



7275 W. Main Street
Kalamazoo, MI 49009

Capital Improvements Committee
VIRTUAL ZOOM MEETING
Tuesday, November 28, 2023
1:00 P.M.

Meeting Summary

1. Welcome/Call to Order:
Present: C. Bell, M. Elliott, Z. Ford, A. Horner, K. Hudok, M. Johnson, B. Mein, R. Minkus, Z. Pearson, J. Porter
2. Summary of August 15, 2023 Meeting: Motion to accept by Bernie Mein, seconded by Zak Ford, motion carried.
3. USDA Neighborhood Expansion Projects
 - a. Legal update: Plaintiffs were required to file an appeal bond for \$500K and they hired an attorney to appeal this requirement which would delay the case another few months. Legal felt it wasn't worth the delays. Legal will file a motion to dismiss appeal on the original case this week, and a motion for expedited consideration. Member Ford asked why Plaintiffs were allowed to make a motion to appeal bond requirement. Attorney Porter clarified this is an appealable issue.
 - b. 7th St and W Main status, schedule update – Lounsbury (Contractor) started work late September and completed jack and bore under W. Main and sewer in front of Township Hall and Fire Station, finishing just east of Library driveway. Initial schedule was to start on 7th St but encountered clay soils. Lounsbury has order parts for the Lift Station and will start construction early 2024. Public Works requested a quote from Lounsbury for sewer connections, separately for Township Hall and Fire Station. Connection requirement is two (2) years, but staff are proposing to complete connection as soon as possible.
 - c. Phase 1 and Phase 2 Schedule: For phase 1, Contractor is currently holding their bid. For phase 2, design is done, and working to get easements and permits. The earliest we could bid would be the 2nd quarter of 2024, due to USDA's process. For phase 2, the most recent estimates for the five (5) contracts are significantly higher than at time of application for bond amounts, so will be prioritizing higher density neighborhoods, i.e., Country Club Village and WestPort. At some point, financing structure may have to change to complete projects with increases.
Staff including applying for other funding sources for sewer in 2024 budget. There is more sewer expansion to be completed in the Master Plan and will need to fund somehow. The Board and CIC have been consistent in their support for USDA funding as the best value for residents with the longest terms and lowest interest rates but may need to consider other options for future projects.
 - d. Group of 300 – residents were noticed in 2018 to connect to existing sewer in front of their properties. The last legal correspondence was sent April 2023 and residents were given until August 31, 2023 to connect. There are 16 who paid fees or signed 20-year installment agreements but are not yet connected. Most have done nothing to initiate connections. Staffed asked Members how we should respond and how aggressive we might be moving forward. Member Ford asked those who paid and have not connected, if they haven't paid for private connection, or if they can't find workers to complete the connections. The perception is these residents did the bare minimum and are avoiding the next step. The Ordinance requires connection and holds language that the Township can make resident connections, but staff anticipates that would cost much more. The Township must take enforcement action, to not violate the

law. Phase 1 and phase 2 bond repayments are based on connection fees and the revenue when connected (surcharge). Member Hudok suggested idea of a tiered approach may be how we customize letters to residents. If no plumbing permit has been pulled, we can notify them we are coming to do a dye or smoke test to see if they are connected. This approach gives residents the benefit of a doubt.

4. Streetlighting Strategy: Zach shared prior to this year, our strategy was to convert streetlights to LED from HPS as they went out. Feedback from Beech neighborhood residents wanted more streetlights for safety. Consumers Energy did a photometric study which nearly doubled the number of streetlights and received positive feedback from residents. Staff has made effort to coordinating streetlight upgrade conversions and additions to sewer conversion neighborhoods for more comprehensive projects and best practices. For example, started with 7th St after a photometric study to propose adding 14 new streetlights where there are only 3. Since this is a major increase, we wanted resident feedback. Responses were mixed as this is still considered a more rural area. Affirmed Consumers look at a standard spacing between streetlights based on lumens on roadway all the same; they do not consider rural vs. urban context. Staff was asking for CIC feedback on whether to take Consumers' recommendations and how much resident feedback to consider as there was cost implications. CIC concurred to consider character contexts and were comfortable funding from streetlighting fund more intentional upgrades than previous practice.

2023/Active Project Status Updates:

9th Street (western sidewalk) from Stadium Ave to Quail Run – Delays from title work. Planned to bid over winter to obtain the best prices and won't hit that schedule however can still bid when easements are done and reject bids if too high.

Drake Road –KL Ave to Stadium Dr held up by Amtrak for a long time. Collaborated with MDOT who made a big push and legally ordered Amtrak to complete the crossing within their ROW by June of 2024. 11th Street/Whitegate –Permits are under review with RCKC and trying to avoid utilities to not have to relocate these. Expecting to bid this winter and complete construction in 2024.

Atlantic Ave – established a steering committee to gain multiple perspectives from stakeholders.

Master Plan road extensions/connections previously reviewed with CIC; currently working on negotiations and purchases to be proactive for upcoming development.

2023 PAR Projects –all except two, under RCKC estimates. Continue to coordinate with sewer projects. SAW (Routine Sewer Maintenance) – cleaned and televised 25,000 linear feet of existing sewer system this year. No major defects and have only four minor defects were found. A new sewer service agreement with the City and Townships is in negotiations and this will consider capital maintenance that was identified in SAW grant. Staff is involved in these discussions and is putting some projects on hold to see what final contract determines as responsibility.

5. 2024-2029 Public Works Capital Improvement Program (CIP): Highlighting local road fund as an example; need to visualize and understand long term investment with existing and new infrastructure. The Board recently created a fund balance policy. The public was critical of fund balance in the audit. Staff would like to use CIP as a tool to help educate residents on why these funds are needed, like matching grant funds, which can be committed 2-3 years in advanced of the actual construction and need to be dedicated.
6. Director's Update:
 - a. KATS Technical Committee -none
 - b. UPC, rate updates – the 2024 increase for water will be 6% which for the average household is about a \$2.34 increase per month and for wastewater is 12%, which for an Oshtemo user is just under \$5.00 more per month after surcharge. Anna conveyed the increases are a little lower than expected. Last year, it was a 20% increase, so now the forecast has stabilized a little.

7. Member Comments & Information Items:

2024 CIC meeting schedule – Ann will send invites for 2024 CIC meetings.

Ryan Minkus shared that when RCKC was over cost on two jobs, none of this overage was billed to the Township, (about \$14,000). Also, as 2024 PAR packet is put together, discussions of local roads will be next month.

Adjourned: approximately 2:25 p.m.