

THE CHARTER TOWNSHIP OF OSHTEMO

Township Board Meeting

April 22, 2014

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, Township Engineer Marc Elliott, and 6 interested people.

Kalamazoo County Transportation Authority – Executive Director Sean McBride presented an overview of the consolidation underway of the City of Kalamazoo Metro Transit line haul bus system with Kalamazoo County Connect system to form one county wide transit system. He explained there will be two millages, one for each system, the County Connect service is currently .4 mills county wide and the line haul service is currently .6 mills in the City of Kalamazoo. Under Public Act 196, the new authority would define the line haul service areas by precinct and the both millages applied by precinct; the Township has the option to not include any, some, or all precincts. The Board will be discussing this issue at the May 13th work session.

The public comment session was adjourned at approximately 6:55 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 Dave Bushouse
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Lee Larson

Also present was Township Attorney James Porter, Township Engineer Marc Elliott, and 9 interested people.

CITIZEN COMMENTS

None.

CONSENT AGENDA

- a) April 8th Regular Meeting Minutes
- b) Receipts & Disbursements Report
- c) KATS Study Match
- d) North 3rd Street Property Demolition Bid

Trustee Carr requested items c and d be removed.

KALAMAZOO AREA TRANSPORTATION STUDY (KATS) MATCH

Trustee Carr requested an explanation; Supervisor Heiny-Cogswell advised in order for KATS to receive Federal funds a local match is required; KATS requests participation from the local units to meet the match; the Township match has been calculated at \$2,000, however, the match can be in kind through hours spent by Township officials and staff on transportation projects. She noted the Township has never had to make a monetary contribution but has always been able to meet the match as in kind.

Motion by Culp, second by Farmer to approve the match to KATS. Carried 7-0.

NORTH 3RD STREET PROPERTY DEMOLITION BID

Trustee Carr had a question regarding amending the budget for this item; Supervisor Heiny-Cogswell advised since the property was purchased after the 2014 budget was adopted, a budget amendment is needed. There was also discussion regarding whether the existing well could be retained for possible future use for the property or the adjacent Grange Hall and Fire Station #3; the Township is in discussion with the Kalamazoo County Health Department regarding this issue.

Motion by Everett, second by Larson to accept the bid from Ace Excavation in the amount of \$5,900 plus 10% for contingency and amend the Fire Department budget. Carried 7-0.

PUBLIC HEARING – SOUTH DRAKE ROAD CORRIDOR IMPROVEMENT AUTHORITY (SoDA) DEVELOPMENT AND TAX INCREMENT FINANCING (TIF) PLANS

Attorney Porter advised the SoDA Board had approved the development and TIF plans; if the Township Board approves it, the 60 day opt out period would begin for the other taxing units. Attorney Porter advised there were two areas the SoDA Board modified; consensus was there should be more funding in the maintenance budget for non-motorized facilities and language added to address concerns regarding public safety.

Dr. Curtis Dame, owner of the KL Cat Hospital, 5263 West KL Avenue, commented he was in favor of improving the aesthetics of the area and inquired how this might affect improvements he was planning in new signage. Supervisor Heiny-Cogswell advised there is currently not a plan for KL Avenue, it is on the Kalamazoo County Road Commission plan for improvements in 2017 and the Township would aim to work with them for non-motorized improvements with their project; the Zoning Administrator would work with him regarding his plans for signage to assure it is not in the right of way.

There was also discussion that the term of the plan is 30 years according to State statute and can be renewed, there will be discussion with the County regarding the tax captures for the corridor improvement and the brownfield application that has been approved. It was believed these discussions would take place during the 60 day waiting period.

Julie Rogers, Kalamazoo County Commissioner, commented the Brownfield Authority is very supportive of the SoDA mission and mutual cooperation.

Motion by Farmer, second by Everett to approve the SoDA Development and Tax Increment Financing Plans. Carried 6-1 with Carr voting no.

CONDITIONAL REZONING REQUEST – SECOND READING SECTION 25 – R-3 TO C

A recommendation from the Planning Commission to approve a Conditional Rezoning request at 2854 South 11th Street was before the Board for Second Reading. The property is currently zoned R-3 Residential and the applicant is requesting the parcel be conditionally rezoned to C Local Business to permit a medical office with 13,860 square feet which exceeds the 10,000 allowed under current zoning. The area has been designated in the Master Land Use Plan as transitional, the conditional rezoning would allow the larger square footage but restrict the parcel to other similar uses specifically listed in the proposed ordinance should the project not go forward or if a change in use was requested in the future.

Supervisor Heiny-Cogswell noted a question had been raised at the First Reading on April 8th regarding lot coverage; she advised a response from the Planning Department noted a non-residential use in the R-3 district would be limited to 30% of total building coverage.

The applicant was present and advised they would be willing to add to the list of restrictions for the conditional rezoning that the building would not exceed a maximum of 18,000 square feet.

Motion by Everett, second by Culp adopt the conditional rezoning with the previous conditions described and the addition of the maximum building size will not exceed 18,000 square feet. Carried 7-0.

ZONING ORDINANCE TEXT AMENDMENTS – SECOND READING

A recommendation from the Planning Commission to approve text amendments related to garage sales, portable temporary storage units, parking spaces, and the zoning map was before the Board for Second Reading. The amendments address regularly on-going garage sales, the length of time a portable storage unit can be located on a property, flexibility in parking space size, and using GIS to update the zoning map.

Trustee Carr inquired if large dumpsters or storage trailers would be included in the definition of temporary storage containers. Attorney Porter advised they would not but are addressed in other areas of the Zoning Ordinance and Building Code. Trustee Farmer advised as liaison to the Planning Commission she could forward the concern regarding those items to the Planning Commission.

Motion by Culp, second by Heiny-Cogswell to adopt the text amendments as presented. Carried 7-0.

OTHER BUSINESS

Trustee Carr had questions regarding a memo from Supervisor Heiny-Cogswell updating the South Drake Road Non-Motorized Project.

BOARD MEMBER COMMENTS

Supervisor Heiny-Cogswell noted there had been a question in the news if the Township has a police contract; she advised there is a current contract.

Supervisor Heiny-Cogswell advised the Consumers Sunburst Run will be held on April 26th.

There was no further business and the meeting was adjourned at approximately 8:20 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Township Supervisor