

THE CHARTER TOWNSHIP OF OSHTEMO
Special Meeting
January 7, 2020
6:00 PM

The Oshtemo Township Board Special Meeting was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at approximately 6:00 PM.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Dusty Farmer
Treasurer Grant Taylor
Trustee Cheri Bell
Trustee Deb Everett
Trustee Zak Ford
Trustee Ken Hudok

Also present were Township Attorney Jim Porter and 7 interested people.

Public Comment

Supervisor Heiny-Cogswell called for public comment. No public comment.

Resolution to Enter into Closed Session to Discuss pending litigation brought by the Solareks against the Township and individual Township Trustees, individually

Motion by Ford, second by Farmer to adopt a resolution to enter closed session at approximately 6:05 PM to consult with staff counsel and litigation counsel in connection with

Kellison Woods Development Co., LLC v. Bradley S. Solarek and Karen L. Solarek, Ninth Circuit Court for the County of Kalamazoo, Case No. 15-0446-CH;

Kellison Woods Development Co., LLC v. Bradley S. Solarek and Karen L. (Kurncz) Solarek, Ninth Circuit Court for the County of Kalamazoo, Case No. 15-0446-CH, Court of Appeals Case No. 350067;

Bradley S. Solarek, Karen L. Solarek and Forever Undeveloped, LLC v. Kellison Woods Condominium Association, Michael Doerr, Karin Doerr, Braddock Cummins, Melissa Remillard, Ashley Lavanway, and Allan Kinney, Ninth Circuit Court for the County of Kalamazoo, Case No. 2019-0338-CZ

Bradley S. Solarek and Karen L. Solarek v. Oshtemo Charter Township, et al, Ninth Circuit Court for the County of Kalamazoo, Case No. 2019-0473-CZ

Since the discussion of the trial or settlement strategy in open session regarding each and every one of the above pending cases would have a detrimental financial effect on the litigating or settlement position of the Oshtemo Charter Township Board and its individual Trustees. Roll call. Resolution adopted 7-0.

Motion by Ford, second by Bell to exit closed session at approximately 6:20 PM. Motion carried 7-0.

Action, if any, after conclusion of closed session regarding litigation brought by the Solareks against the Township and Township Trustees, individually

Motion by Ford, second by Taylor to adopt a resolution of re-enactment of certain actions of the Board of Trustees meeting of June 4, 2019. Roll call. Resolution adopted 7-0.

Motion by Ford, second by Taylor to adopt a resolution of re-enactment of certain actions of the Board of Trustees meeting of July 9, 2019. Roll call. Resolution adopted 7-0.

Motion by Ford, second by Taylor to adopt a resolution of re-enactment of certain actions of the Board of Trustees meeting of July 23, 2019. Roll call. Resolution adopted 7-0.

Resolution to Enter into Closed Session to Discuss Opinion Letter issued to the Board by Township staff counsel to discuss property purchase and matters involving police protection for the Township

Motion by Ford, second by Taylor to adopt a resolution to enter closed session at approximately 6:42 PM to consult with the Board's staff counsel and litigation counsel regarding

Bradley S. Solarek and Karen L. Solarek v. Oshtemo Charter Township, et al, Ninth Circuit Court for the County of Kalamazoo, Case No. 2019-0473-CZ

Since the discussion of the trial or settlement strategy in open session regarding the above case would have a detrimental financial effect on the litigating or settlement position of the Oshtemo Charter Township Board and its individual Trustees; and

To discuss a written legal memorandum containing staff counsel's legal opinion dated May 24, 2019; and a written opinion of staff counsel of September 24, 2019; and the staff counsel letter of opinion and memorandum being documents subject to the lawyer-client privilege which are excepted from production. Roll call. Resolution adopted 7-0.

Motion by Ford, second by Taylor to exit closed session at approximately 7:00 PM. Motion carried 7-0.

Action, if any, after conclusion of closed session regarding opinion letter from Township staff counsel

Motion by Ford, second by Taylor to adopt a resolution of re-enactment of certain actions of the Board of Trustees meeting of May 28, 2019. Roll Call. Resolution adopted 7-0.

Motion by Ford, second by Taylor to adopt a resolution of re-enactment of certain actions of the Board of Trustees meeting of September 24, 2019. Roll call. Resolution adopted 7-0.

Consideration of Sewer Operations & Maintenance Contract Amendment

Motion by Ford, second by Taylor to adopt a resolution authorizing first amendment to wastewater service agreement with City of Kalamazoo. Roll call. Resolution adopted 7-0.

Supervisor Heiny-Cogswell adjourned the Regular Meeting at approximately 7:15 PM.

Prepared by: Dusty Farmer
Township Clerk

Attested: Libby Heiny-Cogswell
Township Supervisor