

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**October 13, 2009**

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, Associate Planner Chris West, DDA Chairman Terry Schley, Capt. William Timmerman and Sgt. Troy Faulk from the Kalamazoo County Sheriff's Department.

**Sgt. Faulk Report**

Sgt. Faulk provided the September activity report, advised extra officers will be on duty for the WMU/CMU football game this coming weekend and also provided information regarding ongoing issues with panhandling occurring at several commercial locations; Board consensus was to direct Attorney Porter to investigate a possible ordinance to address the problem.

**Grant Application for Sidewalks**

Supervisor Heiny-Cogswell advised an opportunity exists for the Township to apply for a possible ARRA grant to complete sidewalk installation on West Main between Drake Road and US 131. Associate Planner West advised part of the application rating criteria is the amount of matching funds offered, there will be two rounds of awards, one this fall, for which the application deadline is October 22<sup>nd</sup>, and one next spring; any application not approved in the first round will advance to the second round. There was discussion regarding how much matching funding the Township could offer due to current economic conditions and the 2010 budget has not been finalized. There was also discussion of using Metro Authority funds currently available; as they can only be used for projects in the right of way, this would be a good project to consider. Consensus was the Township could offer a \$10,000 match or Metro Authority funds available, whichever is higher. The item will be taken up for action on the regular agenda.

**Banners for DDA Area**

DDA Chair Terry Schley presented a recommendation from the DDA to purchase banners for the 9<sup>th</sup> Street/Stadium Drive area to continue the enhancement and provide a "brand" to the area. Estimated cost of the project which includes pole inspection by Consumers Energy, 16 banners, hardware and installation is \$4,064.00. Funds for the project were included in the 2009 DDA budget. The item will be taken up for action on the regular agenda.

**M-43 Bike Path Mowing**

Supervisor Heiny-Cogswell commented she had been advised by MDOT they do not mow where streets are curbed but would agree to mow the area of the M-43 bike path between 9<sup>th</sup> and 10<sup>th</sup> Streets once this year. Consensus was the Township Maintenance Department could mow the area as needed.

**Sidewalk Maintenance**

Supervisor Heiny-Cogswell advised the Maintenance Department had conducted inspections of all sidewalk and non-motorized facilities for maintenance needs and will continue to do so on an annual basis. She advised the report indicates an area of sidewalk on Stadium Drive that is in immediate need of attention and the property owner will be notified. OEO Paddock provided a sample notification he is proposing to use to address incidents of sidewalks not be cleared of ice and snow as required by ordinance. Consensus was a pre-snow season reminder should be provided to all property owners with sidewalks and personal contact attempted when a notice is required.

**Board Member Comments**

Consensus was some informational material currently distributed could be done electronically, i.e., the KCSD report.

Supervisor Heiny-Cogswell advised a purchase agreement for property to locate a pressure reduction station for the recent water extension on West Main will be on the October 27<sup>th</sup> agenda.

Fire Commissioner/Trustee James Grace advised the Personnel Committee had reviewed and approved a revised position description for the Fire Department Maintenance Specialist. He noted the position has been redescribed as an officer position due to the responsibilities and asked the

item be added under Other Business on the regular agenda.

The Board work session adjourned at approximately 6:45 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 8 interested people.

Motion by Borgfjord, second by James Grace to approve the September 17<sup>th</sup> Special Meeting, September 22<sup>nd</sup> Board Retreat, September 22<sup>nd</sup> Regular Meeting, and October 8<sup>th</sup> Special Meeting minutes. Carried.

Income to the General and Fire Funds of \$40,450.39 and disbursements of \$232,459.25 were reported. Motion by James Grace, second by Borgfjord to accept the receipts and disbursements report. Carried.

**CITIZENS COMMENTS ON NON-AGENDA ITEMS**

None.

**UNIFORM FIRE CODE AMENDMENT**

Attorney Porter presented a recommendation to amend the Uniform Fire Code Ordinance to provide for hydrant accessibility. Trustee Bushouse noted the ordinance refers to the 2003 Fire Code and inquired why a more updated code was not in place.

Motion by James Grace, second by Culp to accept the ordinance amendment for First Reading and set Second Reading for October 27<sup>th</sup>. Carried.

**DISCUSSION WITH KCRC – WEST PORT TRIMMING/PRUNING**

Mike Graham, Forester for the Kalamazoo County Road Commission was present and provided information on the upcoming trimming/pruning to be done in the West Port Plat. He advised they have accepted a bid from Pro Care for the project; who has the required arborist and plan to start approximately November 2<sup>nd</sup>. He advised they will be looking to maintain a 15 foot vertical clearance over the road by trimming overhanging limbs, trimming where needed around signs, and unmaintained areas 6 feet back from the curb. He noted areas maintained by the property owners will not otherwise be affected. He noted proper pruning procedures will be utilized, he will be on site during the initial phase of the work and the KCRC has been conducting these projects since 1998 in other areas of the county.

**LASALLE DRAINAGE DISTRICT**

Supervisor Heiny-Cogswell advised the Kalamazoo County Drain Commissioner held a meeting with the residents in the LaSalle neighborhood on September 23<sup>rd</sup> regarding extending the boundaries of the current drainage district. She further advised a petition is now required for the Drain Commissioner to proceed.

Motion by James Grace, second by Borgfjord to adopt a resolution to authorize a petition for extending a county drain. Roll call showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, McCormick-yes, Heiny-Cogswell-yes.

**POLICE PROTECTION SPECIAL ASSESSMENT DISTRICT**

Trustee James Grace advised research indicates the calls for service from the Kalamazoo County Sheriff's Department have steadily increased and the Township is not able through the current special assessment to fund the needed level of police protection, which is a requirement of a Charter township. He also advised the Police Committee is recommending expanding the special assessment district to include the areas of the Township not currently in a district to be assessed .5 mill while the current district which includes the commercial and multi-family areas at West Main/9<sup>th</sup> Street, West Main/US 131/Drake Road and Drake Road/KL Avenue areas would remain at 2.5 mills. He also noted the funds would be dedicated for police protection and enable the Township to retain the current deputies, the recently added Sergeant and possibly one more

deputy.

Trustee Bushouse commented the Fire Department special assessment millage was established in 1976 which has enabled the community to have one of the best departments in the area and in the same manner the need for police protection should be spread throughout the Township.

Motion by James Grace, second by Borgfjord to adopt a resolution authorize plans and a cost estimate to be obtained for the Police Protection Special Assessment District 2009-1. Roll call showed James Grace-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, McCormick-yes, Heiny-Cogswell-yes.

#### **EMPLOYEE HANDBOOK REVISIONS/ADDITIONS**

Attorney Porter reviewed the Personnel Committee recommendation for revisions and additions to various sections of the Employee Handbook.

Motion by James Grace, second by Borgfjord to adopt a resolution to amend the Employee Handbook as presented. Roll call showed McCormick-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, James Grace-yes, Heiny-Cogswell-yes.

#### **2010 PLANNING FEES**

A recommendation from the Planning Department was before the Board to increase the residential variance request fee from \$100.00 to \$200.00 due to a public notice is now required to be published in the newspaper in advance of the ZBA meeting. No other fee increases are recommended.

Motion by Borgfjord, second by James Grace to adopt a resolution to increase the residential variance request fee to \$200.00. Roll call showed McCormick-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, James Grace-yes, Heiny-Cogswell-yes.

#### **2009-10 SNOW PLOW CONTRACT**

A recommendation from the Park Committee was before the Board to accept the bid from DeVisser Landscape Service for snow removal from the non-motorized facilities the Township is responsible for. It was noted the contract price of \$9,826.00 is the same as the previous season rate.

Motion by James Grace, second by Everett to accept the bid from DeVisser Landscape Service in the amount of \$9,826.00. Carried.

#### **PHASE II COMPUTER NETWORK**

Treasurer Culp advised the second phase of the upgrade the computer network which had originally been planned for 2010 is now necessary due to ongoing problems. She advised the cost to complete the upgrade of the system will be divided evenly between the General Fund and Fire Department at a cost not to exceed \$24,000.

Motion by Culp, second by James Grace to approve the expenditure not to exceed \$24,000 for the computer network upgrade to be divided evenly between the General Fund and Fire Department. Carried.

Fire Commissioner/Trustee James Grace advised part of the upgrade also includes a new software package for the Fire Department to integrate several of the programs they currently use. He advised the cost of the software and installation is estimated at \$20,000.

Motion by James Grace, second by Culp to approve the expenditure not to exceed \$20,000 for the software and installation as presented. Carried.

#### **OTHER BUSINESS**

##### **FIRE DEPARTMENT MAINTENANCE POSITION**

As discussed at the work session, the Personnel Committee has reviewed and approved a revised position description for the Fire Department Maintenance Specialist; the position has been redescribed as an officer position due to the responsibilities.

Motion by James Grace, second by Culp to approved the revised position description as presented. Carried.

##### **SIDEWALK GRANT**

As discussed at the work session, an opportunity exists for the Township to apply for a possible ARRA grant to complete sidewalk installation on West Main between Drake Road and US 131. Associate Planner West advised part of the application rating criteria is the amount of matching funds offered, there will be two rounds of awards, one this fall, for which the application deadline is October 22<sup>nd</sup>, and one next spring; any application not approved in the first round will advance to the second round. There was discussion regarding how much matching funding for the grant the

Township could offer due to current economic conditions and the 2010 budget has not been finalized. There was also discussion of using Metro Authority funds currently available; as they can only be used for projects in the right of way, this would be a good project to consider.

Motion by James Grace, second by Borgfjord to apply for the ARRA grant to complete sidewalks on West Main between Drake Road and US 131 with a match of \$10,000 or available Metro Authority funds, whichever is higher. Carried.

#### **DDA BANNERS**

As discussed at the work session, a recommendation from the DDA to purchase banners for the 9<sup>th</sup> Street/Stadium Drive area to continue the enhancement and provide a "brand" to the area was before the Board. Estimated cost of the project which includes pole inspection by Consumers Energy, 16 banners, hardware and installation is \$4,064.00. Funds for the project were included in the 2009 DDA budget.

Motion by James Grace, second by Everett to approve an expenditure not to exceed \$4,100.00 for the DDA project as described. Carried.

There was no further business and the meeting was adjourned at approximately 8:50 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: LIBBY HEINY-COGSWELL**  
Supervisor