

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

June 13, 2023

Refer to page 3 for Virtual Meeting Information

REGULAR MEETING
5:30 P.M.
AGENDA

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

WORK SESSION ITEMS

3. Recognition of Juneteenth for Oshtemo Township
4. Recognition of Trustee Bradford
5. Budget Kickoff – Presentation of Department AGVs
6. Other Updates & Business

BREAK (Time Permitting) – 7:05 P.M.

REGULAR SESSION ITEMS – 7:15 P.M.

7. Pledge of Allegiance
8. Township Mission/Vision/Core Values
9. Public Comment on Non-Regular Session Items
10. Consent Agenda
 - a. Minutes of Regular Meeting from May 23, 2023
 - b. Budget Amendments
 - c. Receipts and Disbursements
 - d. General Maintenance Job Levels
 - e. **Second Reading:** Moratorium Ordinances for Private Roads
 - f. **Second Reading:** Moratorium Ordinances for Commercial Solar and Wind
 - g. Approval of Contract with Peters Construction for Western Woods Sidewalk
11. Consideration of Contract Approval for Private Ordinance Work
12. Continuation of Department AGV Presentations
13. Trustee Resignation and Discussion for Trustee Replacement
14. Public Comment
15. Board Member Comments and Committee Updates
16. 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)
(revised 5/24/2023)

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>		
Cheri Bell	216-5220	cbell@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>		
Vacant	375-4260	
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>			
Vanessa Street	216-5233		vstreet@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: 886 2537 5277**

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: **886 2537 5277#**

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



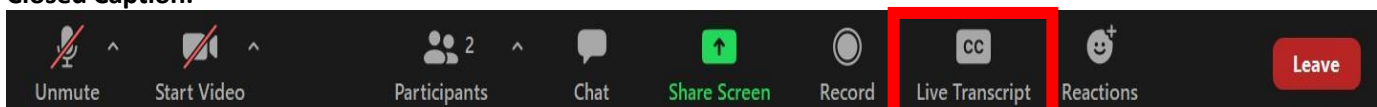
Using the icons at the bottom of the Zoom screen, you can (some features will be locked to participants during the meeting):

- 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”.

OSHTEMO CHARTER TOWNSHIP
KALAMAZOO COUNTY, MICHIGAN

Resolution Designating June 19, 2023, as “Juneteenth Independence Day”

June 13, 2023

Designating June 19, 2020, as “Juneteenth Independence Day” in recognition of June 19, 1865, the date on which news of the end of slavery reached the slaves in the Southwestern States.

WHEREAS, news of the end of slavery did not reach the frontier areas of the United States, in particular the State of Texas and the other Southwestern States, until months after the conclusion of the Civil War, more than 2½ years after President Abraham Lincoln issued the Emancipation Proclamation on January 1, 1863;

WHEREAS, on June 19, 1865, Union soldiers, led by Major General Gordon Granger, arrived in Galveston, Texas, with news that the Civil War had ended and the enslaved were free;

WHEREAS, African Americans who had been slaves in the Southwest celebrated June 19, commonly known as “Juneteenth Independence Day”, as inspiration and encouragement for future generations;

WHEREAS, African Americans from the Southwest have continued the tradition of observing Juneteenth Independence Day for more than 150 years;

WHEREAS, Juneteenth Independence Day began as a holiday in the State of Texas and is now celebrated in 46 States and the District of Columbia as a special day of observance in recognition of the emancipation of all slaves in the United States;

WHEREAS, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures;

WHEREAS, the faith and strength of character demonstrated by former slaves and the descendants of former slaves remain an example for all people of the United States, regardless of background, religion, or race;

WHEREAS, slavery was not officially abolished until the ratification of the 13th Amendment to the Constitution of the United States in December 1865; and

WHEREAS, over the course of its history, the United States has grown into a symbol of democracy and freedom around the world.

NOW THEREFORE BE IT PROCLAIMED, that the Oshtemo Charter Township Board of Trustees, hereby designates June 19, 2023, as “Juneteenth Independence Day”;

(1) recognizes the historical significance of Juneteenth Independence Day to the United States;

(2) supports the continued nationwide celebration of Juneteenth Independence Day to provide an opportunity for the people of the United States to learn more about the past and to better understand the experiences that have shaped the United States; and

(3) recognizes that the observance of the end of slavery is part of the history and heritage of the United States.

A 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 following Abstained:

The Moderator declared the motion carried and the Resolution duly adopted.

Dusty Farmer, Clerk
Oshtemo Charter Township

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 communication 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.

Budget Amendment Requests

Date	Dept. Head	Fund Name	Funds Requested To			Funds Requested From			Authorization Only (no BA)?	Explanation of Request	Previously Discussed?	Within Apprvd Budget?
			GL Number	Description	Amount	GL Number	Description	Amount				
6/6/2023	Greg McCom	Fire	206-340-76100	Public Education	\$ 3,000.00	206-001-40100	Carryover	\$ 3,000.00		This request is for mailing out our Fire Department survey to all households in Oshtemo. We budgeted \$3,000 and fell short by almost another \$3,000. We are requesting a budget amendment in the amount of \$3,000 to cover the cost of mailings.	No	50%
Total					\$ 3,000.00	Total		\$ 3,000.00				

Date	Dept. Head	Fund Name	Funds Requested To			Funds Requested From			Authorization Only (no BA)?	Explanation of Request	Previously Discussed?	Within Apprvd Budget?
			GL Number	Description	Amount	GL Number	Description	Amount				
6/9/2023	Horner	General - Public Works	101-506-97600.NMDRTA	S Drake Rd TAP	\$1,500	101-506-97600.NMDRTA	S Drake Rd TAP	\$1,500	Y	On February 14th, the Board approved the Contract with Balkema Construction (\$20,750) for the Drake Rd Path Retaining Wall repair (near Blaze Pizza). The work has been completed and based on actual as built construction, a few quantities increased so additional \$1,500 to contract is needed. Still within approved budget.	Y	Y
Total					\$ 1,500.00	Total		\$ 1,500.00				

Grand Total	\$4,500.00
Total Added to Budget	\$3,000.00
Authorization Only	\$1,500.00
Total Not Previously Discussed with TB	\$3,000.00

REVIEW DATE 6/9/23 SIGNATURE Chui B

Memorandum



Date: 13 June 2023
To: Township Board
From: Sara Feister, Human Resources Director & Greg Fountain, Maintenance Director
Subject: General Maintenance Job Levels

Objective

PROPOSED MOTION: Seeking Board consideration to add job levels to the General Maintenance Person position.

Background

On 02/23/23, we posted the General Maintenance position to fill the vacancy created when Greg Fountain was promoted to Maintenance Director. We failed to fill the position due to the inability to find a suitable candidate to fulfill the requirements of the job description, which includes practical knowledge of specialty skills. On 03/29/23, we re-posted the position in hopes that we would reach a new pool of candidates. We were unsuccessful in our second attempt to fill this position.

Upon reflection and discussion, Maintenance & HR re-evaluated the current job description and came to the consensus that it is necessary to create job levels that are commiserate with skills and experience. We have been very fortunate that the Maintenance staff have had those practical skills that were required per the job description, but the reality is that it is not necessary to have every employee in Maintenance performing the tasks that require that high level of experience and technical knowledge.

It is our recommendation to create a General Maintenance I & a General Maintenance II job designation in order to recognize the practical skills of the staff we currently have, and also aid us in filling the open General Maintenance position to find a candidate that does not necessarily have the technical skills but will be successful as a General Maintenance I employee.

Information Provided

1. General Maintenance I Redline
2. General Maintenance I Clean Copy
3. General Maintenance II Redline
4. General Maintenance II Clean Copy

Core Values

Public Service, Innovation, Professionalism, Integrity

CHARTER TOWNSHIP OF OSHTEMO POSITION DESCRIPTION

Position Title: GENERAL MAINTENANCE ~~PERSON~~

General Summary:

Under the direction of the Maintenance Director, this person is responsible for performing maintenance repairs and maintaining all Township property & equipment through scheduled, non-scheduled, & emergency maintenance procedures.

Physical Requirements:

The physical demands described hereafter are representative of those that must be met by an employee to successfully perform the essential functions of this general maintenance position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, sit, walk, talk, climb and hear; use hands to finger, handle and operate tools, objects, or controls. The employee is required to climb stairs, stoop, kneel and crouch.

The employee must frequently lift and/or move up to fifty (50) pounds and occasionally lift and/or move up to one hundred (100) pounds. The employee must have the ability to recognize and identify similarities or differences between characteristics of colors, shapes, sizes, and sounds associated with the job.

Ability to work under conditions where exposure to environmental factors such as temperature variations and extremes, odors, noise, machinery, electrical current, wetness, dirt and dust may cause discomfort.

Typical Responsibilities:

- Perform repairs & preventive maintenance of all Township property & equipment.
- Respond to calls of malfunctions. Locate and eliminate malfunctions in non-routine & emergency situations.
- Availability to work occasional overtime on weekends, evenings, or holidays to complete time sensitive projects.
- Perform general maintenance, custodial, & trash removal.
- Operate a wide range of equipment (tractors, snowplows, mowers, chainsaws, etc.)

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

Effective Date: ~~02/14/23~~06/13/23

Employment Qualifications:

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

EDUCATION: High school graduate or equivalent

EXPERIENCE: Desire (~~25~~) Years Maintenance experience. Must have good general mechanical ability and knowledge. This includes the following skills:

- Practical knowledge of the following:
 - Grounds keeping & snow removal
 - Servicing of facilities, systems, & equipment

~~HVAC systems~~

~~Electrical repairs~~

~~Plumbing repairs~~

- Have excellent organization & communication skills
- Basic computer skills (Microsoft Office Suite)

Effective Date: ~~02/14/23~~06/13/23

CHARTER TOWNSHIP OF OSHTEMO POSITION DESCRIPTION

Position Title: GENERAL MAINTENANCE I

General Summary:

Under the direction of the Maintenance Director, this person is responsible for performing maintenance repairs and maintaining all Township property & equipment through scheduled, non-scheduled, & emergency maintenance procedures.

Physical Requirements:

The physical demands described hereafter are representative of those that must be met by an employee to successfully perform the essential functions of this general maintenance position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, sit, walk, talk, climb and hear; use hands to finger, handle and operate tools, objects, or controls. The employee is required to climb stairs, stoop, kneel and crouch.

The employee must frequently lift and/or move up to fifty (50) pounds and occasionally lift and/or move up to one hundred (100) pounds. The employee must have the ability to recognize and identify similarities or differences between characteristics of colors, shapes, sizes, and sounds associated with the job.

Ability to work under conditions where exposure to environmental factors such as temperature variations and extremes, odors, noise, machinery, electrical current, wetness, dirt and dust may cause discomfort.

Typical Responsibilities:

- Perform repairs & preventive maintenance of all Township property & equipment.
- Respond to calls of malfunctions. Locate and eliminate malfunctions in non-routine & emergency situations.
- Availability to work occasional overtime on weekends, evenings, or holidays to complete time sensitive projects.
- Perform general maintenance, custodial, & trash removal.
- Operate a wide range of equipment (tractors, snowplows, mowers, chainsaws, etc.)

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

Effective Date: 06/13/23

Employment Qualifications:

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

EDUCATION: High school graduate or equivalent

EXPERIENCE: Desire (2) Years Maintenance experience. Must have good general mechanical ability and knowledge. This includes the following skills:

Practical knowledge of the following:

- Grounds keeping & snow removal
- Servicing of facilities, systems, & equipment
- Have excellent organization & communication skills
- Basic computer skills (Microsoft Office Suite)

**CHARTER TOWNSHIP OF OSHTEMO
POSITION DESCRIPTION**

Position Title: GENERAL MAINTENANCE **PERSON II**

General Summary:

Under the direction of the Maintenance Director, this person is responsible for performing maintenance repairs and maintaining all Township property & equipment through scheduled, non-scheduled, & emergency maintenance procedures.

Physical Requirements:

The physical demands described hereafter are representative of those that must be met by an employee to successfully perform the essential functions of this general maintenance position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, sit, walk, talk, climb and hear; use hands to finger, handle and operate tools, objects, or controls. The employee is required to climb stairs, stoop, kneel and crouch.

The employee must frequently lift and/or move up to fifty (50) pounds and occasionally lift and/or move up to one hundred (100) pounds. The employee must have the ability to recognize and identify similarities or differences between characteristics of colors, shapes, sizes, and sounds associated with the job.

Ability to work under conditions where exposure to environmental factors such as temperature variations and extremes, odors, noise, machinery, electrical current, wetness, dirt and dust may cause discomfort.

Typical Responsibilities:

- Perform repairs & preventive maintenance of all Township property & equipment.
- Respond to calls of malfunctions. Locate and eliminate malfunctions in non-routine & emergency situations.
- Availability to work occasional overtime on weekends, evenings, or holidays to complete time sensitive projects.
- Perform general maintenance, custodial, & trash removal.
- Operate a wide range of equipment (tractors, snowplows, mowers, chainsaws, etc.)

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

Effective Date: **02/14/2306/13/23**

Employment Qualifications:

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

EDUCATION: High school graduate or equivalent

EXPERIENCE: Desire (5) Years Maintenance experience. Must have good general mechanical ability and knowledge. This includes the following skills:

- Practical knowledge of the following:
 - Grounds keeping & snow removal
 - Servicing of facilities, systems, & equipment
 - HVAC systems
 - Electrical repairs
 - Plumbing repairs
- Have excellent organization & communication skills
- Basic computer skills (Microsoft Office Suite)

CHARTER TOWNSHIP OF OSHTEMO POSITION DESCRIPTION

Position Title: **GENERAL MAINTENANCE II**

General Summary:

Under the direction of the Maintenance Director, this person is responsible for performing maintenance repairs and maintaining all Township property & equipment through scheduled, non-scheduled, & emergency maintenance procedures.

Physical Requirements:

The physical demands described hereafter are representative of those that must be met by an employee to successfully perform the essential functions of this general maintenance position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to stand, sit, walk, talk, climb and hear; use hands to finger, handle and operate tools, objects, or controls. The employee is required to climb stairs, stoop, kneel and crouch.

The employee must frequently lift and/or move up to fifty (50) pounds and occasionally lift and/or move up to one hundred (100) pounds. The employee must have the ability to recognize and identify similarities or differences between characteristics of colors, shapes, sizes, and sounds associated with the job.

Ability to work under conditions where exposure to environmental factors such as temperature variations and extremes, odors, noise, machinery, electrical current, wetness, dirt and dust may cause discomfort.

Typical Responsibilities:

- Perform repairs & preventive maintenance of all Township property & equipment.
- Respond to calls of malfunctions. Locate and eliminate malfunctions in non-routine & emergency situations.
- Availability to work occasional overtime on weekends, evenings, or holidays to complete time sensitive projects.
- Perform general maintenance, custodial, & trash removal.
- Operate a wide range of equipment (tractors, snowplows, mowers, chainsaws, etc.)

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

Effective Date: 06/13/23

Employment Qualifications:

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

EDUCATION: High school graduate or equivalent

EXPERIENCE: Desire (5) Years Maintenance experience. Must have good general mechanical ability and knowledge. This includes the following skills:

- Practical knowledge of the following:
 - Grounds keeping & snow removal
 - Servicing of facilities, systems, & equipment
 - HVAC systems
 - Electrical repairs
 - Plumbing repairs
- Have excellent organization & communication skills
- Basic computer skills (Microsoft Office Suite)

MEMORANDUM

To: Township Board
From: James Porter
Date: June 5, 2023
Subject: Moratorium for Private Roads and Private Streets

OBJECTIVE:

To adopt the Ordinance Amendment to Section 29.008 of the Subdivision/Site Condominium and Land Division Ordinance No. 650 placing a six-month Moratorium on the development of Private Roads or Private Streets AND adopt the Ordinance Amendment to the Township Zoning Ordinance No. 651 placing six-month Moratorium on the development of Private Roads and Private Streets as recommended by the Planning Commission.

RECOMMENDED MOTION:

I make the motion to adopt the Ordinance Amendment to Section 29.008 of the Subdivision/Site Condominium and Land Division Ordinance No.650 AND the Ordinance Amendment to the Township Zoning Ordinance establishing a six-month Moratorium on the development of Private Roads or Private Streets within the Township Ordinance No. 651.

BACKGROUND:

Given the rapid development within the Township and the conflicting provisions with in the Township's Zoning Ordinance and its General Ordinance, regarding the development of Private Roads or Private Streets, it was the recommendation of the Public Works Department and the Planning Department to place a short Moratorium on the development of Private Roads/Private Streets within the community until such time as a comprehensive Private Road/Private Street Ordinance could be developed. The goal is to provide a clear standard for design, construction and maintenance, of Private Roads and Private Streets within the Township, to address connectivity and access management, as well as the health, safety, and welfare of the community.

INFORMATION PROVIDED:

I have attached hereto a copy of the Ordinance amending the Subdivision/Site Condominium Land Division Ordinance enacting a six-month Moratorium on Private Roads and Private Streets, as well as the Ordinance amending the Township Zoning Ordinance, which also enacts a six-month Moratorium on the development of Private Roads and Private Streets within the Township.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 650

Adopted: _____, 2023

Effective: _____, 2023

An Ordinance to impose a Moratorium on all Private Roads/Street Development in the Township and amend the Oshtemo Charter Township Subdivision, Site Condominium, and Land Division Ordinance (Ord No.585) to impose a Moratorium on all Private Roads/Streets, until such time as the Ordinance can be revised, to incorporate the necessary revisions to address connectivity and access management to ensure, public health, safety, and welfare associated with the development of Private Roads/Streets.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

PRIVATE ROAD AND PRIVATE STREET GENERAL MORATORIUM ORDINANCE

SECTION I. TOWNSHIP MORATORIUM ON PRIVATE ROADS/STREETS:

The Township hereby imposes a six-month Moratorium (until otherwise amended or repealed) on all New Private Roads or Private Streets, until such time that its Zoning and General Ordinances can be reviewed and amended, if necessary, to address connectivity and proper access management, to ensure public health, safety, and welfare, associated with the development of Private Roads/Streets.

SECTION II. AMENDMENT TO SECTION 29.008 OF THE SUBDIVISION SITE CONDOMINIUM AND LAND DIVISION ORDINANCE:

Amendment to Section 29.008 Subdivision/Site Condominium Design Layout Standards:

The provisions of Section 29.008 allowing for Private Roads/Streets, are temporarily suspended upon enactment of this Moratorium Ordinance, for a period of six months, or until otherwise amended or repealed.

SECTION III. EFFECTIVE DATE:

This Ordinance will take effect upon Publication after Adoption in accordance with state law. Ordinances, or parts Ordinances, are in conflict herewith are hereby suspended until the Moratorium provisions of this Ordinance are otherwise amended or repealed.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 651

Adopted: _____, 2023

Effective: _____, 2023

An Ordinance to amend the Oshtemo Township Zoning Ordinance to impose a Moratorium on all Private Roads/Streets, until such time as the Zoning Ordinance can be revised to incorporate the necessary revisions to address connectivity and access management to ensure, public health, safety, and welfare, associated with the development of Private Roads/Streets.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

PRIVATE ROADS AND PRIVATE STREETS ZONING MORATORIUM ORDINANCE

SECTION I. AMENDMENT OF SECTION 34.70 OF THE TOWNSHIP ZONING ORDINANCE VILLAGE FORM BASED CODE OVERLAY ZONE:

The provisions of Section 34.70, allowing for Private Roads/Streets, are temporarily suspended upon enactment of this Moratorium Ordinance for a period of six months, or until otherwise amended, or repealed.

SECTION II. AMENDMENT OF SECTION 35.50 FOR THE TOWNSHIP ZONING ORDINANCE 9TH STREET AND WEST MAIN OVERLAY ZONE:

The provisions of Section 35.50 dealing with site circulation that provides for two-way interior streets, or one-way interior streets, are temporarily suspended upon the enactment of the Moratorium Ordinance for a period of six months, or until otherwise amended, or repealed.

SECTION III. AMENDMENT OF SECTION 41.80 OF THE TOWNSHIP ZONING ORDINANCE PLANNED UNIT DEVELOPMENT:

The provisions of Section 41.80 allowing for Private Roads/Streets in Commercial Planned Unit Developments and Residential Planned Unit Developments, are temporarily suspended upon enactment of this Moratorium Ordinance, for a period of six months, or until otherwise amended or repealed.

SECTION IV. AMENDMENT OF SECTION 42.30 OF THE TOWNSHIP ZONING ORDINANCE RESIDENTIAL CONDOMINIUM DEVELOPMENT STANDARDS:

The provisions of Section 42.30 allowing for Private Roads/Streets or Private Drives in Residential Condominium Developments, are temporarily suspended upon enactment of this

Moratorium Ordinance for a period of six months, or until otherwise amended, or repealed.

SECTION V. AMENDMENT OF SECTION 43.50 OF THE TOWNSHIP ZONING ORDINANCE OPEN SPACE COMMUNITY:

The provisions of Section 43.50 allowing for Private Roads/Streets in an Open Space Community, are temporarily suspended upon enactment of this Moratorium Ordinance, for a period of six months, or until otherwise amended, or repealed.

SECTION VI. AMENDMENT OF SECTION 44.50 OF THE TOWNSHIP ZONING ORDINANCE OPEN SPACE PRESERVATION RESIDENTIAL DEVELOPMENT OPTION:

The provisions of Section 44.50 which allow for private two-way interior or private one-way roads/streets are temporarily suspended upon enactment of this Moratorium Ordinance for six months, or until otherwise amended, or repealed.

SECTION VIII. AMENDMENT OF SECTION 48.100 OF THE TOWNSHIP ZONING ORDINANCE CONDITIONS FOR SPECIFIED PERMITTED USER:

The provisions of Section 48.100 dealing with interior two-way drives/streets within a multifamily development Township Zoning Ordinance are temporarily suspended upon enactment of this Moratorium Ordinance for six months, or until otherwise amended, or repealed.

SECTION VII. AMENDMENT OF SECTION 49.200 OF THE TOWNSHIP ZONING ORDINANCE REQUIREMENT FOR SPECIAL USES:

The provisions of Section 49.200, which allows an alternative to Public Streets in Non-Residential Site Condominium Developments, are temporarily suspended upon enactment of this Moratorium Ordinance for six months, or until otherwise amended, or repealed.

SECTION IX. EFFECTIVE DATE:

This Ordinance will take effect upon Publication after Adoption in accordance with state law. Ordinances, or parts Ordinances, are in conflict herewith are hereby suspended until the Moratorium provisions of this Ordinance are otherwise amended, or repealed.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

MEMORANDUM

To: Township Board
From: James Porter
Date: June 5, 2023
Subject: Moratorium for Commercial Wind Energy Conversion Systems and Commercial Solar Energy Arrays

OBJECTIVE:

To adopt the General Ordinance placing a six-month Moratorium on the development of Commercial Wind Energy Conversion Systems and Commercial Solar Energy Arrays AND adopt the amendment to the Township Zoning Ordinance placing a six-month Moratorium on the development of Commercial Wind Energy Conversion Systems and Commercial Solar Energy Arrays as recommended by the Planning Commission

RECOMMENDED MOTION:

I make the motion to adopt the General Ordinance No. 652 establishing a six-month Moratorium on the development of Commercial Wind Energy Conversion Systems and Commercial Solar Energy Arrays within the Township, and the Zoning Ordinance amendment Ordinance No. 653 establishing a six-month Moratorium on the development of Commercial Wind Energy Conversion Systems and Commercial Solar Energy Arrays within the Township.

BACKGROUND:

The Township currently has no comprehensive general ordinance or zoning ordinance provisions to appropriately address the development of Commercial Wind Energy Conversion Systems or Commercial Solar Energy Array Systems within the Township. Given the industries need to quickly develop such infrastructure, it is imperative that the Township undertake a comprehensive review of its policies regarding the development of Wind and Solar Energy within the Township. The goal is to develop appropriate general and zoning ordinance provisions to ensure that the development of any Commercial Solar or Wind Energy Systems within the Township, are done in a manner consistent with the Master Land Use Plans of the Township and to ensure compatibility with other developments in the Township.

INFORMATION PROVIDED:

I have attached hereto copy of both Ordinances connecting the six-month Moratorium on the development of any Commercial Wind Energy Conservation Systems or Commercial Solar Energy Arrays within the Township.

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 652

Adopted: _____, 2023

Effective: _____, 2023

An Ordinance to impose a Moratorium on all Commercial Wind Energy Conversion Systems and Commercial Solar Energy until such time as the Township's Ordinances can be revised to develop appropriate Ordinance provisions necessary, to ensure the public health, safety, and welfare, associated with the Development of Commercial Wind Energy Conversion Systems and/or Commercial Solar Arrays.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

**COMMERCIAL WIND ENERGY CONVERSION SYSTEMS AND COMMERCIAL
SOLAR ENERGY ARRAY GENERAL MORATORIUM ORDINANCE**

**SECTION I. THE TOWNSHIP MORATORIUM ON WIND ENERGY
CONVERSION AND SOLAR ENERGY ARRAYS:**

The Township hereby imposes a six month Moratorium (until otherwise amended or repealed) on the development of all Commercial Wind Energy Conversion Systems and/or Commercial Solar Energy Arrays, until such time as the Zoning Ordinance and General Ordinances can be reviewed and amended, if necessary, to develop the appropriate ordinance provisions necessary, to ensure the public health, safety, and welfare, associated with the Development of Commercial Wind Energy Conversion Systems and/or Commercial Solar Arrays.

SECTION II. EFFECTIVE DATE:

This Ordinance will take effect upon Publication after Adoption in accordance with state law. Ordinances, or parts Ordinances, are in conflict herewith are hereby suspended until the Moratorium provisions of this Ordinance are otherwise amended or repealed.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

OSHTEMO CHARTER TOWNSHIP ORDINANCE NO. 653

Adopted: _____, 2023

Effective: _____, 2023

An Ordinance to amend the Oshtemo Township Zoning Ordinance (Ord No.585- As Amended) to impose a Moratorium on all Consumer Wind Energy Conversion Systems and Commercial Solar Arrays until such time as the Zoning Ordinance (based the new master) can revise or develop appropriate ordinance provisions necessary, to ensure the public health, safety, and welfare associated with the Development of Commercial Wind Energy Conversion Systems and/or Commercial Solar Arrays.

THE CHARTER TOWNSHIP OF OSHTEMO
KALAMAZOO COUNTY, MICHIGAN
ORDAINS:

**COMMERICAL WIND ENERGY CONVERSION SYSTEM AND COMMERCIAL
SOLAR ENERGY ARRAY ZONING MORATORIUM ORDINANCE**

**SECTION I. AMENDMENT OF SECTION 2 CONSTRUCTION OF LANGUAGE
AND DEFINITIONS- ESSENTIAL SERVICES:**

The term “essential services” shall temporarily exclude Commercial Wind Energy Conversion Systems and Commercial Solar Arrays upon execution of this Moratorium Ordinance for a period of six months and/or until otherwise amended, or repealed.

**SECTION II. THE AMENDMENT OF THE FOLLOWING SECTIONS TO
ESTABLISH A TEMPORARY MORATORIUM ON THE DEVELOPMENT OF
COMMERCIAL WIND ENERGY CONVERSION SYSTEMS OR COMMERCIAL SOLAR
ARRAYS AS A PERMITTED USE, PERMITTED USE WITH CONDITIONS, OR AS A
SPECIAL USE IN THE FOLLOWING DISTRICTS:**

Upon execution of the Moratorium Ordinance for Commercial Wind Energy Conversion Systems or Commercial Solar Array shall be prohibited for a period of six months and/or until otherwise amended, or repealed.

- Agricultural District – Section 4.40
- RR Rural Residential – Section 5.40
- R3 Residence District – Section 8.40
- R4 Residence District – Section 9.40
- R5 Residence District – Section 10.40
- R-C Residential Conservation District – Section 11.40
- C Local Business District – Section 18.40

- VC Village Commercial District – Section 19.50
- BRP Business and Research Part – Section 20.40
- C-R Commercial District Restricted - Section 21.40
- I-R Industrial District Restricted – Section 26.50
- I-1 Industrial District Manufacturing Servicing – Section 27.40
- I-2 Industrial Manufacturing/Servicing – Section 28.40

SECTION III. EFFECTIVE DATE:

This Ordinance will take effect upon Publication after Adoption in accordance with state law. Ordinances, or parts Ordinances, are in conflict herewith are hereby suspended until the Moratorium provisions of this Ordinance are otherwise amended, or repealed.

DUSTY FARMER, CLERK
OSHTEMO CHARTER TOWNSHIP

Memorandum

Date: 6/13/2023
To: Township Board
From: Zach Pearson, Public Works Project Manager
Subject: Western Woods Sidewalk Contractor Approval



Objective

MOTION: Approval for Peters Construction to complete the sidewalk within Western Woods for \$119,482.49 with a 7% contingency (approximately \$8,500) if needed during construction, and a \$7,000 allowance for construction staking.

Background

In 2022 Public Works staff completed a Sidewalk Audit of the existing conditions of the sidewalk in the Western Woods plat from resident feedback and inquiries. The audit found that there are segments of the walk that do not meet current Township specifications and Americans with Disabilities Act (ADA) standards. This includes accessible ramps and cross-slopes of certain segments being in violation. We also found gaps in the network where the sidewalk has not been installed.

The scope of work was developed based on the existing conditions and feedback from the Capital Improvements Committee. An estimate was created using pricing from other similar projects and \$135,000 was in the approved 2023 budget for this project. A \$7,000 allowance for construction staking was included for best practices to ensure accuracy in the field during construction.

An alternative for an additional segment was considered in the bids for sidewalk not included in the original site plan that would further improve the network of the plat to 5th Street. At this time, Staff does not recommend moving forward with the alternate given the budget and desiring further study and design prior to construction for anticipated right-of-way constraints and topographic challenges.

Staff requested bids from six (6) contractors total. Three (3) contractors were not able to complete the full scope of the project without requiring additional subcontractors hired by Public Works. One (1) contractor declined to bid due to capacity. Bids were received from two (2) contractors. The low bidder is Peters Construction at \$119,482.49.

Staff recommend awarding the contract to Peters Construction as the low bidder.

Attachments

Remington Construction Bid - Amended
Peters Construction Bid - Amended

REMINGTON CONSTRUCTION COMPANY, INC

26542 RED ARROW HWY
MATTAWAN, MI 49071



JOB NAME: Western Woods Sidewalk Project
DATE: 04/27/23
LOCATION: Oshtemo Charter Township

Line Item	Description	Unit	Quantity	Unit Price	Amount
1.	Mobilization & Traffic Control	LSUM	1	\$3,500.00	\$ 3,500.00
2.	Tree, Rem, 6 Inch to 18 Inch	EA	8	\$750.00	\$ 6,000.00
3.	Clearing	ACRE	0.15	N/A	\$13,500.00
4.	Curb and Gutter, HMA, Rem	FT	600	\$8.00	\$ 4,800.00
5.	Sidewalk Removal	SYD	200	\$27.00	\$ 5,400.00
6.	Sidewalk, Grading	STA	6	\$800.00	\$ 4,800.00
7.	Subbase, C1 II Sand, 4 Inch	CYD	40	\$70.00	\$ 2,800.00
8.	Curb and Gutter, C4	FT	600	\$40.00	\$24,000.00
9.	Curb and Gutter, Ramp Opening	FT	80	\$40.00	\$ 3,200.00
10.	Sidewalk, Concrete, 4 Inch	SFT	3,000	\$ 8.00	\$24,000.00
11.	Sidewalk Ramp, 6 Inch	SFT	40	\$10.00	\$ 400.00
12.	Hand Patching, HMA	TON	30 3	\$800.00	\$ 2,400.00 \$24,000
13.	Detectable Warning Surface	FT	40	\$150.00	\$ 6,000.00
14.	Storm water Management	LSUM	1	\$800.00	\$ 800.00
15.	Restoration	LSUM	1	\$7,500.00	\$ 7,500.00
A1.	Clearing	ACRE	0.05	N/A	\$ 6,500.00
A2.	Sidewalk, Grading	STA	4	\$800.00	\$ 3,200.00
A3.	Subbase, C1 II Sand, 4 Inch	CYD	27	\$70.00	\$ 1,890.00
A4.	Sidewalk, Concrete, 4 Inch	SFT	1,790	\$8.00	\$14,320.00
A5.	Sidewalk, Concrete, 6 Inch	SFT	100	\$10.00	\$ 1,000.00
A6.	Sidewalk, Ramp, 6 Inch	SFT	50	\$12.00	\$ 600.00
A7.	Restoration (Not listed on bid items)	LSUM	1	\$4,500.00	\$ 4,500.00

Total base bid amount ~~\$109,100.00~~ \$130,700

Total base bid with alternate \$141,110.00

SPECIAL PROVISION: BONDS AND PERMITS IF REQUIRED.

DAVID T. REMINGTON/ESTIMATOR
E-MAIL DTREMINOTON@AOL.COM
MOBILE 269-720-9507

EQUAL OPPORTUNITY EMPLOYER



3325 E. Kilgore Road
Kalamazoo, MI 49001

Phone: 269/345.1145

Fax: 269/345.2233

An Equal Opportunity Employer

To: Oshtemo Township	Contact: Zach Pearson
Address: 7275 West Main Kalamazoo, MI 49009	Phone: (269) 375-4260
Project Name: 2023 Western Woods Sidewalk Oshtemo Township	Bid Number:
Project Location:	Bid Date:

Line #	Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
10	10	Mobilization/Traffic Control	1.00	LS	\$8,560.61	\$8,560.61
20	20	Tree Removal, 6" To 18"	8.00	EACH	\$575.50	\$4,604.00
30	30	Clearing	0.15	ACRE	\$25,148.25	\$3,772.24
40	40	Curb And Gutter, Rem HMA	600.00	LF	\$16.76	\$10,056.00
50	50	Sidewalk, Rem	200.00	SY	\$20.36	\$4,072.00
60	60	Sidewalk Grading	6.00	ST	\$795.43	\$4,772.58
70	70	Subbase, 4 Inch	40.00	CY	\$83.32	\$3,332.80
80	80	Curb And Gutter, Conc, Det C4	600.00	LF	\$36.44	\$21,864.00
90	90	Curb And Gutter, Ramp Opening	80.00	LF	\$99.97	\$7,997.60
100	100	Sidewalk, Conc, 4 inch	3,000.00	SF	\$6.10	\$18,300.00
110	110	Sidewalk, Conc, 6 Inch	40.00	SF	\$10.12	\$404.80
120	120	Hand Patching 600' X 2' X 4"	30.00	TON	\$460.39	\$13,811.70
130	130	Detectable Warning Surface	40.00	LF	\$50.64	\$2,025.60
140	140	SESC Management	1.00	LS	\$2,524.17	\$2,524.17
145	145	Contractor Staking	1.00	LS	\$13,581.74	\$13,581.74
150	150	Restoration	1.00	LS	\$13,384.39	\$13,384.39

Total Bid Price: ~~\$133,064.23~~

\$119,482.49

Alternate 1

200	200	Clearing	0.05	ACRE	\$76,488.52	\$3,824.43
210	210	_Sidewalk Grading	4.00	ST	\$1,900.81	\$7,603.24
220	220	Subbase, 4 Inch	27.00	CY	\$87.08	\$2,351.16
230	230	Sidewalk, Conc, 4 inch	1,790.00	SF	\$6.10	\$10,919.00
240	240	Sidewalk, Conc, 6 inch	100.00	SF	\$10.47	\$1,047.00
250	250	Sidewalk Ramp, Conc, 6 inch	50.00	SF	\$11.17	\$558.50

Total Price for above Alternate 1 Items: \$26,303.33

Notes:

- This proposal does not include any costs or provisions associated with Performance or Payment Bonds, or any association dues. Should bonds be required, add 1.00% to the overall proposal.
- The above prices does not include any permits.Price does not include any and all testing.No inspection included.No pumping of concrete included.
- Pedestrian traffic control is with type II barricades, with sidewalk closed signs.
- Please note that this is to be considered a lump sum proposal. The quantities listed herein are for estimating purposes and there are to be no reductions to our lump sum proposal for decreases in the estimated quantities. Any increase to the quantity of any item which is greater than 10% in the estimated quantity may be added at the associated unit price. Any item of work not specifically listed by line item shall be considered extra work and performed at a negotiated rate.
- Completion date is on or before 11/15/2023.
- This proposal is to be considered only in total. No item or portion of this proposal shall be deemed complete in and of itself, and no portion of this proposal may be omitted or deleted without the prior expressed consent of Peters Construction Co.

- We sincerely appreciate the opportunity to provide you with this proposal and your consideration of our firm, and are in hopes that you find this proposal to be complete to your expectations. However, if you require anything further, or would like clarification of any portion of this proposal, please feel free to contact me. Thank you once again for your consideration
- Execution of this proposal by both Parties will constitute a legal, valid, and binding Agreement between those parties, subject to the terms, conditions, clarifications, qualifications, and stipulations contained herein and attached, as well as any contract documents incorporated herein, by attachment, or by reference.

Payment Terms:

By signing below, each individual who signs this Agreement on behalf of a corporation or organization represents and warrants that he/she has been duly authorized by that corporation or organization to execute this Agreement on behalf of that corporation or organization, that the individual, corporation or organization is aware that the other parties executing this Agreement are relying upon the accuracy of this representation and warranty, that each individual has full power, authority, and right to perform its obligations under this Agreement, and that this Agreement is a legal, valid, and binding obligation of each Party. Furthermore, parties agree that the work shall be completed in a timely and continuous manner, subject to weather conditions and matters outside the control of either party, and that once the work is substantially complete, unless Peters Construction Co. is notified of any objections or exceptions to the work or its quality within 10 business days from date of substantial completion, invoices for work completed will be payable and due in full, within 30 days of date of invoice, which shall be no earlier than 10 business days after substantial completion.

<p>ACCEPTED: The above prices, specifications and conditions are satisfactory and are hereby accepted.</p> <p>Buyer: _____</p> <p>Signature: _____</p> <p>Date of Acceptance: _____</p>	<p>CONFIRMED: Peters Construction Co.</p> <p>Authorized Signature: _____</p> <p>Estimator: _____</p>
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Memorandum



Date: 8 June 2023
To: Township Board
From: Iris Lubbert, Planning Director
Anna Horner, Public Works Director
Subject: Private Road Ordinance - Consultant Selection and Budget Amendment

Objectives

MOTION: Board approval to authorize Cheri Bell, Township Supervisor, to enter into a contract with Progressive AE for an amount not to exceed \$15,000 and the associated budget amendment for professional services related to the creation of a Private Road Ordinance.

Background

The Township Zoning Ordinance currently permits the use of Private Road/Streets within various types of developments. Throughout the Ordinance there are varying qualifiers and design standards for Private Roads/Streets. Through recent development processes, faults with the various Private Road/Street Standards, or lack thereof, have come to light.

There is a need for a single Private Road/Street Ordinance to properly define *where, when and how* a Private Road/Street can be developed. Recognizing the need, staff received Township Board approval on April 11th to hire a consultant to work on a Private Road/Drive Ordinance and a budget allocation with an initial estimate by staff of \$8,000. This ordinance will temporarily inform Private Road/Street standards for all future development within the Township until a more comprehensive review is completed during the larger master planning effort scheduled to start later this year.

Consultant

Two consultants submitted proposals in response to the Township's RFP for work on a Private Road Ordinance: Progressive AE and McKenna. Progressive AE's proposal totaled \$15,000: \$7,500 for the development of the new ordinance and \$7,500 for meetings and workshop (including prep). McKenna's proposal totaled \$12,500: including Tasks 1, 3,4, and 5. However, to provide the scope desired by the Township and make the proposals comparable, McKenna's proposal should also include time and preparation for public meetings. It is estimated that \$1,000 (minimum) would be charged per meeting, assuming one meeting with the Planning Commission and one meeting with the Township Board, bringing McKenna's total to \$14,500.

Since cost is not a deciding factor, Staff is recommending awarding the project to Progressive AE given that they will be completing the comprehensive master plan update and will be providing a deeper dive into the final Ordinance through that process, which will provide continuity and continuation of the work. Additionally, staff met with both teams and felt the Progressive AE understood the analysis and scope of work better.

Budget Amendment

\$8,000 from General Planning Project Consultant 101-805-80800 (within budget, authorization approved 4/11/2023 – not defined in blueline)

\$7,000 from Professional Fees 204-506-82100 (within budget, need authorization approval (not defined in blueline))

Information Provided: Progressive AE proposal, McKenna proposal

Core Values: Public Service, Sustainability, Innovation, Professionalism, Integrity, Fiscal Stewardship

PROJECT UNDERSTANDING

The purpose of this work is to review and amend the Township's current ordinance language for Private Roads. There will be future efforts to align the Street Connections Plan, Complete Streets Policy, and the design standards and construction specifications for private roads as part of the Comprehensive Plan process. At the present time, County Road Commission standards are used for private streets. These requirements do not fit Oshtemo's rural and urban contexts, nor do the standards encourage self-enforcing design, connectivity, or a Complete Streets philosophy. Ordinance language will be drafted that begins to address these issues so that impending development projects may advance without significant delay.

CURRENT AND FUTURE STATES – June and July 2023

- Tasks:** Review current ordinance language "34.70.B Street Design Standards", identify existing requirements throughout the code to be amended, identify up to 3 case study examples, prepare agenda for meeting with Township staff and Planning Commission
- Meeting #1:** Virtual staff meeting with Township Supervisor, Planning Director, and Director of Public Works to understand past practices, issues, proposed development projects, and discuss various approaches for rural and urban contexts

ORDINANCE DRAFT – August 2023

- Tasks:** Prepare full draft of proposed ordinance language, illustrate conceptual sample cross-sections to validate approach, provide draft to comment for staff before Planning Commission work session
- Meeting #2:** Planning Commission Work Session (to include staff): Review draft of ordinance language to include vocabulary/definition of road types (private road, private drives), distinct standards for rural and urban contexts, and connectivity requirements
- Meeting #3:** Virtual staff meeting with Township Supervisor, Planning Director, and Director of Public Works to review proposed text revisions and discuss approval timeline

ORDINANCE ADOPTION – End of August/September 2023

- Tasks:** Prepare final text redline and clean copy version; create PowerPoint presentation for Township Board meeting
- Meeting #4:** Township Board to adopt ordinance amendment

We would propose to complete the above scope of services for an estimated fee of \$15,000 to be billed on a Time and Materials basis through project completion. A breakdown of estimated costs is as follows:

1. Develop revised/new ordinance language - \$7,500
2. Meetings/Workshops (incl prep) - \$7,500

Please let me know if you have any questions!

Best Regards,
Suzanne

Suzanne M. Schulz, FAICP
Urban Design and Planning Practice Leader
cell 616.822.1020
office 616.988.4809
schulzs@progressiveae.com
progressiveae.com



MCKENNA

May 24, 2023

Anna Horner
Director, Public Works
Oshtemo Charter Township
7275 W. Main Street
Kalamazoo, MI 49009

Subject: Private Road Ordinance Analysis & Text Amendments

Dear Director Horner,

Thank you for meeting with our team to discuss Oshtemo Township’s desire to to conduct an analysis of the existing private road ordinance(s) and seek recommendations for amendments. McKenna has a long history of partnering with municipalities as it relates to transportation planning and transportation design. In collaboration with Prein & Newhof, we would be delighted for your continued consideration regarding our role in aiding the Township with review of the private road standards. We have modified our proposal to align with the immediate needs of the Township based on our May 19, 2023 discussion.

PROJECT UNDERSTANDING

McKenna, with the collaboration of Prein & Newhof, understands that the Township is seeking assistance with the following:

1. Define road types, such as urban private road and rural private road. Distinguish shared driveways as a separate access feature.
2. Create new private road ordinance standards. Including review and/or amendment of Ordinance 34.70.B. – Street Design Standards – for consistency, practicality and best practices.
3. Provide recommendations for updates/improvements/changes that can be utilized for all private roadways within the Township.

PROJECT TASKS

Task 1: Peer Community Research (Optional)

We understand that the Township may seek to conduct community comparisons as it pertains to private road standards. As an optional service, our team is prepared to review up to three (3) communities’ private road standards for potential element inclusion within the drafted ordinance.

Optional Fee: \$1,000.

Task 2: Analysis & Key Findings Memorandum (Optional)

In order to provide an ordinance for adoption by the Township, our team (including Prein & Newhof) will conduct an analysis of the existing ordinances pertaining to private road design standards and generate a report of the key findings. The memorandum will provide necessary details and justifications to support the Township Board and Planning Commission in making a decision to amend the Township Ordinance. The memorandum will address the following best practices, as follows:

HEADQUARTERS
235 East Main Street
Suite 105
Northville, Michigan 48167

○ 248.596.0920
F 248.596.0930
MCKA.COM

Communities for real life.



- Provide an overview of existing ordinance language in a summary format
- Identify issues with existing standards, including a review of design criteria and specification requirements, that can be improved by text amendments
- Provide justification for amendments based on Township policy and planning documents
- Provide a narrative of the existing process for private road design standards
- Highlight development challenges the Township experiences regarding private roadways

Optional Fee: \$2,500.

Task 3: Definitions for Private Road Types

It is our understanding that Township seeks to update the definition of road types for clarity in application of ordinance provisions. Our team will provide definitions for two private roads classifications, for example, urban private roads and rural private roads. Further, we will clarify through definitions when a vehicular maneuvering lane is considered a driveway versus a roadway. Our team will work with Township staff on inclusion of additional definitions, or road types, that would be necessary to clarify and simplify managing private roadway development in the Township, if requested.

Fee: \$1,500.

Task 4: Street Design Standards & Ordinance Creation

Our team will analyze the existing ordinance, including Section 49.200 (Private Streets) and section 34.70.B, for consolidation and amendment into functional and concise regulations that improve and clarify the requirements for private roads within the Township. We will pull applicable sections from 34.70 for inclusion into the new ordinance and recommend repealing underutilized provisions. It is our understanding that the Township seeks a simplified ordinance to help address private street design standards in both rural and urban settings. The proposed ordinance will create design standards for both contexts, and others, if identified by request. Additionally, the revised ordinance will clearly indicate to applicants and developers the process to receive private road design approval from the Township, as well as be consistent with related standards (frontage requirements, landscaping, and nonmotorized connections, etc.) and development processes (subdivision, PUD, and land division, site condo, etc.)

Fee: \$8,000.

Task 5: Design Concepts (Optional)

Our team is prepared to create new design specifications and cross sections to visually present the amended ordinance in easy-to-understand graphics. We understand that “pictures are worth a thousand words” – which is why our team is prepared to generate one-of-kind graphics.

Optional Fee: \$2,000.



PROPOSAL FEE

We understand that this project requires a final draft to be presented no later than August 31, 2023. In discussion with Township staff on the project scope, the McKenna team proposes to complete this project (tasks 1-5) for a base fee of \$9,500 with additional optional tasks of \$5,500.

We understand that the Township may wish to conduct the above tasks in phases: our team is prepared to complete all five (5) tasks in a manner that best aligns with the needs of the Township. Meetings and additional tasks not described herein can be completed by request according to the attached professional fee schedule. We look forward to discussing the above tasks with Township personnel.

Respectfully submitted,

McKENNA

Paul Lippens, AICP, NCI
Vice President

AUTHORIZATION TO PROCEED

Task 1, Peer Research @ \$1,000	_____ Initial
Task 2, Analysis Memorandum @ \$2,500	_____ Initial
Base Tasks (3 & 4) @ \$9,500	_____ Initial
Task 5, Design Concepts @ \$2,000	_____ Initial



Professional Fees

PROFESSIONAL FEE SCHEDULE FOR HOURLY RATED SERVICES

Professional Classification	Rate Per Hour*	
President	\$175	<p>* Rates include the following overhead: Accounting, Advertising and Promotion, Books, Publications and Maps, Business Entertainment, Charitable Contributions, Computers, Furniture and Fixtures, Graphics Supplies and General Insurance, Interest, Legal, Licenses, Meals, Memberships and Subscriptions, Office Equipment, Office Space and Parking, Office Supplies, Postage (Except Overnight), Professional Dues, Software, Taxes and Telephone.</p> <p>These rates do not include photography, outside reproduction, document or materials purchases, which are invoiced additionally. Rates also do not include reimbursable costs for travel, courier, overnight mail, etc. Mileage will be invoiced at the Federal mileage rate.</p> <p>These hourly rates are valid through December 31, 2023, after which they may change per classification by a percentage equal to the increase in the Consumer Price Index for the prior 12 months per U.S. Department of Labor, Bureau of Labor Statistics.</p>
Executive or Senior Vice President	\$160	
Vice President	\$155	
Director	\$145	
Senior Principal or Manager	\$135	
Principal	\$130	
Senior	\$115	
Associate	\$100	
GIS Specialist	\$90	
Assistant	\$90	
Intern	\$75	
Administrative Assistant	\$75	
Consultation, preparation for, and sitting as expert witness in legal matters.	\$200	