

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**July 12, 2011**

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 Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott and 12 interested people.

**Public Comment**

State Representative Margaret O'Brien was present and provided an update of activities at the State level.

**KCSD Activity Report**

Sgt. Todd Meyers was present and provided information on recent activity in the Township.

**Proposed Loitering Ordinance**

Attorney Porter reviewed a proposed ordinance to address loitering. He advised Sgt. Meyers had advised there are at certain times problems with loitering in some locations in the Township; the ordinance would provide legal means for the KCSD deputies to address the issue. Mr. Porter also noted he based the proposed ordinance language on the City of Kalamazoo's ordinance. This item will be taken up for action on the regular meeting agenda.

**Kalamazoo County Commissioner's Report**

Commissioner Brandt Iden provided an update of recent Kalamazoo County Commission activities.

**Discussion with Oshtemo Historical Society**

Discussion was held with the Oshtemo Historical Society Board of Directors regarding the ongoing restoration efforts at the Drake House including applying to have the property placed on the National Register of Historic Places, the need to still obtain an easement or actual property for a portion of the historic driveway, and future goals for the property. The many hours of volunteer efforts by the OHS were recognized and consensus was conduct a visioning session with members of the group and the Township Board to further discuss and outline the vision for the property in the long term.

**Discussion – MTA Membership**

Discussion was held regarding payment of the 2011-12 dues to MTA in the amount of \$5,414. Supervisor Heiny-Cogswell noted last year consensus was due to current economic conditions, weighing benefits versus cost, dues were not paid but the Board agreed to reevaluate in six months and one year. Consensus was to not rejoin at this time due to the same considerations.

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 Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, and 6 interested people.

Motion by Culp, second by James Grace to approve the June 28<sup>th</sup> regular meeting minutes. Carried.

Trustee James Grace commented while he was satisfied with the written minutes, he wanted for the record to reiterate his questions/comments and Planning Director Stefforia's comments regarding the Master Land Use Plan due to the recording of the meeting not picking up her comments made away from the microphone, that transitional zoning on West Main would not permit multifamily development other than senior housing, commercial zoning noted on the future land use map could be considered at a larger depth depending on the project, connectivity would be considered on a case by case basis and the plan is a vision.

Income to the General, Building, Fire, Sewer & Water Funds of \$22,504.06 and disbursements of \$199,636.21 were reported. Motion by James Grace, second by Borgfjord to accept the receipts and disbursements report. Carried.

#### **CITIZENS COMMENTS ON NON-AGENDA ITEMS**

None.

#### **TOWNSHIP PARK MNRTF DEVELOPMENT PROJECT UPDATE**

Kirsten Rimes, representing OCBA, consultant for the Township Park improvements provided an update on the project; plans are near completion and will be going out for bid with those coming to the Board for approval.

#### **PROPOSED LOITERING ORDINANCE**

As discussed at the work session, a proposed ordinance to address loitering which the Township has been advised by the Sheriff's Department is a problem at certain times in some locations in the Township was before the Board for consideration. The proposed ordinance would provide legal means for the KCSD deputies to address the issue.

Motion by James Grace, second by Larson to accept the proposed ordinance for First Reading and set Second Reading for August 9<sup>th</sup>. Carried.

#### **DISCUSSION – OUTDOOR WOOD-FIRED FURNACES ORDINANCE AMENDMENT**

Attorney Porter presented a proposed amendment to the Outdoor Wood Fired Furnace Ordinance to prohibit their use from April 30<sup>th</sup> through October 1<sup>st</sup> so as to avoid complaints of smoke which can negatively affect nearby residents. He noted repeated complaints had been received regarding use of a wood fired furnace for heating a pool, Texas Township has this same language in their ordinance, Alamo Township is considering removing the prohibition from their ordinance, and those using wood fired furnaces for heating hot water would have to use an alternative source.

Board member comments included inquiries of how many permits have been issued for this type of furnace, how many complaints have been received, it is a matter of respect for neighbors. Consensus was to bring the matter back to the Board.

#### **REVIEW – APPLICATION FOR HOME OCCUPATION FOR MEDICAL MARIHUANA FACILITY**

Attorney Porter presented a proposed application for the registration, inspection and licensing of a medical marihuana facility as provided for in the recently adopted ordinance. A second draft will be available for the August 9<sup>th</sup> meeting.

#### **ANNUAL REGISTRATION & LICENSING FEE FOR MEDICAL MARIHUANA FACILITY**

Attorney Porter presented a resolution to establish the registration and licensing fee for a medical marihuana facility. There was discussion regarding how the fee should be calculated; a proposed fee will be brought back at the August 9<sup>th</sup> meeting.

#### **BOARD MEMBER COMMENTS**

Ms. Borgfjord reminded all of the 2<sup>nd</sup> Annual Oshtemo Sunburst 5K to be held on August 13<sup>th</sup>, noting runners and volunteers are needed.

Engineer Elliott noted H Avenue paving and striping has been completed, completion of gravel shoulders should be completed this week.

Supervisor Heiny-Cogswell noted Ron Cooper, Jr., son of longtime residents Mr. & Mrs. Ron Cooper, recently returned from multi tours in Iraq; we thank him for his service to our country.

There was no further business and the meeting was adjourned at approximately 8:10 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: LIBBY HEINY-COGSWELL**  
Supervisor