

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**May 13, 2014**

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 Nancy Carr  
Trustee Dusty Farmer  
Trustee Lee Larson

**ABSENT:**

Trustee Dave Bushouse

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, and 10 interested people.

**Discussion – KCTA Public Transit** – Kalamazoo County Transit Authority Executive Director Sean McBride and KCTA Board Chair Linda Teeter presented information regarding the ongoing plans for consolidation of public transit into a county wide system. Through legislative changes, the boundaries for line haul bus service will be drawn using precinct lines and each jurisdiction will have the opportunity to recommend which precincts should be included. For initial Board discussion, consensus was some precincts should be included; an initial review by individual precinct found 7-0 in favor of including precincts 4, 5, 6 and 8, 6-1 in favor of including precinct 7, 4-3 in favor of including precincts 3 and 9, and 4-3 in favor of not including precincts 1, 2, and 10. Supervisor Heiny-Cogswell advised while Trustee Bushouse was absent, he had provided her his comments. Board comments and concerns included the need to participate in the consolidation efforts, there is an overall public benefit, the line haul service is not readily available in some areas and is there a vision to extend the area of service. It was noted the recent community survey question regarding additional funding for public transportation found 17% in support, 45% opposed, and 38% who said they would need more information. Consensus was to seek public input through an additional survey and continue Board discussion on this issue prior to making a formal recommendation.

The Board work session adjourned at approximately 6:50 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 Nancy Carr  
Trustee Dusty Farmer  
Trustee Lee Larson

**ABSENT:**

Trustee Dave Bushouse

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

**CITIZEN COMMENTS**

None.

**CONSENT AGENDA**

Items on the consent agenda were:

- a) Minutes of the April 22<sup>nd</sup> regular meeting, May 1<sup>st</sup> and May 6<sup>th</sup> special meetings
- b) Receipts & Disbursements Report

Motion by Larson, second by Culp to approve the consent agenda. Carried 6-0.

**MICHIGAN NATURAL RESOURCES TRUST FUND (MNRTF) AGREEMENT  
RESOLUTION TO ACCEPT GRANT – FLESHER FIELD PHASE II**

A resolution authorizing the Supervisor to accept the terms of the Development Project Agreement from the Michigan Natural Resources Trust Fund for Flesher Field Phase II improvements was before the Board. Supervisor Heiny-Cogswell noted a \$300,000 grant had been awarded which will require a \$155,300 match from the Township, which was approved by the Township Board in March, 2013. She advised the match was not budgeted in 2014 as it was not certain the grant would be awarded, therefore, along with the resolution to accept the agreement is a request for a budget amendment to the Parks Fund for the match; \$30,000 from Parks Fund reserves and the balance from General Fund reserves. Phase II includes a new playground, gazebo and garden area, a second picnic shelter and relocation of two wiffleball fields, with construction anticipated to begin this fall.

Motion by Everett, second by Larson to adopt the resolution to authorize the Supervisor to sign the agreement and amend the Parks budget as requested. Roll call showed Culp=yes, Everett=yes, Farmer=yes, Heiny-Cogswell=yes, Larson=yes, Carr- no.

**TOWNSHIP PURCHASING POLICY**

Supervisor Heiny-Cogswell presented the final draft of the proposed Township Purchasing Policy.

Motion by Farmer, second by Larson to adopt the resolution approving the Purchasing Policy. Roll call showed Everett=yes, Farmer=yes, Heiny-Cogswell=yes, Larson=yes, Carr=yes, Culp=yes.

**FORECLOSED PROPERTY INTEREST/ACQUISITION**

Treasurer Culp advised the Township received a list of foreclosed properties from Kalamazoo County and since the Township has first right of refusal, an internal review process has been established to evaluate the list for any properties that might have a public benefit. She noted of the five properties on the current list, three are recommended for consideration:

66 foot wide parcel on North 2<sup>nd</sup> Street – recommended for purchase to prevent development of a substandard lot and to provide for future access should adjoining properties develop. Minimum bid is \$848.46, recommend funds from General Fund reserves.

573 North 8<sup>th</sup> Street – recommended for purchase to accommodate future location of a sanitary sewer pump station. Supervisor Heiny-Cogswell noted the balance of the property not needed could be offered to neighboring property owners. Minimum bid is \$2,852.30, recommend funds from Sewer Fund.

1921 North Drake Road – recommended for 50% cost sharing with Kalamazoo County for demolition, property has been condemned. Estimate is Township share would be approximately \$5,000, recommend funds from General Fund reserves.

Motion by Culp, second by Farmer to approve the recommended actions and amend the General Fund and Sewer Fund budgets. Carried 5-1 with Carr voting no.

**RESOLUTION AFFIRMING SOUTH DRAKE ROAD CORRIDOR IMPROVEMENT AUTHORITY (SoDA)  
DEVELOPMENT AND TAX INCREMENT FINANCING PLANS**

Supervisor Heiny-Cogswell advised a resolution is required by State Statute to approve the SoDA Development and Tax Increment Financing Plans; this item was approved by the Board at the April 22<sup>nd</sup> meeting.

Motion by Everett, second by Larson to adopt a resolution reaffirming the approval of the SoDA Development and Tax Increment Financing Plans. Roll call showed Farmer=yes, Heiny-Cogswell=yes, Larson=yes, Carr-no, Culp=yes, Everett=yes.

**OTHER BUSINESS  
PROPERTY DONATION – DRAKE ROAD**

Supervisor Heiny-Cogswell advised the Dinerstein Companies, owners of approximately 11 acres at the corner of Drake Road and Croyden Avenue have offered to donate the property to the Township. She noted the property is adjacent to the historic Drake Homestead and would create a total acreage for the homestead of approximately 26.5 acres.

Motion by Culp, second by Larson to authorize the Supervisor to accept the donation on behalf of the Township. Carried 6-0. Trustee Carr noted this would result in loss of tax revenue.

**RESOLUTION AFFIRMING PROPERTY PURCHASE – ATLANTIC AVENUE**

Attorney Porter presented a resolution approving the purchase of three parcels on Atlantic Avenue; the Board had at the February 25<sup>th</sup> meeting, authorized the Township agent to negotiate for the purchase. He advised the title company requested the resolution to complete the closing documents.

Motion by Culp, second by Larson to adopt the resolution affirming the purchase of the properties. Roll call showed Carr-yes, Culp-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes.

**BOARD MEMBER COMMENTS**

Clerk Everett advised the overall voter turnout for the May 6<sup>th</sup> election was 11%.

Supervisor Heiny-Cogswell advised the annual financial audit has been completed and a report will be made to the Board and public at the June 24<sup>th</sup> meeting.

**CLOSED SESSION**

Motion by Heiny-Cogswell, second by Everett to adjourn to closed session to consult with the Attorney for purposes of discussing pending litigation because to do so in an open meeting would have a detrimental effect up on the Township's position and disclose matters protected by attorney-client privilege.

Roll call showed Heiny-Cogswell-yes, Larson-yes, Carr-yes, Culp-yes, Everett-yes, Farmer-yes.

The Board adjourned to closed session at approximately 7:35 p.m.

Motion by Heiny-Cogswell, second by Culp to return to open session at approximately 7:55 p.m. Carried 6-0.

Motion by Everett, second by Larson to authorize the Township Attorney to coordinate with legal counsel for the N.I.C.E. citizens group regarding pending litigation with METC. Trustee Carr commented she would support the motion but no additional funding. Carried 6-0.

There was no further business and the meeting was adjourned at approximately 7:55 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: ELIZABETH HEINY-COGSWELL**  
Supervisor