

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
June 12, 2012

Township Board work session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 5:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Grace Borgfjord
Trustee Dave Bushouse
Trustee Scott Ernestes
Trustee Lee Larson

Also present were Township Attorney James Porter, Assessor Cathy Harrell, Planning Director Greg Milliken, and 14 interested people.

TOWNSHIP ASSESSOR – YEAR IN REVIEW

Assessor Cathy Harrell provided a review of activities in the Assessing Department advising the 2012 review will be of properties in the Mattawan School District along with commercial, industrial and agricultural properties. She further advised the Board of Review heard 122 appeals, assessed values decreased 11.4% from 2008 to 2012 and she expects the trend to continue for 2013. Assessor Harrell and Attorney Porter noted there has been an increase in commercial tax appeals since 2008, there are currently 30 properties and 24 million in taxable value under appeal.

DISCUSSION – ITC WEEDS LAKE PROJECT

Gary Kirsh, representing ITC advised they have made some modifications to the proposed routes for the electrical transmission lines they plan to build through the Township and they will be making application to the Michigan Public Service Commission (MPSC) per Public Act 30 of 1995. He further advised they will hold an open house on June 27th at Prairie Ridge Elementary School at 5:30 p.m. in compliance with Act 30, with a formal presentation, an overview of the route and opportunity for the public to ask questions and provide comments.

In response to Board members questions, Mr. Kirsh provided a copy of the two proposed routes. He commented that the MPSC will determine the most viable route and Act 30 does not require compliance with local ordinances. Attorney Porter clarified that the exception is if the Township ordinance is not consistent with State statute, which the Township utility ordinance is.

Mr. Kirsh also advised their application will be made to the MPSC after the public meeting on June 27th most modifications were made at land owner's requests, he does not have specific information, the land agents will be attending the public meeting, and he will check with their legal team to see if the Township can receive a digital copy of the proposed route map.

Terry Schley, 4200 South 9th Street, inquired if a property owner has not been contacted, does that mean their property is no longer needed.

Henrietta Squires, 4301 Carver Drive, advised why there had been no notification of the changes.

Doug Maxwell, 3020 South 6th Street, inquired if the previous meetings held by ITC were to meet the requirements of Act 30.

There were several inquiries from the Board and those in attendance regarding if property owners no longer be affected were notified of the upcoming meeting. Mr. Kirsh did not have that information.

**REVIEW – ZONING ORDINANCE AMENDMENTS
GENESEE PRAIRIE SUB AREA PLAN**

Planning Director Greg Milliken reviewed the recommendation from the Planning Commission to approve adoption of a series of amendments to the Township Zoning Ordinance to implement the Genesee Prairie Sub-Area Plan which was created during the development of the Master Plan.

He noted the area is located in the southeast corner of the Township at Stadium Drive and Drake Road and includes property owned by Western Michigan University and the Western Michigan Foundation; WMU has expressed the desire to expand the BTR Park on this property in the future. The remainder of the sub-area is predominately residential or undeveloped land and contains some of the last remaining vacant land and agricultural activity in the eastern portion of the Township; as a result the plan calls for low intensity residential development with an emphasis on conservation.

Mr. Milliken further advised two new zoning classifications would be created, R-C Residential Conservation and BRP – Business and Research Park along with C-R Commercial Restricted and I-R Industrial Restricted which currently exist in the sub-area.

Mr. Milliken noted for the record written comment had been received from Terry Schley, 4200 South 9th Street, that he was opposed to Section 39.203 of the proposed ordinance amendments allowing manufacturing.

DISCUSSION – RETIREE MEDICAL BENEFITS

Supervisor Heiny-Cogswell advised the Human Resources Committee is continuing discussion of this issue and a representative from MERS would attend the June 26th work session for discussion with the full Board.

The Board work session adjourned at approximately 6:45 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at approximately 7:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Grace Borgfjord
Trustee Dave Bushouse
Trustee Scott Ernstes
Trustee Lee Larson

Also present were Township Attorney James Porter, Planning Director Greg Milliken, and 10 interested people.

Motion by Culp, second by Borgfjord, to approve the May 22nd regular meeting minutes as presented. Carried.

Income to the General, Building, Fire, and Sewer & Water Funds of \$161,203.78 and disbursements of \$331,609.57 were reported. Motion by Borgfjord, second by Culp to accept the receipts and disbursements report. Carried.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Scott Weatherwax, expressed concerns regarding the drainage in front of his business, National Mini Storage at 5169 West KL Avenue. He provided photographs and commented the standing water is killing trees and has damaged a fence.

**OSHTEMO HISTORICAL SOCIETY
PIONEER DAY PROCLAMATION**

Ilah Henderson, representing the Oshtemo Historical Society was present to request the Board proclaim July 21, 2012 as Pioneer Day to honor the families who settled Oshtemo Township, noting descendants of those families still reside here. There will be a “Pioneer Days” event held at the Drake Homestead on that date.

Motion by Larson, second by Everett to proclaim July 21, 2012 as Oshtemo Pioneer Day and authorize the Supervisor to sign a proclamation. Carried.

KALAMAZOO AREA TRANSPORTATION AUTHORITY (KCTA) ANNUAL UPDATE

Greg Rosine, representing KCTA provided a review of 2011 noting bus ridership increased 4.25% from 2010, a director has been hired, and a grant was obtained with regional partners for a travel trainer. He also advised community service vans are made available to approved non-profit and governmental agencies.

ATLANTIC AVENUE EASEMENT OSHTEMO VETERINARIAN HOSPITAL

Planning Director Milliken presented a request from the Oshtemo Veterinarian Hospital located at 6303 Parkview Avenue for a temporary access drive to the south across the former AT&T right of way now owned by the Township to provide access during construction of a new facility to be located immediately off Parkview

Trustee Borgfjord inquired if this area would be included in the traffic study for the DDA area. Mr. Milliken advised the study is scheduled in the Kalamazoo Area Transportation Study (KATS) budget for 2013; the request is for a temporary easement for construction.

Motion by Larson, second by Borgfjord to grant a temporary easement for access during construction as presented. Carried.

ZONING ORDINANCE AMENDMENTS GENESEE PRAIRIE SUB-AREA PLAN – FIRST READING

As presented at the earlier work session, a recommendation from the Planning Commission to approve adoption of a series of amendments to the Township Zoning Ordinance to implement the Genesee Prairie Sub-Area Plan was before the Board for First Reading.

Motion by Everett, second by Culp to accept the Zoning Ordinance amendments for First Reading and set Second Reading for June 26th. Carried.

MASTER PLAN AMENDMENTS - AUTHORIZATION TO DISTRIBUTE

Planning Director Milliken advised over the last several months, the Planning Commission has been working on a variety of amendments to the Master Plan; the 9th Street Sub-Area Plan, Century Highfield Sub-Area Plan, update of the Community Profile Chapter, updates to the Future Land Use Map, and addition of an Airport Plan as required by the Zoning Enabling Act.

Motion by Borgfjord, second by Ernestes to adopt a resolution authorizing distribution of the Master Plan Amendment for review and comment to all interested parties as required by law. Roll call showed Larson-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, Ernestes-yes, Heiny-Cogswell-yes.

TRAFFIC CODE ORDINANCE AMENDMENT – SECOND READING

A recommendation to amend the Traffic Code Ordinance to include the ability to use the "super drunk driving" law to impose the same penalties provided for under State law was before the Board for Second Reading.

Motion by Ernestes, second by Borgfjord to adopt the ordinance amendment. Carried.

KALAMAZOO AREA BUILDING AUTHORITY (KABA) IMPLEMENTATION SUPPORT

Trustee Larson, Chair of the KABA Board of Directors advised a budget for 2012 had been proposed with each participating unit being asked to contribute a percentage of their 2010 revenue for KABA's implementation. He noted while quarterly payments are being requested, the total amount requested may not be needed; the Township's total share is calculated at \$68,045 with a first quarter payment requested of \$17,012.

In response to Board members questions, Trustee Larson advised the budget does not reflect the grant acquired for capital equipment, future budget requests will be proportionally justified, KABA will be assuming contracting for electrical and mechanical inspectors and plan to be operational by the end of the third quarter or shortly thereafter, other units have expressed interest in joining, a central location is being considered looking beyond the three current jurisdictions, there is no compensation for the KABA board members, the intent is to have ability for all electronic transmissions but also physically, and KABA staff will not be providing zoning information.

Motion by Everett, second by Borgfjord to approve implementation support in amount of \$68,045 with the first quarterly payment as requested. Carried.

**KALAMAZOO COMMUNITY FOUNDATION
PARK ENDOWMENT FUND**

Supervisor Heiny-Cogswell advised the Township had been advised by the Kalamazoo Community Foundation of a change in the spending options regarding their endowment funds. She advised the Park Committee recommends continuing with the current investment policy aimed at meeting long term investment goals.

Motion by Borgfjord, second by Culp to maintain the current investment policy with the Kalamazoo Community Foundation. Carried.

**KALAMAZOO COUNTY COUNCIL OF GOVERNMENTS (COG)
BY-LAWS AMENDMENTS**

Proposed changes to the by-laws of COG to address changes related to the functionality of the organization adapted as the group has changed were before the Board for review along with the request to appoint a primary and alternate representative.

Motion by Everett, second by Culp to approve the by-law amendments and appoint Trustee Bushouse as primary representative and Supervisor Heiny-Cogswell as alternate. Carried.

TOWNSHIP PARK PAVILION RENTAL POLICY

A recommendation from the Park Committee to establish a rental policy for the large picnic pavilion in the Township Park was before the Board for consideration; the policy would allow rentals in two 4 hour blocks with fees depending on weekday or weekend rental and a higher rate for non-residents. It was noted the Fire Department interns have taken on the task of being Park Rangers, checking on the facilities at regular intervals.

Motion by Borgfjord, second by Everett to approve the rental policy as proposed. Carried.

BOARD MEMBER COMMENTS

Trustee Borgfjord advised effective June 14th the public access channels for Charter Communications will be changing to channels 95 – 99.

Trustee Borgfjord reminded everyone of “Movies in the Park” on June 21st.

She also advised the new web site for the Consumers Sunburst 5K is now active.

There was no further business and the meeting was adjourned at approximately 8:55 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: LIBBY HEINY-COGSWELL
Supervisor