

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
April 13, 2010

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 James Grace
Trustee Scott McCormick

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Ordinance Enforcement Officer Scott Paddock, and one interested person.

Update – Ordinance Enforcement

Ordinance Enforcement Officer Paddock provided an update on current ordinance enforcement activities.

Policy for Use of Township Hall Meeting Room

Supervisor Heiny-Cogswell advised the Building & Grounds Committee reviewed the policy for use of the Township Hall meeting room and were recommending some updates.

Motion by Borgfjord, second by Everett to approve the policy for use of the Township Hall meeting room as recommended. Carried.

Friends of the Parks

Discussion was held regarding the formation of the Friends of the Parks group; it was noted that while donations made to the Township are tax deductible, some entities wishing to make donations require the receiving organization to have 501(c)3 status, which Friends of the Parks would. There were comments the group should be more citizen driven, such as the DDA. Attorney Porter will prepare a second draft of proposed by-laws.

Chamber of Commerce Membership

Discussion was held regarding the benefits of becoming a member of the Kalamazoo Regional Chamber of Commerce. Consensus was there would be benefit to joining.

Other Business

Fire Department Protective Gear Purchase

Trustee/Fire Commissioner James Grace advised the Fire Department was requesting approval of an expenditure for purchase of replacement of six sets of turnout gear. He noted the gear must periodically be replaced to meet safety standard requirements; this is a budgeted capital item with funds also available 2009 that were not expended. This item will be taken up for action on the regular agenda under Other Business.

The Board work session adjourned at approximately 6:50 p.m.

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

PRESENT:

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

Also present were Township Attorney James Porter, Township Engineer Marc Elliot, and 15 interested people.

Motion by Borgfjord, second by James Grace, to approve the March 23rd regular meeting minutes. Carried.

Income to the General and Fire Funds of \$35,539.91 and disbursements of \$309,330.86 were reported. Motion by James Grace, second by Borgfjord, to accept the receipts and disbursements report. Carried.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Supervisor Heiny-Cogswell was wished a Happy Birthday.

Larry Glass, 6617 West G Avenue, inquired as to the status of the truck route case before the Court of Appeals. Supervisor Heiny-Cogswell advised there has been no response as of this date.

TRAFFIC CONTROL ORDER RESOLUTION

Township Traffic Engineer Jim Valenta presented Permanent Traffic Control Order No. 100413-1 confirming the official Oshtemo Charter Township Truck Route Map dated January, 2010 designating specific roadways as truck routes and prohibiting commercial traffic from all other roadways under Rule 151 of the Uniform Traffic Code.

Motion by James Grace, second by Borgfjord to adopt a resolution approving Permanent Traffic Control Order No. 100413-1. Roll call showed McCormick-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, James Grace-yes, Heiny-Cogswell-yes.

ENTERTAINMENT PERMIT – ERBELL'S RESTAURANT

Attorney Porter presented a notice from the Michigan Liquor Control Commission advising Erbelli's, 6210-6214 Stadium Drive, is seeking an entertainment permit for KENO sales. He advised it is customary for such businesses and the resolution makes it clear all the Township is approving is the KENO sales.

Motion by James Grace, second by Culp to adopt a resolution to recommend approval of the entertainment permit for Erbelli's to have KENO sales. Roll call showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, McCormick-yes, Heiny-Cogswell-yes.

HEALTH INSURANCE PLAN ORDINANCE AMENDMENT – SECOND READING

A recommendation from the Personnel Committee to amend the Health Insurance Plan Ordinance to create a sub-group of employees' spouses over age 65 and retirees who would receive health insurance coverage through a combination of Medicare and individual supplemental insurance policies and establish Township policy regarding reimbursement to the sub-group was before the Board for Second Reading.

Motion by James Grace, second by Borgfjord to adopt the Health Insurance Plan Ordinance amendment. Carried.

FIRE CODE ORDINANCE AMENDMENT

A recommendation from the Fire Chief to amend the Uniform Fire Code Ordinance to address evacuations in the event of a fire alarm was before the Board for First Reading. Attorney Porter advised the concern has arisen from situations where occupants have refused to evacuate the premises during a fire alarm.

Motion by James Grace, second by Culp to accept the ordinance amendment for First Reading and set Second Reading for April 27th. Carried.

LAND PURCHASE – PRESSURE REDUCTION STATION

An agreement to purchase property needed for a pressure reduction station on West Main to accommodate the recent and current water main construction was before the Board. Supervisor Heiny-Cogswell advised an agreement had been reached with James & JoAnna Rendon for purchase of .09 acres at 10645 West Main in the amount of \$15,000.

Motion by Borgfjord, second by James Grace to approve the purchase agreement. Carried.

LOT SPLIT – NICHOLAS HILLS

Supervisor Heiny-Cogswell advised to accommodate the purchase of the property needed for the pressure reduction station, a lot split is required. It was noted the Zoning Board of Appeals will consider a variance from the dimensional requirements for the portion of the parcel to be acquired by the Township.

Motion by James Grace, second by Borgfjord to approve the lot split subject to Zoning Board of Appeals approval. Carried.

WEST MAIN SIDEWALK PROJECT SPECIAL ASSESSMENT

A resolution to authorize plans and cost estimates for the proposed sidewalk in fill project on West Main between Drake Road and US 131 was before the Board. Supervisor Heiny-Cogswell advised she and Township staff will contact property owners in the area.

Motion by James Grace, second by Borgfjord to adopt the resolution authorizing plans and cost estimates. Roll call showed McCormick-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, James Grace-yes, Heniy-Cogswell-yes.

OSHTEMO COMMUNITY CENTER PARKING LOT IMPROVEMENT

A recommendation from the Park Committee to accept the bid from J. Allen & Company for parking lot improvements at the Oshtemo Community Center was before the Board. It was noted six bids were received. There was discussion and consensus from the Board to ask the DDA to consider participating in the project.

Motion by Everett, second by Borgfjord to accept the bid in the amount of \$31,700 from J. Allen & Company for the parking lot improvements at the Oshtemo Community Center. Carried.

FINANCIAL DEPOSITORY LIST ADDITION

Treasurer Culp requested Chemical Bank be added to the list of approved depositories.

Motion by Culp, second by James Grace to approve the addition of Chemical Bank to the list of depositories. Carried.

LIQUOR LICENSE TRANSFER – ELKS LODGE

Attorney Porter advised a request for transfer of ownership of the Class C liquor license at 5303 West Main, from Up and Down LLC to Elks Lodge has been received through the Liquor Control Commission. He noted their paperwork is in order.

Motion by James Grace, second by Culp to adopt the resolution recommending approval of the liquor license transfer. Roll call showed McCormick-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, James Grace-yes, Heniy-Cogswell-yes.

TOWNSHIP HIPPA POLICY

An update to the Township's HIPPA (Health Insurance Portability & Accountability Act) is required due to additional provisions added as part of the ARRA (American Recovery & Reinvestment Act) in 2009.

Motion by Borgfjord, second by Culp to approve the required updates. Carried.

OTHER BUSINESS

FIRE DEPARTMENT PROTECTIVE GEAR PURCHASE

As discussed at the work session, the Fire Department is requesting approval for an expenditure not to exceed \$11,000 for purchase of six sets of turnout gear that must periodically be replaced to meet safety standard requirements; this is a budgeted capital item with additional funds from 2009 that were not expended.

Motion by Culp, second by Heiny-Cogswell to approve the expenditure as requested. Carried.

CLOSED SESSION

Motion by Heiny-Cogswell, second by Everett to adjourn to closed session to discuss pending litigation because doing so in open session could negatively impact the Township's position. Roll call vote showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, McCormick-yes, Heiny-Cogswell-yes.

The Board adjourned to closed session at approximately 7:30 p.m.

Motion by James Grace, second by Culp to return to open session at approximately 7:45 p.m. Carried.

Motion by Everett, second by Borgfjord to authorize the Township Attorney to proceed as discussed in closed session. Carried.

There was no further business and the meeting was adjourned at approximately 7:45 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: LIBBY HEINY-COGSWELL
Supervisor