

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
July 10, 2012

Township Board work session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 6:30 p.m.

PRESENT:

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

Also present were Township Attorney James Porter, and 5 interested people.

PUBLIC COMMENT

Jerry Stirton, 1082 Wickford, commented the recent newsletter stated public input was wanted on retiree medical benefits but was not taken at the June 26th meeting; he feels public comment should be taken at the end of the meetings.

DISCUSSION – ASSESSING ADMINISTRATION FEE

Supervisor Heiny-Cogswell provided information regarding the 1% administration fee approved in 2009 to be added to winter tax bills. She noted the fee was established due to the number of tax appeals received that year and the expected expenses involved in answering them and the fact that the Township alone is responsible for the cost; other taxing units do not contribute. Ms. Heiny-Cogswell further noted Board discussion at the time the fee was adopted established that it would be used only for expenses related to the tax appeal process. She further provided information on 2009, 2010, 2011 revenues from the fee, expenses and the cumulative balance along with estimates for the balance of 2012, and estimated revenue for 2013 based on 1% and a reduced fee of 0.5% along with estimated expenses.

In response to Board members questions, Supervisor Heiny-Cogswell advised expenses paid from the fee revenue are the property appraisals, attorney and paralegal time. Attorney Porter noted while most appeals have been settled, due in large part to the Township seeking outside appraisals when an appeal is filed, recently there have been more aggressive appeals represented by counsel that has been uncooperative and he expects more appeals in 2013.

Consensus was there needs to be a fund for this purpose as appeals are expected to continue given the current economic conditions; the Board would be comfortable with reducing the fee to 0.5% for 2013.

DISCUSSION – 2013 CAPITAL IMPROVEMENT GOALS

Sanitary Sewer – Trustee Bushouse noted the CIC has authorized engineering design to extend sewer on North 10th Street, thereby making it accessible to the Westport area.

Parks – a grant application for Phase I of the Flesher Field Master Plan has been submitted to MNRTF.

Other capital improvements will be discussed as the 2013 budget is developed.

The Board work session adjourned at approximately 7:00 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at approximately 7:05 p.m.

PRESENT:

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

Also present were Township Attorney James Porter, Planning Director Greg Milliken, and 6 interested people.

Motion by Culp, second by Ernstes, to approve the June 26th regular meeting minutes as presented. Carried.

Income to the General, Building, Fire, and Sewer & Water Funds of 52,781.75 and disbursements of \$168,220.10 were reported. Motion by Borgfjord, second by Culp to accept the receipts and disbursements report. Carried.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Justine Hertzell, 2484 Isle Harbor Court, commented the fireworks on June 29th were some of the best she's ever seen and wished to thank the sponsor. Supervisor Heiny-Cogswell noted the fireworks were a donation from Township resident and business owner Marc DeForest of S2 Games. She also commended Fire Chief Mark Barnes for his time spent assisting with coordination of the event and noted discussion for 2013 will take place soon.

KALMAZOO AREA BUILDING AUTHORITY (KABA) ADMINISTRATIVE ASSISTANT SERVICES AGREEMENT

A request from Ed Hellwege, KABA Director, for administrative assistant services for the start-up process for KABA was before the Board for consideration. The agreement would provide 10 hours per week of administrative assistant time with KABA reimbursing the Township for the services.

Motion by Borgfjord, second by Everett to approve the Administrative Assistant Services Agreement with KABA. Carried.

APPOINTMENT – CAPITAL IMPROVEMENTS COMMITTEE

Supervisor Heiny-Cogswell advised Dan Visser, citizen representative on the CIC has advised he wishes to step down due to other responsibilities. She recommended appointment of Township resident Jeffrey Smith, noting he has extensive construction experience.

Motion by Culp, second by Borgfjord to appoint Jeffrey Smith to the Capital Improvements Committee as citizen representative. Carried.

ZONING ORDINANCE TEXT AMENDMENTS BED & BREAKFAST FACILITIES

Planning Director Greg Milliken presented a recommendation from the Planning Commission to add language to the Zoning Ordinance to address Bed & Breakfast facilities. They would be a special exception use in the "AG" Agricultural or "RR"-Rural Residential zoning districts, and required to meet conditions including being located in the principle residence of the owner and operator who must live on the premises when in operation, number of rooms limited to six, occupancy not to exceed 14 consecutive days in any one month, residences must retain residential character, meals provided to guests only, required State and County licenses must be obtained, sign limited to 6 square feet with Planning Commission approval at time of site plan, parking must be screened from the road and adjacent properties, refuse storage must be screened, annual review of special exception use will be conducted and the facility shall comply with the Anti-Noise and Public Nuisance Ordinances.

In response to Board members questions, Planning Director Milliken advised the Planning Commission felt allowing the facilities in the AG and Rural Residential zoning districts was a better fit than Commercial as they are intended to be more residential in character, the text amendment was not the result of an application, rather, was brought forward by a Planning Commission member.

Jerry Stirton, 1082 Wickford, commented he felt there should be inspections of the kitchen and dining facilities and the facilities could be used by seasonal help. It was noted the language requires State and County licenses, i.e., Health Department.

Kitty Gelling, 7060 Hawthorn Valley, Planning Commission Chair, commented the text amendment was initiated by Planning Commissioner Bushouse, it was not envisioned as use for seasonal housing, rather vacation type use.

Motion by Everett, second by Ernstes, to accept the Zoning Ordinance amendment for First Reading and set Second Reading for August 14th. Carried.

MICHIGAN TOWNSHIPS ASSOCIATION (MTA) DUES

Supervisor Heiny-Cogswell presented a request for payment from MTA for 2012-13 dues in the amount of \$5,766.40. Trustee Ernstes commented he recalled the Board choosing not to participate in the legal defense fund, therefore, the dues would be \$5,440.00.

Supervisor Heiny-Cogswell commented their resources have been used on various projects. Attorney Porter commented their lobby and feedback is important due to the amount of legislation that can affect townships. Trustee Bushouse commented as there have been efforts to eliminate townships, we need to stand united.

Motion by Heiny-Cogswell, second by Culp to approve payment of the 2012-13 MTA dues in the amount of \$5,440.00. Carried.

OTHER BUSINESS

REQUEST FOR ROAD CLOSURE – CONSUMERS SUNBURST 5K

Trustee Borgfjord presented a request for road closures for a portion of North 10th Street and H Avenue on August 11th for the Consumers Sunburst 5K Run/Walk which will start and finish again at the former Rock Church on North 10th Street. She advised there were issues with high speed traffic at last year's run. In response to Board members questions, she advised the closures would be for approximately 1-1/2 hours, local traffic would still have access, and members of the Kalamazoo County Sheriff's Department Reserves would be staffing the closure points. Ms. Borgfjord further advised all affected residents would be notified; Trustee Bushouse suggested a notice be placed at the Kal Haven Trailhead as well. Trustee Borgfjord advised Board approval is needed to then seek approval from the Kalamazoo County Road Commission. Trustee Bushouse commented approval should include expected compliance with KCRC requirements.

Motion by Ernstes, second by Borgfjord to approve the road closures as requested and seek KCRC approval. Carried.

BOARD MEMBER COMMENTS

Trustee Borgfjord reminded everyone of "Movies in the Park" on July 19th.

There was no further business and the meeting was adjourned at approximately 7:50 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: LIBBY HEINY-COGSWELL
Supervisor