

**THE CHARTER TOWNSHIP OF OSHTEMO**  
**Township Board Meeting**  
**April 9, 2013**

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 Dave Bushouse  
Trustee Dusty Farmer  
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, and 7 interested people.

**Kalamazoo County Commissioner Report** – Commissioner Brandt Iden provided an update on recent County activity.

**Discussion – Ad Hoc Citizen Police Protection Sub-Committee** – The Board continued discussion on the findings and recommendations of the ad-hoc committee. A poll of board members showed consensus to accept the committee recommendation for level of service at 12 officers. There was discussion of means to fund the recommended level; adjusting the current special assessment districts, request a millage or a combination of both. Attorney Porter will prepare maps and possible funding scenarios for the April 23<sup>rd</sup> meeting.

**Township Office Hours** – Supervisor Heiny-Cogswell advised through discussions with the Clerk and Treasurer, with the reduction of front staff hours, and decreases in activity, they are recommending a proposal for a temporary change in Township Office hours to Monday through Friday, 8:00 a.m. to 5:00 p.m. and Friday 8:00 a.m. to 1:00 p.m. She advised for cyclical events, i.e., elections, tax payment due dates, the office would remain open and the change would be reviewed in late August for consideration to make it permanent.

Motion by Farmer, second by Larson to approve the temporary change. Carried.

**Update – Board/Staff Retreat** – Supervisor Heiny-Cogswell reminded all of the Board/Staff Retreat scheduled for April 16<sup>th</sup> from 9:00 a.m. to 4:00 p.m. at the Grange Hall. Planning Director Milliken reviewed the draft agenda, noting the goal is to set priorities for the next 18 to 36 months.

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 Dave Bushouse  
Trustee Dusty Farmer  
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Planning Director Greg Milliken, Fire Chief Mark Barnes, and 11 interested people.

Supervisor Heiny-Cogswell commented she would like to correct the March 12<sup>th</sup> meeting minutes to reflect that consensus was to accept the recommendation of the ad-hoc committee regarding the level of service for police protection. Motion by Culp, second by Farmer to approve the March 12<sup>th</sup> regular meeting minutes as corrected. Carried.

Income to the General, Building, Fire, and Sewer & Water Funds of \$3,167,933.50 and disbursements of \$416,466.35 were reported. Motion by Larson, second by Culp to accept the receipts and disbursements report. Carried.

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

Nancy DeVries, 7388 West KL Avenue, commented she supports the proposed project to install fire hydrants on West KL Avenue. She noted a barn on their farm was lost last year to fire. Supervisor Heiny-Cogswell advised the project has been put out for bid.

Megan Bauer, representing the Gay & Lesbian Resource Center noted the Board had been sent a letter from Goodrich Theatres supporting the adoption of a non-discrimination ordinance and she is available to answer any questions. Trustee Farmer commented she would like to discuss the matter under Other Business later on the agenda.

### **TAVERN LICENSE REQUEST – MARTA'S FINE FOODS**

A public hearing had been scheduled for the tavern license application from Marta's Fine Foods at 6541 Stadium Drive. Attorney Porter noted in regard to a question raised at the March 12<sup>th</sup> meeting regarding the establishment being within 500 feet of a church, the information he received from the State indicated that if there were such an objection, the State would not grant the license.

Supervisor Heiny-Cogswell then opened the public hearing on the matter noting two letters had been received, one from Health Psychology, 3335 South 9<sup>th</sup> Street supporting the request and one from the Oshtemo Methodist Church, 6574 Stadium Drive opposing the request.

Marta Parilli, owner of Marta's Fine Foods, requested the matter be postponed so she can have a conversation with the church and explain her intentions. She commented that she is looking to offer beer or wine with the food she serves.

Janet Synder, representing Oshtemo United Methodist Church commented postponing the matter will not change their decision; their full board voted unanimously to oppose the license.

Motion by Farmer, second by Carr to postpone action on the application to May 14<sup>th</sup>. Carried with Bushouse voting no.

### **MUTUAL AID AGREEMENT – DNR**

Fire Chief Barnes advised an updated mutual aid agreement has been requested by the DNR; he noted the Township could be called to assist with wildfires and in turn a vehicle is on loan from the DNR which the department may use for local needs. He noted the agreement has been in place for many years; this is an update.

Motion by Larson, second by Everett to approve entering into the agreement. Carried.

### **KALAMAZOO COUNTY HAZARD MITIGATION PLAN**

Planning Director Milliken presented the Kalamazoo County Hazard Mitigation Plan which is required by FEMA in order to receive federal grants and assistance; by accepting the plan, the Township would also be eligible to apply for FEMA grants and assistance.

Motion by Everett, second by Carr to adopt a resolution accepting the Kalamazoo County Hazard Mitigation Plan. Roll call vote showed Bushouse-yes, Carr-yes, Culp-yes, Everett-yes, Larson-yes, Farmer-yes, Heiny-Cogswell-yes.

### **KALAMAZOO COUNTY TRANSPORTATION AUTHORITY**

Paul Ecklund, member of the Kalamazoo County Transportation Authority Board, presented information on public transit and the upcoming millage renewal request on the May 7<sup>th</sup> ballot.

### **CONSULTANT – DRAKE ROAD NON-MOTORIZED FACILITY**

Planning Director Milliken presented a recommendation to approve a proposal from Viridis Design Group in the amount of \$15,410 to provide design services for non-motorized facilities along the west side of Drake Road between Stadium Drive and KL Avenue. He advised the Township has been working with MDOT, other agencies and the owner of the property at the northwest corner of Stadium Drive and Drake Road regarding the Stadium Drive/US 131/Drake Road project to occur in 2014. He noted the property owner would be responsible for the portion from Stadium Drive north to the end of his property and the Township portion would continue north to KL Avenue. In response to questions from Trustee Bushouse, Mr. Milliken noted he has had discussion with the City of Kalamazoo regarding two parcels that are actually located in the city. He noted partnering for the project would be cost effective for all parties, however, the more exact cost which will be known after the design work will determine whether the Township can proceed.

Motion by Larson, second by Farmer to authorize the Supervisor to sign the contract, contingent upon the property owner of the balance of the Drake Road frontage and MDOT reaching an agreement. Carried.

**EMPLOYEE HANDBOOK CHANGE – SECTION 9.5**

A recommendation from the Human Resources Committee to amend Section 9.5 of the Employee Handbook was before the Board to clarify short term disability benefits.

Motion by Everett, second by Larson, to adopt a resolution to amend Section 9.5 of the Employee Handbook. Roll call showed Bushouse-yes, Carr-yes, Culp-yes, Everett-yes, Larson-yes, Farmer-yes, Heiny-Cogswell-yes.

**OTHER BUSINESS**

Trustee Farmer commented she would support adoption of a non-discrimination ordinance referred to in the letter from Goodrich Theatres as mentioned earlier under Citizen Comments. Consensus was to have further discussion in June; Attorney Porter will research and provide information.

Attorney Porter advised a decision in the ITC matter is due from the administrative judge by April 23<sup>rd</sup>.

**BOARD MEMBER COMMENTS**

Supervisor Heiny-Cogswell advised the Township’s annual financial audit is being conducted this week.

She also advised the effective May 1<sup>st</sup> through August 31<sup>st</sup>, Township Office hours will be Monday-Thursday 8:00 a.m. to 5:00 p.m. and Friday 8:00 a.m. to 1:00 p.m.

Supervisor Heiny-Cogswell reminded all of the Board/Staff Retreat scheduled for April 16<sup>th</sup> from 9:00 a.m. to 4:00 p.m. at the Grange Hall. Planning Director Milliken reviewed the draft agenda, noting the goal is to set priorities for the next 18 to 36 months.

Trustee Bushouse advised the Township sign removed from South 11<sup>th</sup> Street during last year’s road project has not been reinstalled.

He also advised he had been informed the speed limit on South 9<sup>th</sup> Street where currently 35 MPH is being increased to 45 MPH.

Trustee Larson commented the walk/don’t walk signal at Parkview and Stadium Drive does not work.

There was no further business and the meeting was adjourned at approximately 8:25 p.m.

**DEBORAH L. EVERETT**  
Township Clerk

**Attested: LIBBY HEINY-COGSWELL**  
Supervisor