

THE CHARTER TOWNSHIP OF OSHTEMO  
Work Session  
June 13, 2017

The Oshtemo Township Board Work Session was held at the Township Hall. Supervisor Heiny-Cogswell called the meeting to order at approximately 6:00 p.m.

**PRESENT:**

Supervisor Libby Heiny-Cogswell  
Clerk Dusty Farmer  
Treasurer Nancy Culp  
Trustee Deb Everett  
Trustee Zak Ford  
Trustee Dave Bushouse  
Trustee Ken Hudok

Also present were Township Attorney James Porter, Public Works Director Marc Elliot, Public Works Assistant Jamie Baker, Engineer Matt Johnson (Fleis & Vandenbrink), and two interested individuals.

**Public Comment**

No public comment.

**Update from Kalamazoo County**

No update.

**Update – USDA Sanitary Sewer Extension**

Marc Elliott shared that Oshtemo is eligible to make full application for the USDA Loan program. Jamie Baker noted that if at least 51% of the septic systems are failing, or not in compliance, then the Township would qualify for the poverty interest rate of 2%. Otherwise, the Township will qualify for the intermediate interest rate of 2.75%. Matt Johnson informed the Board that they will be asked at the June 27 board meeting to authorize Fleis & Vandenbrink to complete the Full Application for the USDA Rural Development Grant and Loan program, and to authorize the Supervisor to sign and submit the Full Application. In the meantime, Fleis & Vandenbrink will continue the capital investment cost comparisons of installing and maintaining different types of sewer systems to ensure we are installing the best value sewer system.

**Discussion – Sanitary Mandatory Connection Notices**

The Board needs to decide when noticing of residents will begin, and at what rate residents will be able to borrow money from the Township. Attorney Porter warned that the Township will not be able to match the USDA rates without having financial trouble in the future. The Board can set the rate and the length of time. Attorney Porter reminded the Board that the debt retirement fee will have to be increased so that the Township can recover the investment on sewer that is already in the ground. Trustee Hudok mentioned that he would like us to utilize the state program for senior citizens. Consensus was to allow the Board to view more information about rates and lengths of time so that they are aware of all options.

### **Other Updates and Business**

No other updates or business.

Supervisor Heiny-Cogswell adjourned the work session at approximately 6:56 p.m.

### **THE CHARTER TOWNSHIP OF OSHTEMO** Regular Meeting 7:00 p.m.

The Oshtemo Township Board regular meeting was held at the Township Hall. Supervisor Heiny-Cogswell called the regular meeting to order at approximately 7:03 p.m.

#### **PRESENT:**

Supervisor Libby Heiny-Cogswell  
Clerk Dusty Farmer  
Treasurer Nancy Culp  
Trustee Deb Everett  
Trustee Zak Ford  
Trustee Dave Bushouse  
Trustee Ken Hudok

Also present were Attorney Jim Porter, Public Works Director Marc Elliot, and 7 interested persons.

#### **Citizen Comments**

No citizen comment.

#### **Consent Agenda**

- a. Approve Minutes – May 9, 2017, Regular Meeting & May 16, 2017, Joint Meeting
- b. Receipts & Disbursements Report

Motion by Ford, second by Everett to approve the Meeting Minutes and the Receipts & Disbursements Report as presented. Motion carried 7-0.

#### **Request to Enter Closed Session**

Motion by Bushouse, second by Hudok to enter closed session because discussion in an open meeting could be detrimental to the Township position. Roll call. Resolution adopted 7-0.

Motion by Farmer, second by Ford to leave closed session. Motion carried 7-0.

Motion by Heiny Cogswell, second by Ford to proceed as discussed in closed session. Motion carried 7-0.

#### **Consideration of West Port Village Phase II Step Three**

Planning Director Johnston provided a review of the Final Condominium Plan (Step 3) for Phase II of West Port Village. Johnston recommended final approval of Phase II with the conditions outlined in the staff report. It was noted that the sidewalks from Phase I, where the applicant provided a performance bond, are still not completed. Also, an additional condition was added to require the developer to fix the current walkway in the location shown on the PUD within 60 days. The developer agreed to place crushed concrete in the walkway rather than wood chips and informed the Board that he had no problems with any of the other conditions.

Supervisor Heiny Cogswell called for public comment and shared that she had received 4 emails regarding the development.

Justine Hertzell informed the Board that the walkway is not refreshed each year as stated by the developer. She also shared that property co-owners have been adding mulch to the pathway of their own accord. Finally, Ms. Hertzell shared that the materials she and her husband received prior to purchasing the property indicated more trails than what were included in the site plan that was submitted to the Township.

Gera Schoonbeck informed the Board that the advertising materials from 2005 indicated walking trails, and those were never installed.

Dick Hertzell wanted to clarify that the path through the woods starts at one location and ends at another, and he would like to see the same trail as the marketing materials from 2005.

Motion by Heiny-Cogswell, second by Farmer to accept Westport Village Phase 2 Step 3 with the conditions from the staff report and the additional condition that the previous woodchip pathway be crushed concrete as agreed by the applicant. Motion carried 7-0.

#### **Consideration of Subdivision/Site Condominium Land Division Ordinance – First Reading**

Planning Director Johnston presented the First Reading of the amended Section 290.000: Subdivision, Site Condominium and Land Division Ordinances for consideration. She highlighted items that are not covered by the zoning ordinance. With regard to natural features, two sections developed: a better defined description of natural features and the Natural Features Protection District. The Township employed Western Michigan University to map the natural features in the Township within the Agriculture and Rural Residential Districts to determine where the Natural Features Protection District should apply to properties. This district protects water resources, steep slopes, dense forest, visibility of dense forest or rolling hills, and soils with limitations to septic. Property owners and developers will work with Planning staff (using GIS software) to determine the areas of a property that would require preservation. This section allows for the reduction of reserve areas based on a natural features assessment report from a licensed landscape architect or a professional trained in the field of environmental biology.

Clerk Farmer asked Attorney Porter if the Township should extend the moratorium on this type of development until after the revised ordinance takes place, and Attorney Porter replied that an extension would be appropriate.

Motion by Farmer, second by Ford to accept the Subdivision/Site Condominium Land Division Ordinance for First Reading, and set Second Reading for June 27. Motion carried 7-0.

Motion by Farmer, second by Ford to extend the moratorium on Subdivision/Site Condominium development in the Rural Residential District until after the amended Subdivision/Site Condominium Ordinance becomes effective. Motion carried 7-0.

#### **Consideration of Liquor License for the Drake Road Tap House**

Motion by Ford, second by Hudok to approve the liquor license for the Drake Road Tap House. Roll call. Resolution adopted 7-0.

## **Consideration of IT Equipment and Software**

### **A. Digital Scanners**

Motion by Culp, second by Ford to approve the purchase of digital scanners for \$5,863 and amend the 2017 budget as described in the written request. Motion carried 7-0.

### **B. BS&A HR Software Module**

Motion by Culp, second by Ford to approve purchase of the BS&A HR Software Module in the amount of \$9,820 and amend the budget as described in the written request. Motion carried 7-0.

## **Citizen Comments on Non-Agenda Items**

No public comment.

## **Other Township Business**

Trustee Ford would like the Township to consider paid maternity/paternity leave for Township employees, and would like a report back from the HR committee with a recommendation.

## **Board Member Comments**

Trustee Bushouse noted that MDOT has been replacing sidewalk entrances along West Main, and he wanted to know why since he thought ADA requirements were in place when the entrances were initially installed. Supervisor Heiny-Cogswell said she will inquire with MDOT.

Supervisor Heiny-Cogswell adjourned the regular meeting of the Oshtemo Township Board at approximately 9:40 p.m.

Prepared by: Dusty Farmer  
Township Clerk

Attested by: Libby  
Heiny-Cogswell