo Township (see attached spotting map). Members will also be briefed on possible changes to the current PAR agreements with RCKC.
13. Miscellaneous Updates. A brief overview of other capital items will be presented:
 - North 10th St Sewer Manhole Maintenance Pavement Repair Work Order Approved (RCKC, \$5,933)
 - The City of Kalamazoo now offers a payment plan to residents for new water service connections. This change will allow residents to connect to the municipal water supply without having to pay the upfront cost for service installation. If a yard service is required (from water main to house), the total amount is \$2,500. If a full service is required (existing copper curb stop valve to house), the total amount is \$5,500.
 - Under Governor Whitmer's Executive Order 2020-144 the COK has established a moratorium against shutting off residential customer's water for non-payment.
 - Michigan's Department of Health and Human Services (MDHHS) is providing \$25 million in payment assistance to water utility providers. COK is moving to participate in this new program to assist eligible utility customers.
 - A Covid-19 Return to Work Plan was adopted by the Oshtemo Board on June 9th. Current office hours are from 10 a.m. until 1 p.m., Monday through Friday, for services in the Treasurer's and Clerk's Office. For other Departments, residents are requested to reach out via email or phone for needed services or to schedule appointments.
 - Board has endorsed exploring a potential partnership with Southwest Michigan Land Conservancy to possibly seek Michigan Land Trust dollars to acquire vacant County property. The acquisition would be for conservation and passive recreation purposes. The parcel is contiguous to the exiting SWMLC Wolf Tree Nature Preserve on KL Avenue.
 - Public Works Staff Changes. With regrets for the department's loss, but with fond support and encouragement for his future, please be informed that Colten will be leaving Public Works to move to Planning. Colten's loss has encouraged the Board to pursue staff changes which support transition planning for Elliott's anticipated 2021 retirement. (job description attached)
 - One or more residents along N 2nd St have expressed a desire to circulate a petition to pave the gravel road extent between KL and L Avenues.
14. Member Comments & Information Items. Attendees will be asked to share items of interest to CIC members.

15. Next Meeting. The next regularly scheduled meeting of the Oshtemo Township Capital Improvements Committee (CIC) will be held on Tuesday, October 20, 2020 at 1:00 PM.



Capital Improvements Committee

April 21, 2020

MEETING SUMMARY

A meeting of Capital Improvement Committee of Oshtemo Township was held on Tuesday, April 21, 2020 at 2:00 PM. A one-hour delayed start was pre-scheduled to accommodate the request of some members. Due to Executive Order of the Governor to implement social distancing during the COVID19 public health crisis, the meeting was conducted as a virtual meeting via Zoom. Persons in virtual attendance included Libby Heiny-Cogswell, Marc Elliott, Zak Ford, Dick Hertzell, Colten Hutson, Matt Johnson, Tim Mallett, Bernie Mein, Josh Owens, James Porter, Dick Skalski, Grant Taylor, Tom Wheat, and Mark Worden.

1. Call to Order. The April 21, 2020 meeting of the Capital Improvements Committee of Oshtemo Township was called to order at approximately 2:00 PM by chair Heiny-Cogswell.
2. Meeting Summary. A draft summary of the March 10th special meeting was not available in advance of the meeting. Review and approval of the summary shall be deferred to a future meeting
3. USDA, Phase 1 Sewer Extensions – Value Engineering. Upon consideration of contractor's bids for phase 1 sewer extensions (which came in greater than 10% over estimates), the Oshtemo Board requested that the CIC oversee and consider a Value Engineering exercise to reduce costs and align the project more closely with the financing on offer from USDA.

CIC Members thoroughly discussed potential cost-savings for moving forward with all or part of the Phase 1 Sanitary Sewer Extension Project. Construction bids exceeded the engineer's estimated budget by \$1,515,000. CIC members discussed several options, ultimately focusing on three. As originally endorsed by the CIC, the Township could request the short fall be supplemented by applying for a Series B bond through the USDA. However, since that request would be in excess of 10% of the current USDA loan offer, the Township has learned that approval may be delayed. This may endanger acceptance of contractor's offers as their bids will likely expire before the closing of the required financing. If the supplemental request is under 10%, we understand that USDA administrative approved can likely be made quickly at the regional level.

At this point, the Value Engineering efforts of project engineer Fleis and Vandenbrink was discussed. Three cost-savings alternatives were proposed. The first option was to reduce project costs through engaging the contractor and/or the Kalamazoo County Road Commission to see if there were any cost-savings in material quantities/costs. It was noted that RCKC standards for roadway cross-sections has, in the past few years, increased approximately 30%. Upon approaching RCKC plan review engineers, it was determined that pavement value engineering was not possible. The value engineering with the contractors did identify that the bid quantity of Granular Material Class III Sub-base in Contract B could be responsibly reduced and provide a contract savings of \$263,925. Soil borings and community history with similar projects revealed that existing sub-base soils are anticipated to be in good condition, thereby greatly reducing the need to truck in replacement materials. The second option discussed was to reduce the scope of the project by eliminating one or more sewer extents in smaller neighborhoods in order to get the project back under budget. Potential project areas which were discussed included Meridian & Sunset, Beech Ave, and a small portion of N 7th St, north of the proposed pump station. The third option was a fall-back recognition that the contracts may need to be rebid (in conjunction with new or alternate financing), with the planned

2020 construction being deferred to a future schedule. Upon motion by Ford and second by Taylor, the CIC members voted unanimously to recommend that the Township Board proceed with the full project extent as bid, and to work with the Contract B low bidder to ultimately amend the project cost, and thereby realize a \$263,925 savings in value engineering. Concurrently, administrative staff will continue its discussions with USDA on a new “Series B” bond (approximately 10% in additional USDA financing) to be incorporated into the overall project financing.

4. Timing of Connection Requirements.

A number of items were reviewed regarding the timing of connections and existing requirements for sewer connections. The first item that was discussed was extending the septic tank life from 15 years to 20 years. Many CIC Members felt that extending the septic age by five years was not feasible, and that most property owners’ septic systems are much older than 20 years. The second item discussed was that the sewer connection fees should remain due after 24-months from the original notice of October 10, 2019, but then possibly start a new clock (12 to 24-months) that would countdown for physical connection to the sewer to be completed. This new clock would start once the owner is notified the physical connection is available. Attorney Porter mentioned that this option may not be applicable and will revisit with CIC Members on his findings. The first phase construction remains to be on schedule for Summer 2020. Approximately 282 properties were sent official notice letters on October 10, 2019, informing residents of the forthcoming sanitary sewer extension. In accordance with current ordinance, property owners will have 24 months to comply. In anticipation of the sewer availability, Phase 1 properties have been noticed, with their compliance date having been set at October 10, 2021 to pay fees and connect to the utility.

5. Miscellaneous Updates & General Information. An overview of current capital infrastructure activities included:

- Marc Elliott, Public Works Director, conveyed that the second phase of the Drake Road Non-Motorized Path Project has been let for bid and will be underway this summer. The scope of the project is from Green Meadow Road to KL Avenue on the west side of Drake Road. The project was awarded to Brenner Excavating, Inc as project contractor. VIRIDIS Design Group remains the design engineer and project manager.

6. Next Meeting. The next regularly scheduled meeting of the Oshtemo Township Capital Improvements Committee (CIC) will be held July 21, 2020 at 1:00 PM.

Memo



To: Oshtemo Charter Township Board
From: James W. Porter *JWP*
Date: April 28, 2020
Subject: Proposed Public Sanitary Sewer Hardship Financing or Deferment Ordinance

OBJECTIVE

To adopt the Sanitary Sewer Hardship Financing or Deferment Ordinance.

BACKGROUND

As the Board is aware, this ordinance was structured to accommodate those individuals who might not qualify for any state or federal program to assist with the sanitary sewer connection fees owed or pay for the private plumbing expenses.

INFORMATION PROVIDED

Attached you will find the proposed ordinance as revised subsequent to the meeting of April 14th. In addition, you will find the revised application, as well as the Excel spreadsheet showing the estimated amounts that are likely to be paid out if the ordinance is enacted. Keep in mind that the CIC recommended that the Township Board fund this through the infusion of \$300,000 per-year investment for three years in the Hardship Revolving Fund.

STATEMENT OF WHAT YOU ARE ASKING BOARD TO APPROVE

To adopt the Public Sanitary Sewer Hardship Financing or Deferment Ordinance.

JWP/y
att

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. _____

Adopted: _____

Effective: _____

An Ordinance to provide for the hardship financing or deferral of the financial obligation to connect to the wastewater collection system of the Oshtemo Charter Township in situations where Property Owner(s) establish by objective evidence that it will constitute an undue financial hardship to pay or fully pay for the sewer system connection fees or the private plumbing expense to connect to the wastewater collection system as required by Oshtemo Charter Township Wastewater Service Ordinance No. 208.

THE CHARTER TOWNSHIP OF OSHTEMO

KALAMAZOO COUNTY, MICHIGAN

ORDAINS:

SECTION I. NAME. This Ordinance shall be known and cited as the Oshtemo Charter Township Public Sanitary Sewer Hardship Financing or Deferment Ordinance.

SECTION II. PURPOSE.

- A. To enact an Ordinance under Public Act 368 of 1978 Public Health Code (MCL 333.12756 et seq.) allowing for hardship financing or deferment of the sewer system connection fees and/or the private plumbing expense in cases where hardship prevents the Owners of the premises from paying for the public or private connections to the available sewer system.

- B. To establish a Hardship Advisory Review Committee (HARC) to review and recommend Property Owner(s) to be considered for hardship financing or deferment under this Ordinance.
- C. To establish procedures for the connection of premises to the sewer system by the Township for those who qualify for a hardship financing or deferment.

SECTION III. DEFINITIONS. For purposes of this Ordinance, the following words, terms and phrases when used in this Ordinance shall have the following meanings ascribed to them in this Section:

- 1. *Deferment:* the postponement of all or a part of the annual mortgage payment owed to the Township on an Installment Payment Mortgage Agreement for Sewer or a delay in connecting to the public sanitary sewer.
- 2. *Premise:* any lot, parcel, building site from which contains a building from which sanitary sewer originates for which sewer services are available and required by law to be served.
- 3. *Private Plumbing Expense:* the estimated cost of the installation of all necessary sewage disposal facilities on the property of the applicant or Property Owner(s) for hardship. It means and includes any person who has a legal, possessory interest in a lot, parcel or building site, which interest includes the legal obligation to assume the expenses of sewer connection expense charges.
- 4. *Property Owner(s) Hardship:* those Property Owner(s) falling below the income and asset limits set forth in Section IV of this Ordinance.
- 5. *Sewer System Connection Fees:* the connection fees charged by Oshtemo Charter Township.
- 6. *Sanitary Sewer System:* any municipally operated sewage collection system serving premises within Oshtemo Charter Township.

SECTION IV. QUALIFYING STANDARDS FOR HARDSHIP FINANCING OR HARDSHIP DEFERMENT. The standards for qualifying for hardship financing or hardship deferment shall be as follows:

- A. Application Limitations. Before submitting an application for hardship financing or deferment, each Property Owner(s) must demonstrate that they do not qualify for assistance from the State of Michigan under the Deferment of Special Assessments on Homesteads Act at 225 of 1976 or under the USDA 504 Home Repair Program or the USDA 502 Home Repair Program. Any assistance received under the above-listed Programs will not count toward the asset limitations of the Township Hardship Programs or prohibit a Property Owner who otherwise qualifies for the Township Programs from access to the hardship financing or hardship deferment as set forth below.
- B. Hardship Financing. Property Owner(s) in Oshtemo Charter Township may enter into an Installment Payment Mortgage Agreement to finance their connection fees as provided in the Wastewater Services Ordinance, No. 208. In addition to the Property Owner(s)' right to enter into an Installment Payment Mortgage Agreement under Ordinance No. 208, the following individuals may request that the Private Plumbing Expenses be paid for by the Township and added to the Installment Payment Mortgage Agreement and be financed upon the same terms and the same interest rate offered under Ordinance No. 208, provided the Property Owner(s) meet the following income and assets limitations:
1. Income Limitation. Property Owner(s) whose family income is at or below \$34,999.00, for the year at issue.
 2. Asset Limitation. In addition to the Income Limitations requirements, an asset test considering all assets owned by the applicant, other than the applicant's house, vehicle, and household goods, will be used in determining whether relief should be granted. Property Owner(s) with assets in excess of \$20,000 may not be eligible for hardship financing.
- C. Hardship Deferments. Property Owner(s) who enter into an Installment Payment Mortgage Agreement, pursuant to Ordinance No. 208, may qualify for a Deferment provided they meet the following Income and Asset limitations set forth below.
1. Income Limitation. Property Owner(s) whose family income is at or below \$49,999.00, for the year at issue.
 2. Asset Limitation. In addition, to the Income Limitations requirements, an asset test considering all assets owned by the

applicant, other than the applicant's house, vehicle, and household goods, will be used in determining whether relief should be granted. Property Owner(s) with assets in excess of \$20,000 may not be eligible for a hardship deferment.

- D. Extraordinary Circumstances Warranting Deferment or Delay in Connection. Those Property Owner(s) who do not qualify under the above provisions may request consideration, based upon extraordinary circumstances, for deferment or delay in the connection to the public sanitary sewer system. The extraordinary circumstances which would be considered by the Hardship Advisory Review Committee would be items such as or similar to the following: death of a spouse; extraordinary medical expenses; recent home purchase (less than two years); bankruptcy; extreme debt impacting household disposable income, extreme difficulty in connecting to the public sanitary sewer system; etc. Those Property Owner(s) who believe they might qualify under the standards set forth herein may file an application as set forth in Section V below.
- E. Funding Limitation. The granting of hardship financing or deferment under this Ordinance is subject to availability of funds in the hardship revolving fund as set forth in Sec. IX below.

SECTION V. APPLICATION

- A. Property Owner(s) must complete an application, except for the signature, and return it to the Township Officers.
- B. All applications must be signed and witnessed by a Township employee and filed after January 1, but at least two weeks before the Hardship Advisory Review Committee's March meeting to be held the third week in March.
- C. All Property Owner(s) must submit their previous year's Federal Income Tax and State Income Tax returns.
- D. Applicants may be required to be present at the Hardship Advisory Review Committee meeting and may be called upon to appear on short notice.
- E. All questions set forth in the Application must be completed prior to the Hardship Advisory Review Committee meeting including notice to any mortgagee.

- F. All applicants signing the Application are admitting that everything contained in the Application is true to their best knowledge, information and belief.
- G. Any Property Owner(s) requesting hardship financing or deferment is subject to investigation by the Township to verify information submitted or statements made in regard to the request for deferment are accurate.
- H. The meeting of the Hardship Advisory Review Committee may be recorded. Minutes will be kept of all proceedings. All meetings held will comply with the Open Meetings Act.
- I. The Hardship Advisory Review Committee shall follow the policies and guidelines established under this Ordinance in granting or denying hardship financing or deferment.
- J. Property Owner(s) will be evaluated based upon the data submitted to the Hardship Advisory Review Committee. Testimony taken from the Property Owner(s) and information gathered from any source by the Township.
- K. Property Owner(s) shall meet the income and asset limitation set forth herein may be granted hardship financing, deferment, or partial deferment of their sanitary sewer fees or private plumbing expenses.
- L. The Hardship Advisory Review Committee's recommendations regarding sanitary sewer connection fees or private plumbing expense fees for deferment will be done on an annual basis.

SECTION VI. DETERMINATION OF ELIGIBILITY

- A. The Hardship Advisory Review Committee shall, within thirty (30) days of the close of its investigation, file with the Township Board its report and recommendation clearly stating whether any hardship financing or deferment for the sewer system connection fees or private plumbing expenses will be recommended.
- B. The Hardship Advisory Review Committee will not recommend hardship financing or a deferral unless the Property Owner(s) agree to enter into an Installment Payment Mortgage Agreement to connect to the available public sanitary sewer system.

- C. Upon receipt of the Hardship Advisory Review Committee's recommendation regarding any premises, the Township Board shall promptly determine, without the necessity of a public hearing, whether to accept the recommendation. No recommendation of hardship for any premises shall be rejected without good cause shown and until the Property Owner(s) have had an opportunity to answer the objections before the Township Board. A recommendation of hardship not rejected by the Township Board within thirty (30) calendar days of receipt thereof shall be deemed accepted and shall entitle the Owner thereof to be qualified for connection under the provisions of this division. Following Board approval, any premises not connected to the available sewage system shall connect to the public sanitary sewer system, whether the connection is made under the provisions of this article or otherwise.

SECTION VII. CONNECTION; COSTS; LIEN

- A. In the event an Owner is accepted for hardship financing or deferment, the Township will effectuate connection to the public sanitary sewer system. The Public Works Director will ascertain the sewer connection fees and/or private plumbing expense to connect the premises to the system. The Public Works Director will determine whether the physical connection is to be accomplished by a licensed sewer contractor or by the agencies and employees of the City. The Township reserves to itself the sole and exclusive right to make or alter its designation as made herein previous to the commencement of the physical connection. Prior to the connection, the Owner shall execute an Installment Payment Mortgage Agreement for Sewer with the Township for financing or possible deferred payment payable on or before death, or in any event, on the sale or transfer of the property.
- B. The Installment Payment Mortgage Agreement shall also include annual interest on the balance of such indebtedness to the Township at the rate set by the Board in Ordinance No. 208, commencing the date of the execution of documents of indebtedness.
- C. The Property Owner(s) shall also be responsible for costs of recording the Installment Payment Mortgage Agreement. Such costs shall be added to the amount due and owing upon the Installment Payment Mortgage Agreement to be executed by the Owner of the premises.

SECTION VIII. PHYSICAL CONNECTION. Upon execution of the documents in accordance with the provisions of Section VII, the Public Works Director will complete the physical connection of the premises to the public sanitary sewer system in accordance with all laws, ordinances, rules and regulations of the State, City and Township.

SECTION IX. HARDSHIP REVOLVING FUND; BOARD CONTROL. The monies necessary to implement the provisions of this Ordinance shall be drawn from the “hardship revolving fund” to be created and maintained by the Township Board. This fund shall be the sole source of Township monies to be used for hardship funding under this Ordinance. The Township Board may transfer funds between the general fund and the hardship revolving fund as necessary to implement the provisions of this Ordinance.

SECTION X. EFFECTIVE DATE. This Ordinance shall take effect upon publication after adoption in accordance with State law. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

DUSTY FARMER, CLERK
OSHTIMO CHARTER TOWNSHIP

OSHTEMO CHARTER TOWNSHIP
HARDSHIP FINANCING OR DEFERMENT APPLICATION
FOR SANITARY SEWER PAYMENTS

This form should be completed if you, for reasons of hardship, are unable to finance the private plumbing expenses to connect to public sanitary sewer or are unable to pay the annual payment on your Installment Payment Mortgage Agreement for Sewer with Oshtemo Township. In applying for hardship financing or deferment, you will be required to provide annually:

1. Specific income and asset information (for yourself and all individuals residing in your home);
2. Proof of your ownership (deed, land contract, or other evidence of ownership) and occupancy of the residence for which you are seeking an exemption;
3. State and Federal income tax returns and/or property tax credit returns (for yourself and all individuals residing in your home);
4. A valid driver's license or other legally valid form of picture identification;
5. Proof that you meet the income and asset standards of the Public Sanitary Sewer Hardship Financing or Deferment Ordinance;
6. A completed application, delivered in person, to the Public Works Department after January 1 but no later than March 1 for consideration by the Hardship Advisory Review Committee (HARC) which meets the third week in March to consider applications.

Additionally, you may be required to appear before the HARC at a public meeting to answer questions regarding your application. You may also be subject to an investigation to verify the information submitted in your application and establish that your non-exempt assets do not exceed \$20,000.

These policies are set by the Oshtemo Charter Township Board in compliance with Michigan State Law. The Township will use criteria established in its Public Sanitary Sewer Abatement/Deferral Ordinance to review your application. If you have any questions, please contact the Public Works Department at (www.oshtemo.org/contact/ or (269) 375-4260).

IF YOU ARE UNSURE WHETHER YOU QUALIFY BUT ARE HAVING FINANCIAL DIFFICULTY, PLEASE SUBMIT THE APPLICATION TO SEE IF YOU WOULD QUALIFY FOR ASSISTANCE.

Instructions for filing a claim with the Township Public Works Department:

1. Complete the following application in full, but do not sign the form.
2. Do not leave any sections blank, if you have questions regarding this form, please contact the Public Works Department for guidance.
3. If you require additional space to respond to any of the questions on this form, please attach a typed response, which clearly indicates which question(s) you are providing additional information regarding.
4. Completed applications must be delivered in person to the Public Works Department by March 1st.
5. Bring copies of all requested documents:
 - a. Previous year State and Federal Tax Returns;
 - b. Proof of ownership/residency/homestead for the residence for which you are requesting a hardship exemption;
6. Bring the completed, unsigned, form in person to:
Oshtemo Township Hall
7275 West Main Street,
Kalamazoo, MI 49009
(296) 375-4260
7. Bring your driver's license, or other legally valid picture identification with you.
8. Sign the form when directed by the Township personnel, and provide your ID for photocopying, if requested.

SANITARY SEWER HARDSHIP OR DEFERRAL APPLICATION FORM

Street Address: _____

Parcel Number: 3905- _____ - _____ - _____

SECTION 1: APPLICANT INFORMATION

Name of Applicant: _____

Marital Status (circle one): Married Single Divorced Other _____

Social Security Number: _____ - _____ - _____

Driver's License/State ID Number: _____

Issuing State: _____

Phone Number: _____

Email address: _____

Are you the sole owner of this property? Yes / No

If no, please provide:

Name of Co-Applicant: _____

Social Security Number: _____ - _____ - _____

Driver's License/State ID Number: _____

Issuing State: _____

Phone Number: _____

Email address: _____

SECTION 2: HOUSEHOLD, INCOME, AND ASSET INFORMATION

1. Please provide the following information for all people (including yourself) who live at the above address.

Name	Relationship	Age	Monthly Income
			\$
			\$
			\$
			\$
			\$

2. Do you currently have a mortgage on this property? **Yes / No**

If yes, please provide:

Current unpaid balance of your mortgage: \$ _____

Monthly payment amount: \$ _____

Name of your mortgage company: _____

Has the mortgagee been notified regarding the Financing Agreement with the Township? **Yes / No**

3. Do you rent or lease any portion of this property? **Yes / No**

If yes, what portion? _____ % Monthly rent collected: \$ _____

4. Please list all household income, and specify which member of your household supplies the income from each applicable source:

Type of Income	Amount (monthly)	Source (self, co-applicant, etc.)
Salary/wages	\$	
Social Security	\$	
Pension(s)	\$	
Unemployment	\$	
Disability	\$	
Dividends/ Interest Income	\$	
Workmen's Compensation	\$	
Alimony	\$	

Child Support	\$	
Rental	\$	
Other:	\$	

Total Monthly \$ _____

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COPIES OF YOUR LATEST FEDERAL AND STATE INCOME TAX RETURNS (REGARDLESS OF YOUR INCOME) ATTACHED.

1. Please list the following **Bank Account** information for all residents at this address:

Name(s) on Account	Name of Bank/Credit Union	Current Balance
		\$
		\$
		\$
		\$

2. Please provide the following information about your **monthly expenses**:

Paid to (Company)	Expense Type (utilities, loans, medical bills, etc.)	Monthly payment	Outstanding debt/ account balance
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$
		\$	\$

3. Do you, or your co-applicant, own other land/houses? **Yes / No**

If yes, please provide the following:

Name(s) on Title	Location	Current Value	Outstanding Mortgage Balance	Mortgage Company Information
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

4. Do you have any other assets (excluding your homestead and normal household goods) which have not otherwise been disclosed in this form? **Yes / No.**

If yes, please list the assets and their approximate value:

Asset	Approximate Value
	\$
	\$
	\$
	\$
	\$

SECTION 3: CERTIFICATION

Please be aware, **any willfully false statements or misrepresentations in this form may constitute perjury**, an offense punishable under Michigan law. By signing this form, I acknowledge that the information on this application, and the documents provided by me in support of this application, are, to the best of my knowledge true and correct statements of fact regarding my property, income, and assets.

I, _____ being the owner and resident of the
Oshtemo Township property listed on this form, request relief under Public Act 368 of 1978
and Ordinance No. _____ adopted _____.

DO NOT SIGN THIS FORM UNTIL YOU ARE INSTRUCTED TO DO SO

Applicant's Signature

Date: _____

Co-Applicant's Signature

Date: _____

Applicant(s) presented picture ID, and signed this form in my presence:

Received by: _____ Date: _____

Owner-Occupied		New Houesholds to be Connected (900)	Cost of Private Sewer Expense (\$6,000)	Mandate USDA/State Plans	Cost of Deferment \$550/Yr	Mandate USDA/State Plan	Cost of Abatement \$550/Yr
Subject	Estimate						
Occupied housing units	5,267						
HOUSEHOLD INCOME 2010							
Less than \$5,000	0.8	0.8	7.2	\$ 43,200	\$ -	\$ 3,960	\$ 3,960
\$5,000 to \$9,999	2.1	2.9	26	\$ 156,000	\$ -	\$ 14,300	\$ 14,300
\$10,000 to \$14,999	2.7	5.6	50	\$ 300,000	\$ -	\$ 27,500	\$ 27,500
\$15,000 to \$19,999	3.1	8.7	78	\$ 468,000	\$ -	\$ 42,900	\$ 42,900
\$20,000 to \$24,999	3.3	12.0	108	\$ 648,000	\$ 180,000	\$ 59,400	\$ 59,400
\$25,000 to \$34,999	7.8	19.8	178	\$ 1,068,000	\$ 600,000	\$ 97,900	\$ 97,900
\$35,000 to \$49,999	13.8	33.6	302	\$ 1,812,000	\$ 1,344,000	\$ 166,100	\$ 166,100
\$50,000 to \$74,999	20.7	54.3	488	\$ 2,928,000	\$ 2,460,000	\$ 268,400	\$ 268,400
\$75,000 to \$99,999	9.2	63.5	571	\$ 3,426,000	\$ 2,958,000	\$ 314,050	\$ 314,050
\$100,000 to \$149,999	20.1	83.6	752	\$ 4,512,000	\$ 4,044,000	\$ 413,600	\$ 413,600
\$150,000 or more	16.4	100.0	900	\$ 5,400,000	\$ 4,932,000	\$ 495,000	\$ 495,000
Median household income	\$ 69,024						

OSHTMO CHARTER TOWNSHIP
POLICY REGARDING INSTALLMENT PAYMENT MORTGAGE AGREEMENTS

Both the Public Wastewater Service and Public Water Service ordinances require payment of a connection fee in order to connect to the Township's water or wastewater systems. The connection fee may be paid in full or, in lieu of payment in full, a property owner may connect to the water or wastewater facilities by entering into an Installment Payment Mortgage Agreement with the Township, payable over a period of years.

Township residents have expressed concerns regarding the impact of entering into an Installment Payment Mortgage Agreement due to the possible impact a second mortgage would have on their ability to finance, refinance or obtain a home equity loan. Township property owners have also expressed a concern regarding the possible negative impact that an Installment Payment Mortgage Agreement may have on their credit report or credit worthiness. In order to address the concerns of our residents and mitigate the impact an Installment Payment Mortgage Agreement may have on a property owner's ability to finance, refinance or obtain a home equity loan or possibly impact their credit rating, the Township adopts the following policy.

1. The Township has not, and will not, report any of its property owners for nonpayment on their Installment Payment Mortgage Agreements to any credit reporting agency, nor will the Township inquire about a property owner's credit worthiness with a credit agency as a prerequisite to the execution of an Installment Payment Mortgage Agreement.
2. If requested by the property owner or lender of a property owner, the Township will subordinate its Installment Payment Mortgage Agreement (water or sewer) to the property owner's lender in order to facilitate the property owner's ability to finance, refinance or obtain a home equity loan on their property.
3. If requested by the property owner the Township will reassign or reissue an Installment Payment Mortgage Agreement to a subsequent purchaser with lender approval.

It should be noted that despite this policy, any installments on an Installment Payment Mortgage Agreement which are not paid with the December tax bills will be referred as delinquent to the County for collection.



IMPORTANT LEGAL NOTICE

7275 W. MAIN STREET, KALAMAZOO, MI 49009-9334
269-216-5220 Fax 375-7180 TDD 375-7198
www.oshtemo.org

April 28, 2020

<name>
<address>
<city, state, zip>

Re: Suspension of Date for Mandatory Sewer Connection (Township Code 232.008)
<address>, [Parcel ID: ##_##_###_###]

Dear Property Owner:

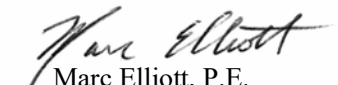
Oshtemo Township wishes to convey three important changes regarding sanitary sewer mandatory connections. First, the Township Board announces the 'Public Sanitary Sewer Hardship Financing or Deferment' assistance program. The Township Board appreciates the dialogue with residents to identify the need to provide such a local program on top of the existing State and USDAP programs. Next, the Township Board amended the installment mortgage interest rate, in effect significantly lowering the rate. The new rate will set the rate to match the Fannie Mae rate on January 1st each year, plus 0%, instead of the prime lending rate plus 1% — a rate reduction of 2.67%.

Lastly, the Township defers the deadline for your connection due to the stay at home pandemic orders. In accordance with Governor's Executive Order 2020-59 et al (COVID-19), Oshtemo has suspended Formal Noticed Compliance Dates that fall between January 01, 2020 – May 31, 2020 for properties noticed to connect to public sanitary sewer. Oshtemo Township Code 232.008 requires property owners to connect to available public sewer within two years of notice. The Township realizes that compliance dates for sewer connections are approaching or may have passed during the period Township offices were closed for normal operations per the referenced Executive Orders. The closure has limited the ability for residents to engage with Township personnel, to arrange appointments to execute installment payment plans (mortgage agreement) or to arrange the private work to construct a sewer connection. Once the Township re-opens, it will be incumbent upon property owners to proceed with completing sewer connection and fee payment (or arrange long-term financing through a mortgage agreement). Information regarding financing options provided by Oshtemo can be obtained by scheduling a contact-free appointment with the Oshtemo Public Works Department.

A prior mailing from this office provided the public sewer lead location for your property, and a tabulation of sewer fees that are due prior to connection. Payment of fees must be arranged prior to your contractor being issued a permit to complete the sewer connection. Construction of the connection to the public sewer lead available at the edge of right-of-way is a private expense. The Township offered installment payment plan for fees can extend up to 20-years, at an interest rate of 3.83%. Installment payments are billed annually, being included with your winter property tax statement. No down payment is required, and early payoff is permitted without penalty.

This date suspension and related accommodations are being made to better assist property owners during the unique circumstances that COVID-19 presents to our community. Oshtemo will continue to work with property owners toward the goal of achieving ordinance compliance in a reasonable and responsible timeframe once governmental operations are able to move safely forward. If you have any questions or inquiries, please contact Colten Hutson (phone: 269-216-5228; fax: 269-375-7180; email: chutson@oshtemo.org) at Oshtemo Township. [For additional information, please visit our Frequently Asked Questions Page: <https://www.oshtemo.org/wp-content/uploads/2020/02/4-2020-2-24-FAQs.pdf>]

Very truly yours,


Marc Elliott, P.E.
Director of Public Works



**NOTICE TO ELECTORS OF THE CHARTER TOWNSHIP OF OSHTEMO
OF THE TOWNSHIP'S INTENT TO ISSUE CAPITAL IMPROVEMENT
BONDS AND THE RIGHT OF REFERENDUM RELATING THERETO**

PLEASE TAKE NOTICE THAT THE CHARTER TOWNSHIP OF OSHTEMO intends to issue Capital Improvement Bonds in one or more series in a maximum amount which shall not exceed \$10,000,000.

PURPOSE

The Bonds shall be issued for the purpose of defraying part of the cost of the acquisition and construction of capital improvements within the Township consisting of extensions to the Township's sewer system and related road improvements including, without limitation, extensions in Whitegate Farms, Fairlane, and Skyridge Plat including Meridian Street (in entirety), Sunset Street (in entirety), Beech Street (in entirety), 7th Street (West Main Street to South of Cross Country Drive) and West Main Street (8th Street to Township Hall west property line); together with related improvements and appurtenances including, but not limited to, sidewalk and shared paths installation, necessary easements, rights-of-way and interests in land, and the expenses of Township engineering, legal and financial consultants (commonly referred to as "Phase 1") (together, the "Project").

ESTIMATED PROJECT COST

The total estimated cost of the proposed Project, including contingency, is \$9,210,000. The costs of the Project shall be paid from bond proceeds, investment earnings, if any, on bond proceeds, and other legally available funds. It is currently expected that one or more series of the bonds, in the estimated amount of \$9,210,000, will be issued by the Township to evidence low-interest loans by the U.S. Department of Agriculture's Rural Development agency for the sanitary sewer and road improvement portions of the Project.

MAXIMUM AMOUNT AND TERMS OF REPAYMENT

The Bonds shall be issued in one or more series in a maximum aggregate amount not to exceed \$10,000,000, shall mature serially with interest on the unpaid balance at a rate not to exceed the maximum rate of interest allowed by law and shall be repaid over a term not to exceed the maximum term permitted by law. The Bonds shall be issued pursuant to Act 34 of the Public Acts of Michigan of 2001, as amended.

SOURCE OF PAYMENT AND SECURITY FOR THE BONDS

The principal of and interest on the Bonds shall be payable from revenues of the Township's Sewer System and/or the Township's General Fund, other legally available funds or a combination thereof, and shall be a general obligation of the Township secured by the Township's full faith and credit and limited tax pledge, within applicable statutory and constitutional tax limitations applicable to the Township. THE TOWNSHIP DOES NOT REASONABLY EXPECT THAT IT WILL BE NECESSARY TO LEVY ANY ADDITIONAL TAXES TO PAY THE PRINCIPAL OF AND INTEREST ON THE PROPOSED BONDS AND FURTHER THE TOWNSHIP WILL NOT HAVE THE AUTHORITY TO LEVY ADDITIONAL TAXES TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS OVER PRESENTLY EXISTING TOWNSHIP MILLAGE LIMITS WITHOUT A FURTHER VOTE OF TOWNSHIP ELECTORS.

RIGHT OF REFERENDUM

THE BONDS WILL BE ISSUED WITHOUT A VOTE OF TOWNSHIP ELECTORS APPROVING THE BONDS, UNLESS, WITHIN 45 DAYS FROM THE DATE OF PUBLICATION OF THIS NOTICE OF INTENT, A PETITION, SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE LIMITS OF THE CHARTER TOWNSHIP OF OSHTEMO, SHALL BE FILED WITH THE TOWNSHIP BOARD REQUESTING A REFERENDUM UPON THE QUESTION OF THE ISSUANCE OF THE BONDS. IF PETITIONS ARE SO FILED, THE BONDS SHALL NOT BE ISSUED UNTIL APPROVED BY THE VOTE OF A MAJORITY OF THE ELECTORS OF THE TOWNSHIP QUALIFIED TO VOTE AND VOTING ON THE QUESTION OF ISSUING THE BONDS AT A GENERAL OR SPECIAL ELECTION.

This Notice is published pursuant to the requirements of Section 517 of Act 34 of the Public Acts of Michigan of 2001, as amended.

Dusty Farmer, Township Clerk
Charter Township of Oshtemo

0015522-01

TOWNSHIP BOND NOTICE RE-PUBLICATION

What is the important announcement this week? The Township Board decided to re-publish the bond notice for the Phase 1 USDA Sanitary Sewer expansion in the Tuesday Kalamazoo Gazette. This allows all Oshtemo Township voters to decide whether they want to vote on the public sewer project. If enough signatures are collected, the issue will be placed on the November ballot.

Why is the Township republishing the bond notice? In May the Board received official word through its bond counsel that the newspaper notice published in October 2018 was not published at the ¼ page size as is required by law, even though that was the size requested. It ended up 72% of the required size. So the Board, with this very specific information, decided to do the right thing, to re-publish.

The Board is hopeful that taking this action will help the community heal on this divisive issue. We ask the residents of Oshtemo Township to depend upon authoritative sources, such as Kalamazoo County Environmental Health experts and the US Environmental Protection Agency. Public sewer is necessary for a host of reasons that Vern Johnson, Director, County Environmental Health helps explain in the accompanying video.

Oshtemo is a good community, and its citizens will constructively and positively work through this difficult period. There are good people on both sides who should try to agree or disagree in a constructive manner. The Township notified all the affected households about the sewer expansion project. Anyone who hasn't received a direct mailing from the Township about the project is not affected.

The difficult part of this decision is the delay this places on some residents who truly need the expansion of public sewer. A resident in the Whitegate neighborhood has a drywell system on its last leg, and she calls the Township Public Works department frequently asking about the status of the public sewer project. She will have to wait longer. We hope only 45 days longer so the project can responsibly continue.

Does the community support the expansion? We will find out. We suspect they do. It is the responsible course of action. To not do this is to bury one's head in the sand. That is not effective governance. That is placing an inevitable greater cost burden on individuals finding themselves in emergency replacement situations for decades to come, and paying separately for road reconstruction. Now is the time to seize the proverbial bull by the horns, take this hard step, and methodically move these Oshtemo neighborhoods to a cost effective public sewer system. And to rebuild our roads in the process.

Can I afford public sewer? While there is no payment plan for a failed septic system, the Board has worked to offer an option that allows payment over 40 years if needed, with an extremely low interest rate. This year the Board created a hardship revolving fund for those who need a deferment to supplement the USDA and State of Michigan assistance programs.

In summary, the sewer project is good for the protection of our water, which is ultimately the health and safety of all residents of Oshtemo. Please don't hesitate to call or email Township Supervisor, Libby Heiny-Cogswell with any questions or to respectfully offer your input. The number is 216-5220, or email libbyhc@oshtemo.org.

Access additional Important information such as FAQs, maps, Public Works contacts, and the County Environmental Health video--

https://www.youtube.com/watch?v=EUxH3_ezQXE&feature=youtu.be

<https://oshtemo.org/officials-and-departments/public-works-department/sewer-expansion/>



4/6/2020 11:57 AM

AASHTOWare Project™ Version 4.1 Revision 035

Tabulation of Bids

Report v1

Call Number: 067

Contract ID: 39609-127385

Project(s): 20A0357

Letting Date: April 03, 2020

Region(s): Kalamazoo TSC

Counties: Kalamazoo County

Contract Time: 09/24/21 COMPLETION DATE

Contract Description: 0.40 mi of hot mix asphalt shared use path, concrete curb, gutter, sidewalk and ramps and signing on Drake Road from KL Avenue to Green Meadow Road in the city of Kalamazoo, Kalamazoo County. This is a Local Agency project. ** 636 Ea or 636 J **In addition to the above minimum prequalification requirement for prime contractors this project includes a subclassification of Ea. If the prime contractor is not prequalified in this subclassification it must use a prequalified subcontractor. This subcontractor must be designated prior to award of the contract to the confirmed low bidder.

List of Vendors

Rank	Vendor ID/Name	Total Bid	Percent Of Low Bid	Percent Of Estimate
0	-EST- - Engineer's Estimate	\$636,757.00	101.59%	100.00%
1	02123 - Brenner Excavating, Inc.	\$626,821.24	100.00%	98.44%
2	00436 - Peters Construction Co.	\$857,999.14	136.88%	134.75%
3	00152 - Kamminga & Roodvoets, Inc.	\$909,193.80	145.05%	142.79%

From: [Ryan Russell](#)
To: [Marc Elliott](#)
Subject: RE: Stadium Dr Bids?
Date: Tuesday, July 14, 2020 9:09:29 AM

Estimate: 577,468

Low Bid: 538,715

Letting of July 10, 2020

Letting Call: 2007 037

Low Bid: \$538,715.00

Project: TAU 39000-206301

Engineer Estimate: \$577,468.00

Local Agreement: 20-5265

Pct Over/Under Estimate: -6.71 %

Start Date: 10 days after award

Completion Date: April 23, 2021

Description:

0.42 mi of hot mix asphalt shared use path, concrete curb and gutter, earthwork, retaining wall and restoration along Stadium Drive from west of Quail Run Drive to 11th Street, Kalamazoo County. This is a Local Agency project.

5.00 % DBE participation required

Bidder	As-Submitted
Northern Construction Services, Corp.	\$538,715.00
Kamminga & Roodvoets, Inc.	\$641,551.61
Anlaan Corporation	\$641,553.50
Peters Construction Co.	\$871,198.85

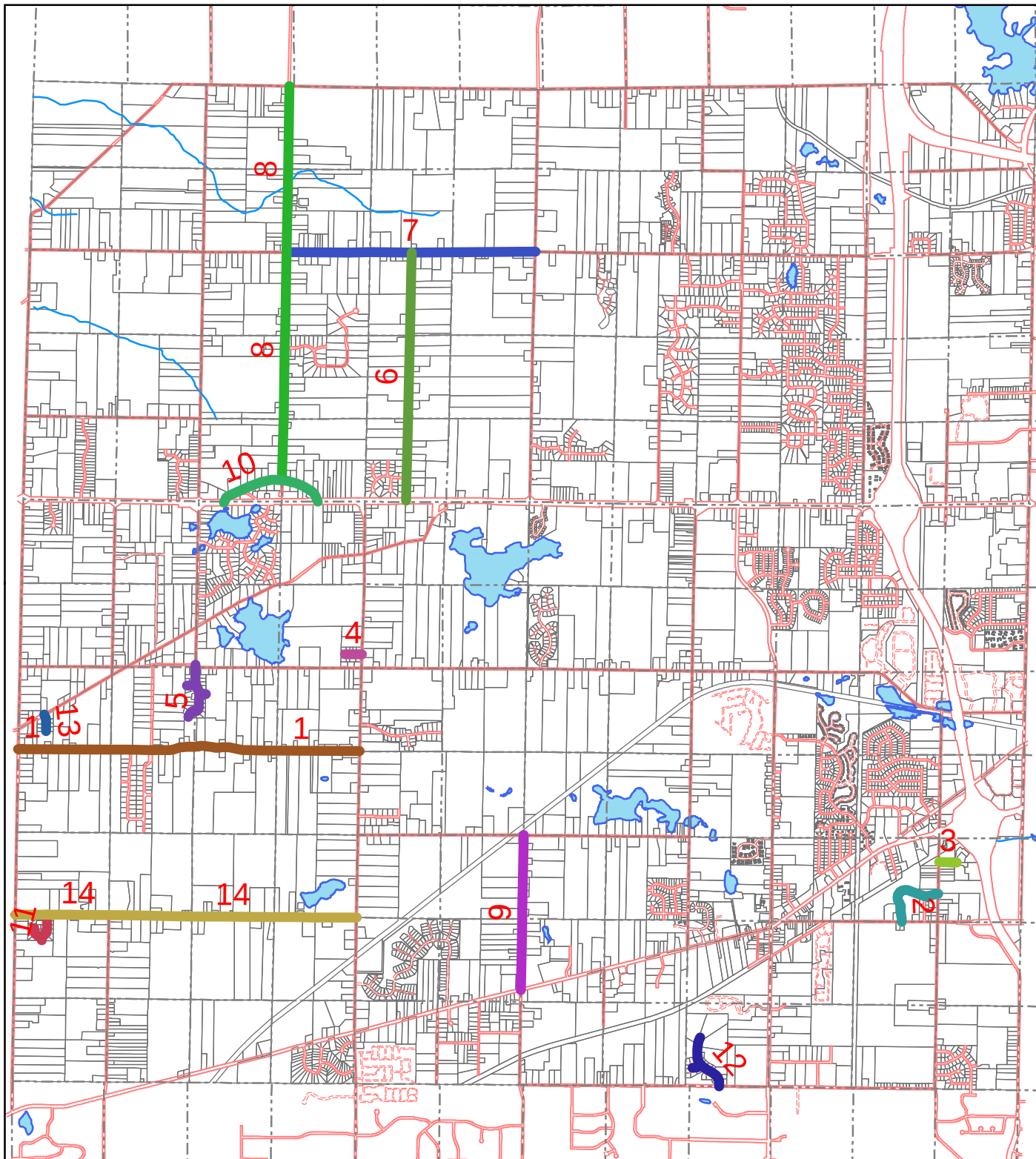
Total Number of Bidders: 4

Director of Public Works

Charter Township of Oshtemo
7275 W. Main St.
Kalamazoo, MI 49097
Office: 269-375-4260
Direct: 269-216-5236
Mobile: 269-389-9626
Office Fax: 269-375-7180

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0 550 1100 2200 3300 4400
Feet



This map is for reference purposes only. While it is intended to be an accurate graphic representation, its accuracy cannot be guaranteed. Any conclusions or information derived from this map are at the users sole risk.

Charter Township of Oshtemo Kalamazoo Co., Michigan

Date: 2/21/2020

CHARTER TOWNSHIP OF OSHTEMO POSITION DESCRIPTION

Position Title: **DEPUTY DIRECTOR OF PUBLIC WORKS**

General Summary:

Under the direct supervision of the DIRECTOR OF PUBLIC WORKS, and general direction of the Township Supervisor, performs professional and technical engineering duties for the Township; as well as administrative duties in assisting the planning and coordinating the operation of sewer, water, and road maintenance services.

Physical Requirements:

Physical requirements described herein are representative of those requirements which must be met by an employee to successfully perform the essential job functions of this job. Reasonable accommodations may be made upon request to enable an individual with a disability to perform these essential job functions.

The employee must be able to drive in order to visit properties within the Township. Property visits will be required to assist in evaluating development projects, site design, water run-off, water retention, compliance with construction plans and design, etc. While on site the employee must be able to traverse rough terrain in order to complete on-site inspections.

While at the office, the Deputy Director of Public Works must be able to type reports and permits and prepare maps using computer aided technology. The Deputy Director of Public Works must also be able to visually review schematic drawings, permit applications, site plans and related documents. In addition, the employee must be able to meet with outside agencies and organizations when assigned by the DIRECTOR OF PUBLIC WORKS.

On occasion, the employee must be able to attend necessary public meetings, when requested by the DIRECTOR OF PUBLIC WORKS. During the Planning Commission, Zoning Board of Appeals and Township Board meetings, the employee may be asked to present reports publicly using a computer and/or a projector system.

The ability to operate a computer, copy machine, and answer the telephone is required.

The ability to communicate the goals of the Township, prepare reports and analyses and recommendations for the Capital Improvements Committee, Planning Commission, Township Board, orally and in writing, in English, is required.

Typical Responsibilities:

1. Performs comprehensive administrative and engineering type work necessary to assist in the management of sewer, water, and storm water engineering or oversight, and sidewalk, path, and road construction and maintenance oversight, for the Township.
2. Using excellent customer service skills, establishes and maintains effective working relationships with other employees, officials, and all members of the general public.
3. Provides staff assistance to the Capital Improvements Committee on behalf of road maintenance and capital improvement project goals.
4. Coordinates capital improvement projects with consultants, private contractors and affected Township departments and outside agencies.
5. Assists in managing state/federal grants on all assigned projects.
6. Provides research to advise and provide expert witness services to other Township departments on matters related to professional civil engineering.
7. Assists the Director of Public Works and ultimately the Township Supervisor and the Capital Improvements Committee. Participates in the development of the Five-Year Capital Improvement Plan in terms of project priority recommendations and project cost estimates.
8. Assists in the pursuit of Federal, State and County funding for capital improvement projects.
9. Participates in the development of the Public Works department budget.
10. Contributes to the planning, supervision and design of public works projects, as assigned.
11. Participates in oversight of plans and contracts for public works projects, bidding and bid openings; project progress.
12. Participates in oversight and review of consultants' work.
13. Participates in establishment of special improvement districts.
14. Provides counsel to all departments on matters of engineering and surveying.
15. Answers technical questions and provides information to the public.

16. Maintain, access and extract infrastructure and public works records in a variety of formats such as MS Office digital documents, hard copy plan sheets, scanned records, database files and spatial records in a geographic information system (GIS).

The above statements are intended to describe the general nature and level of work to be performed. They are not to be construed as an exhaustive list of all job duties.

Employment Qualifications:

Excellent verbal and written communication skills.
Strong Problem-solving and analytical skills.
Demonstrated leadership skills.

EDUCATION/EXPERIENCE:

Bachelor's degree in Construction Management, Civil Engineering, or related field. Similar or equivalent experience in Construction Management, Civil Engineering, or a related field.

Municipal public works experience, minimum three years.

DRIVER'S LICENSE REQUIREMENT:

Must maintain a current Michigan motor vehicle operator's license without restrictions (other than corrective lenses).

These qualifications represent guidelines; alternative qualifications may be substituted if sufficient to perform duties required by position.