

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
August 25, 2009

The Oshtemo 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 was Township Attorney James Porter, Township Engineer Marc Elliott, Planning Director Jodi Stefforia, Senior Planner Mary Lynn Bugge and 5 interested people.

Copper Beech – Supervisor Heiny-Cogswell advised a meeting with Copper Beech management and owners has been scheduled for discussion of noise complaints and stormwater issues.

Capital Improvement Plan – Lengthy discussion was held regarding the capital improvement plan with Engineer Elliott reviewing the past and future proposed projects including the current project under discussion by the Sewer & Water Committee, H Avenue from just west of 9th Street to the current pump station west of Westport Village. Mr. Elliott advised this project is necessary for any further sewer expansion in the area. There were concerns expressed regarding the cost of the project and a need to explore funding options. Consensus was the project should move forward but concerns were expressed regarding the cost of the project and not wishing to exhaust the current sewer fund to complete it.

Motion by Bushouse, second by James Grace to express support for the project and explore funding options. Carried.

Visser Water Main Front Foot Charge – A recommendation from the Sewer & Water Committee to reimburse Dan Visser for the water main front foot connection fee paid in 2002 for his property at 291 North 1st Street was before the Board for discussion. It was noted the committee determined the development of Mr. Visser's property in 2002 fell within a time period where numerous existing homes in the area were receiving free connections to public water and other just developing or recently developed sites were getting free connections and due to circumstances unique to when his house was constructed, the committee feels it is fair to offer Mr. Visser reimbursement of his front foot connection fees in the amount of \$6,854.64, however, the expense he incurred running water service from the street to his house is not included.

Apartment Rental Licensing – Attorney Porter advised he had done some research into ordinances East Lansing uses regarding the numerous rental units they have due to the proximity of MSU. He noted they have more extensive unlawful noise provisions and a rental housing inspection and licensing ordinance. Consensus was to keep these ideas in mind for future discussion but wait and reassess after the meeting with Copper Beech.

Police Protection – Kalamazoo County Sheriff Rick Fuller and Captain William Timmerman were present to discuss additional police protection. Discussion included that at least two more deputies are needed in addition to the seven already under contract, with the ideal being a total of eleven. There was also discussion regarding funding methods including expansion of the police special assessment district to include the entire Township. Board member comments included concern about adding a special assessment during the current economic situation, the Board needs to determine what the community wants and it is the Board's obligation to find funding for the need.

Sheriff Fuller advised a working Sergeant could be made available to the Township for the remainder of 2009 for a cost of approximately \$50,000 with the current deputies changing to twelve hour shifts which will provide more coverage.

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

Supervisor Heiny-Cogswell called the regular meeting to order at 7:10 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 was Township Attorney James Porter, Township Engineer Marc Elliott, and 8 interested people.

Motion by James Grace, second by Culp to approve the August 11th regular meeting minutes as presented. Carried.

Income to the General and Fire Funds of \$36,608.72 and disbursements of \$175,723.35 were reported. Motion by James Grace, second by Borgfjord to accept the receipts and disbursements report. Carried.

CITIZENS COMMENTS

Rep. Robert Jones congratulated the Board for their work on difficult issues and making tough decisions. He commented that he supports State Revenue Sharing for local communities.

COLONY FARM ORCHARD

Rep. Robert Jones commented Western Michigan University's BTR Park is an important part of the community and with the current economic conditions the community needs a niche, i.e., life science, for the long term health of the community and he hoped the Board would support economic development. He also advised a committee hearing would be held in Lansing on August 26th on his proposed legislation that the restrictions on the Colony Farm Orchard property be lifted.

Greg Rozine, Vice President of Legislative Affairs for WMU, commented the current BTR park will be full in the next three to four years.

Richard Brewer, 2550 North 5th Street, commented the restrictions on the Colony Farm Orchard were placed on it by the State to retain open space, there are other places for the BTR park to expand and the orchard property is an integral part of the Asylum Lake preserve with elements of natural history, vegetation and wildlife.

Board member comments included concern about loss of open space, the Township Master Plan, specifically the Genesee Prairie Focus Area, recognizes the property as an important component of the region's open/park land and support of the preservation efforts is an identified objective, jobs are needed, WMU is a good neighbor, would there be some alternate open space available or offered, i.e., property WMU owns at 9th Street and KL Avenue.

In response to questions from the Board, Rep. Jones advised while the legislative process will begin there would be time for the Township and WMU to hold discussion; Mr. Rozine advised WMU would be willing to have discussion with the Township regarding these issues. Consensus was Supervisor Heiny-Cogswell would attend the committee hearing in Lansing and set a date and time to meet with representatives of WMU.

PLANNING COMMISSION ENABLING ORDINANCE

Attorney Porter advised under Public Act 33 of 2008, the Township must adopt an ordinance to reaffirm the establishment of a Planning Commission.

Motion by Culp, second by Borgfjord to accept the ordinance for First Reading and set Second Reading for September 8th. Carried.

SUB DIVISION/SITE CONDOMINIUM ORDINANCE AMENDMENT

Attorney Porter advised under Public Act 33 of 2008, the Township must amend the Sub Division/Site Condominium Ordinance to update language regarding provisions for plan reviews by the Planning Commission.

Motion by Culp, second by James Grace to accept the ordinance amendment for First Reading and set Second Reading for September 8th. Carried.

VISSER WATER MAIN FRONT FOOT CHARGE

As discussed at the Board work session, a recommendation from the Sewer & Water Committee to reimburse Dan Visser for the water main front foot connection fee paid in 2002 for his property at 291 North 1st Street was before the Board. It was noted the committee determined the development of Mr. Visser's property in 2002 fell within a time period where numerous existing homes in the area were receiving free connections to public water and other just developing or recently developed sites were getting free connections and due to circumstances unique to when his house was constructed, the committee feels it is fair to offer Mr. Visser reimbursement of his front foot connection fees in the amount of \$6,854.64, however, the expense he incurred running water service from the street to his house is not included.

Motion by James Grace, second by Culp to approve the reimbursement to Dan Visser for water front foot connection fee of \$6,854.64. Carried.

FIRE DEPARTMENT REQUEST – HOSE PURCHASE

Trustee/Fire Commissioner James Grace presented a request for purchase of 1,100 feet of fire hose to replace that same amount that failed recent testing. He advised bids were reviewed and recommended the purchase from FireQuip in the amount of \$5,786.00 plus shipping.

Trustee Bushouse inquired if the current fittings would be reused for the new hose. Trustee James Grace advised he would check with the Fire Chief.

Motion by James Grace, second by Culp to approve the expenditure as requested in the amount of \$5,786.00 plus shipping. Carried.

POLICE PROTECTION

As discussed at the Board work session, Kalamazoo County Sheriff Fuller advised a working Sergeant could be made available to the Township for the remainder of 2009 for a cost of approximately \$50,000 with the current deputies changing to twelve hour shifts which will provide more coverage. It was noted the need for additional staffing has been identified and the position will be that of a working Sergeant.

Gordon Lanker, 2524 North 2nd Street, commented he is encouraged by the Board's discussion, it is his understanding the police protection level is the same as the 1970's, police protection needs to be in the forefront and while he has no problem with an increase in taxes to fund it, he questioned what sacrifices will the Board make and wondered if the physical facilities exist here for use by the Sheriff's Department.

He was advised while Kalamazoo County has not added more road patrol deputies than existed in the 1970's the Township has increased the number under contract and space has been provided at the Township Office for their use.

Stan Rakowski, 7151 West G Avenue, commented that while some Board members are reluctant to ask for a tax increase, they have his permission to raise his; the entire Township will benefit from more police protection, there is a need and the additional amount would be miniscule.

Motion by James Grace, second by Bushouse to approve the expenditure not to exceed \$50,000 to add a working Sergeant to the Police Protection agreement. Carried.

RED CROSS AGREEMENT – EMERGENCY SHELTERS

Trustee Borgfjord advised the Park Committee had reviewed a request from the Red Cross to use the Oshtemo Community Center as an emergency shelter and were recommending approval with an annual review. She also advised the committee had approved use of the Grange Hall as well if the Red Cross so desired.

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

OTHER BUSINESS PARK PLAN – CONTOUR MAPS

Trustee Borgfjord advised contour maps are needed for work on the Park Master Plan; two vendors have been consulted and approval is requested to purchase the maps at a cost not to exceed \$2,600 from the low bidder of the two vendors.

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

PROPOSED H AVENUE SEWER

As reviewed at the Board work session, the Sewer & Water Committee has held discussion on installation of sewer in H Avenue from just west of 9th Street to the current pump station west of Westport Village with the Township Engineer advising the project is necessary for any further sewer expansion in the area. There were concerns expressed regarding the cost of the project and a need to explore funding options, however, to move the project forward, consensus was the Township Engineer should begin the process of obtaining the DEQ permit.

Motion by James Grace, second by Borgfjord to authorize Township Engineer expenses not to exceed \$3,000 to begin the DEQ permitting process for the proposed H Avenue sewer project. Carried.

BOARD MEMBER COMMENTS

Trustee/Fire Commissioner James Grace advised Firefighter David Thalman was recognized by the Kalamazoo Township Board with a life saving award for his participation in a cardiac arrest emergency call while assisting their township at the Kalamazoo County Fair.

There was no further business and the meeting was adjourned at approximately 8:30 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: LIBBY HEINY-COSGWELL
Supervisor