

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
October 22, 2013

The Oshtemo Township Board public comment session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 6:00 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Dave Bushouse
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Lee Larson

Also present was Township Attorney James Porter, Planning Director Greg Milliken and 1 interested person.

Public Comment – None.

Discussion – Corridor Improvement Authority (CIA) – Planning Director Milliken presented information on establishing a Corridor Improvement Authority through Public Act 280 of 2005, designed to assist communities with funding improvements in commercial corridors. He noted it is similar to the Downtown Development Authority (DDA) in structure and captures tax revenue on increases in taxable value. Mr. Milliken provided a map illustrating how a CIA could be effective for Drake Road for non-motorized facilities and gateway improvements. Consensus was to proceed with steps to implement; Mr. Milliken and Attorney Porter will provide information at a future meeting.

Discussion – Flesher Field Phase I Bid – , Supervisor Heiny-Cogswell advised five competitive bids received for Phase I construction were higher than projected; the landscape architecture consultant worked with the Township to issue post bid addendum items to the two lowest bidders in an effort to achieve cost savings. Eleven of the thirteen deductions are recommended for acceptance, as well as two unit item reductions in the original bid. She noted the primary reason for the increased price stems from findings in the geotechnical report which found a need to increase the depth of soil excavation to install a sand sub base for the parking and drive areas, other increases stemmed from Township ordinance form based code requirements. She also noted one unknown is the sanitary sewer connection, there is no record of the current depth, if the pipe is not deep enough, another tap will be necessary. Ms. Heiny-Cogswell noted the original estimate for the project was \$435,300, a grant from the Michigan Natural Resources Trust Fund in the amount of \$300,000 has been awarded, the Township Board previously approved the local match of \$135,300, therefore, the requested increase for the project is \$44,862. She also noted a donation of \$7,000 has been pledged by the Consumers Sunburst Run and \$1,790 in miscellaneous donations received. The recommendation is to award the contract to the low bidder, Kalleward Group. This item will be on the regular agenda for action.

The public comment session was adjourned at approximately 6:50 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 Dave Bushouse
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Lee Larson

Also present was Township Attorney James Porter, Township Engineer Marc Elliott, Planning Director Greg Milliken, and 6 interested people.

CONSENT AGENDA

Trustee Carr requested the Receipts & Disbursements Report be removed from the consent agenda. Minutes of the October 8th regular meeting.
2014 Public Water Connection Agreement with Scott W. Taylor Excavating.
Motion by Larson, second by Bushouse to approve the consent agenda. Carried.

Receipts & Disbursements Report – Trustee Carr inquired regarding the receipt of \$9,525 for KABA Legal Fees. Clerk Everett advised this is KABA's payment to the Township for Attorney Porter's time.
Motion by Larson, second by Farmer to approve the Receipts & Disbursements Report. Carried.

CITIZEN COMMENTS

None.

ZONING ORDINANCE AMENDMENTS

REZONING – SECTION 22, 23, 30 - "R-2 & R-3" TO "C"

A recommendation from the Planning Commission for approval of a request to rezone 40 parcels covering approximately 37 acres at the northwest corner of Drake Road and Stadium Drive was before the Board for Second Reading.

TEXT AMENDMENTS – TEMPORARY SIGNS

A recommendation from the Planning Commission to approve text amendments related to temporary signage was before the Board for Second Reading.

Motion by Everett, second by Larson to adopt the rezoning and text amendments. Carried.

2014 KABA BUDGET

KABA Executive Director Ed Hellwege presented the 2014 KABA proposed budget. In response to Board members questions, he advised a committee of the KABA board will be reviewing fees and are talking with other units about joining KABA.

Motion by Heiny-Cogswell, second by Farmer to approve the KABA budget as presented. Carried with Carr voting no.

SEWER/WATER CONNECTION FEES

A recommendation from the Capital Improvements Committee (CIC) to increase sewer and water fees was before the Board. It was noted study by Township Engineer Marc Elliott determined current fees do not cover construction costs and the proposed increases do not meet that level. It was noted there have been no changes in two years, fees have historically been paid as needed by the user.

The sewer fees front foot charge would increase to \$20.00 from \$18.50, parcel fee to \$6,800 from \$6,700, benefit fee would remain at \$2,000.

The water fees front foot charge would increase to \$31.50 from \$28.50, lineal front foot to \$48.00 from \$40.20 and benefit fee to \$525.00 from \$500.00.

Trustee Carr inquired why the increases are necessary and they might hinder new construction. Trustee Bushouse advised construction costs have increased. He noted the CIC has two citizen representatives, one who is a home builder. He further noted the Township has more responsibility and costs, the City of Kalamazoo does not provide connections any longer.

Motion by Bushouse, second by Larson to adopt the resolution setting the sewer fees. Roll call showed Carr-no, Bushouse-yes, Everett-yes, Larson-yes, Farmer-yes, Heiny-Cogswell-yes.

Motion by Everett, second by Farmer to adopt the resolution setting the water fees. Roll call showed Farmer-yes, Larson-yes, Everett-yes, Bushouse-yes, Carr-no, Heiny-Cogswell-yes.

REQUEST TO KCRC

INCLUDE NON-MOTORIZED FACILITIES IN KCRC CAPITAL IMPROVEMENT PLAN

Supervisor Heiny-Cogswell presented a draft request to the Kalamazoo County Road Commission that they include the Township's 2014-2018 Non-Motorized projects in their Capital Improvement Plan and make application on behalf of the Township for funding. She noted the Township is not an Act 51 agency, therefore, cannot apply directly to the Kalamazoo Area Transportation Study (KATS) and MDOT for funds. She noted the first application would be for a targeted list of projects on Drake Road.

Motion by Farmer, second by Everett to authorize the Supervisor to request the KCRC submit applications on the Township's behalf for non-motorized facilities funding. Carried.

SECANT TECHNOLOGIES – INDUSTRIAL FACILITIES DISTRICT

An application from Software Services Group, Inc. d/b/a Secant Technologies, located at 6395 Technology Avenue to establish an Industrial Development District was before the Board for consideration. Attorney Porter advised the application and supporting materials were in order, the district would accommodate an 8,000 square foot hardened facility within their existing building, and a projected additional 6 to 10 jobs. He advised the request would be for a 50% abatement for 12 years on real property and 6 years on personal property. He noted the abatement does not affect collection of special assessments.

Alex Ellingsen, representing Secant Technologies advised the hardened facility would be constructed as tornado proof and with a 3 hour fire rating to house data for clients as well as provide temporary office space if needed.

Attorney Porter advised this request is to establish the district, the next step at a later meeting would be the request to approve the abatement and the request is for only the proposed new facility, not the entire building.

Motion by Heiny-Cogswell, second by Carr to adopt a resolution creating an Industrial Development District at 6395 Technology Avenue as described. Roll call showed Carr-yes, Bushouse-yes, Everett-yes, Larson-yes, Farmer-yes, Heiny-Cogswell-yes.

FLESHER FIELD – PHASE I CONSTRUCTION

As discussed at the public comment session, Supervisor Heiny-Cogswell advised five competitive bids received for Phase I construction were higher than projected; the landscape architecture consultant worked with the Township to issue post bid addendum items to the two lowest bidders in an effort to achieve cost savings. Eleven of the thirteen deductions are recommended for acceptance, as well as two unit item reductions in the original bid. She noted the primary reason for the increased price stems from findings in the geotechnical report which found a need to increase the depth of soil excavation to install a sand sub base for the parking and drive areas, other increases stemmed from Township ordinance form based code requirements. She also noted one unknown is the sanitary sewer connection, there is no record of the current depth, if the pipe is not deep enough, another tap will be necessary. Ms. Heiny-Cogswell noted the original estimate for the project was \$435,300, a grant from the Michigan Natural Resources Trust Fund in the amount of \$300,000 has been awarded, the Township Board previously approved the local match of \$135,300, therefore, the requested increase for the project is \$44,862. She also noted a donation of \$7,000 has been pledged by the Consumers Sunburst Run and \$1,790 in miscellaneous donations received. The recommendation is to award the contract to the low bidder, Kalleward Group.

Trustee Bushouse noted if the sanitary sewer line requires additional depth, the expense should be funded from the sewer fund as it would be for any other developer.

Motion by Everett, second by Bushouse to authorize the Supervisor to enter into construction agreement with the low bidder, the Kalleward Group in the amount of \$439,031, approve the increased Township expense of \$44,862, which includes 3% authorization above the contract to Supervisor for unexpected items arising during construction, and approve an additional \$33,000 for sewer relocation if determined necessary when the existing line is excavated. Carried with Carr voting no.

BOARD MEMBER COMMENTS

Supervisor Heiny-Cogswell advised a meeting regarding the non-motorized plans for North Drake Road will be held on October 24th at 6:30 p.m. at Kalamazoo Central High School.

She also advised the Board of Determination convened by the Kalamazoo County Drain Commissioner regarding the LaSalle Plat determined there was no need for further work.

There are vacancies on various boards/committees for 2014; anyone interested is encouraged to apply.

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

DEBORAH L. EVERETT
Township Clerk

Attested: LIBBY HEINY-COSGWELL
Supervisor