

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
August 27, 2013

The Oshtemo Township Board held a special meeting at the Oshtemo Township Hall. Supervisor Heiny-Cogswell called the meeting to order at 1:00 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 were Township Attorney James Porter, Township Engineer Marc Elliott, Fire Chief Mark Barnes, Planning Director Greg Milliken, and 2 interested people.

The purpose of the meeting was the first budget workshop for the 2014, fund balances and potential capital expenditures for 2014 were reviewed and discussed.

There was no further business and the meeting was adjourned at approximately at 3:00 p.m.

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 1 interested person.

Public Comment – Jacob Holloway expressed concerns regarding the conditions of some properties on Fairgrove Street.

Discussion – Township Office Hours – Supervisor Heiny-Cogswell noted office hours on Friday had been reduced for the summer; there had been few comments and staff thought the new schedule was working well. Consensus was to continue hours at Monday through Thursday 8:00 a.m. to 5:00 p.m. and Friday 8:00 a.m. to 1:00 p.m.

Update – 2013 Planning Consultant Services – Planning Director Milliken advised a goal of the Planning Department for this year was to implement the West Main Street and 9th Street Sub Area plans of the Master Land Use Plan. He noted \$15,000 was budgeted in 2013 for implementation of the West Main Sub Area Plan; a proposal from McKenna Associates will include both sub area plans at a cost of \$13,500 with the project completed in approximately six months. Board discussion included not considering rezoning requests during the implementation of the plans.

Motion by Bushouse, second by Larson to not act on any rezoning requests for properties within the West Main Street and 9th Street Sub Areas for the next six months or until completion of the implementation project. Carried.

Discussion – North Drake Road Improvements – As discussed at the August 13th meeting, design is underway for road improvement projects on North Drake Road from West Main to Ravine Road which offers an opportunity for sidewalks and/or trails to be constructed; discussions have been held with officials from the City of Kalamazoo and the Kalamazoo County Road Commission, who share jurisdiction of Drake Road, Kalamazoo Township and Kingscott Associates, the engineering firm working with the KCRC. This item will be on the regular meeting agenda for action.

The public comment session was adjourned at approximately 6:55 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, Fire Chief Mark Barnes and approximately 50 interested people.

CONSENT AGENDA

Minutes of the August 13th regular meeting.

Receipts & Disbursements Report.

Motion by Larson, second by Farmer to approve the consent agenda. Carried.

CITIZEN COMMENTS

None.

NON-DISCRIMINATION ORDINANCE – SECOND READING

A proposed non-discrimination ordinance was before the Board for Second Reading.

Ken Karakula, Township resident, commented community activities and business are entrusted to the Board, he is troubled he did not know about the proposed ordinance until the day before the last meeting, no facts for need of an ordinance were provided, it is not necessary.

Phil Grabowski, Township resident, since the Federal and State governments do not identify all who need protection, ordinances are necessary, individual faith and beliefs are understandable but discrimination is not.

B. J. Luce, commented he is a pastor, there has to be a standard to decide what is right and wrong, the Board has not given a reason why homosexuality is good for the community, keeps hearing about fairness and welcoming to all, where does it end.

Joan Hawxhurst, 8400 Stadium Drive, commented she is the Director of Career Development at Kalamazoo College, supports the ordinance, sees choices based on value of a community, all people are needed to solve problems.

Elizabeth Candido, 6216 Old Log Trail, commented she is a pastor, we don't need warring theologies in the civic arena, consider what kind of world are we called to live in, loving and kind; we should stand proudly behind the ordinance.

J. T. Richardson, 7121 Baton Rouge, commented he works for a global corporation that encourages diversity and inclusion, Oshtemo is fairly diverse but is it inclusive, solutions are more sustainable with the input of all, he supports the ordinance.

Keith Bearup, Township resident, thanked the Board for addressing the issue, he has attended many Board meetings and appreciates the openness and opportunity for all to provide input, this issue has been discussed at several previous meetings, he moved here from a community without protections, chose Oshtemo for beautiful setting, the Kalamazoo Promise; the heart of the ordinance addresses tolerance and sends a message of what the community stands for.

Dan Morris, commented he applied for a job and was told he was not suitable, he can pass a background check; Quaker Friends support equality.

Trustee Bushouse commented his position has not changed, he questions if the Township has legal right to enact the ordinance, has not heard of any complaints, he would suggest the matter be tabled for six months.

Trustee Carr commented we should not be discriminating, but welcoming to all, feels this has divided the community; we should stay with the original resolution and leave it up to the State and Federal governments, an ordinance puts the Township in a tough position.

Trustee Farmer commented she is confident there is overwhelming support, it is right to move forward, making a better place for all.

Trustee Larson commented he supports the ordinance; it is an important component of the community.

Supervisor Heiny-Cogswell commented she supports the ordinance on the basis of the protection it affords, should it become problematic, it can be reconsidered.

Motion by Larson, second by Farmer to adopt the non-discrimination ordinance. Carried with Bushouse voting no.

OTHER BUSINESS **NORTH DRAKE ROAD NON-MOTORIZED FACILITIES**

As discussed at both the August 13th meeting and the earlier public comment session, design is underway for road improvement projects on North Drake Road from West Main to Ravine Road. This offers an opportunity for sidewalks and/or trails construction, coinciding with the Township non-motorized master plan. To that end, much discussion and coordination is occurring with officials and staff from the City of Kalamazoo and the Kalamazoo County Road Commission who share jurisdiction of Drake Road, Kalamazoo Township, and Kingscott Associates, engineering firm working with the KCRC and both townships. Supervisor Heiny-Cogswell advised the most recent non-motorized facilities proposed on the west/Oshtemo side include a 5 foot sidewalk from West Main to H Avenue and a 10 foot trail from H Avenue to the Kalamazoo River Valley Trail. On the east/Kalamazoo City & Kalamazoo Township side, the City will install a 5 foot sidewalk from West Main to Grand Prairie, and Kalamazoo Township will install a 5 foot sidewalk from Grand Prairie to Squires Road. She advised significant funding would be sought competitively from KATS for local MDOT Transportation Alternatives Program (TAP) dollars applied for by the KCRC on behalf of the Township; she and staff will continue to work with officials on additional funding sources.

Supervisor Heiny-Cogswell reviewed three recommendations 1) to expend from the General Fund Operations Capital Outlay and amend the budget to fund the construction for a total Township expense of \$192,382. She noted sources of funding are \$60,000 from METRO dollars, \$65,000 from 2013 budgeted sidewalk capital, with the balance from reserves. The Board previously authorized the Supervisor to enter into a three way agreement with the KCRC and Kalamazoo Township to apply for TAP funding. 2) Refer consideration of establishing a special assessment district (SAD) to the Capital Improvement Committee for review and recommendation to the Board in November. Also discussed was the funding for the west/Oshtemo sidewalk from West Main to Grand Prairie. Supervisor Heiny-Cogswell noted the Board approved the expenditure of funds at the August 13th meeting to work with Kingscott Associates to design the sidewalk, that work is progressing. She also discussed with the Board potential funding alternatives for this portion, and asked the Board 3) to authorize the Supervisor to apply for funding through any additional opportunities that become available.

Motion by Farmer, second by Larson to approve the recommendation for funding as presented by the Supervisor and refer consideration of a SAD to the Capital Improvement Committee. Carried.

Motion by Farmer, second by Larson to work to seek sources of funding, including with the City of Kalamazoo. Carried with Carr voting no.

STADIUM DRIVE/US 131 IMPROVEMENTS

Supervisor Heiny-Cogswell presented a proposal from MDOT regarding the 2014 Stadium Drive/US 131 improvements; an opportunity to have stamped, colored concrete in the traffic islands rather than the usual standard gray. She advised the cost to the Township would be \$8,159.55.

Board discussion included funds could be better spent elsewhere, i.e., sidewalks, the area is a gateway to the Township, the cost is reasonable comparing the Township cost to what MDOT is investing in the total project.

Motion by Bushouse, second by Larson to approve the proposal with funding from the General Fund reserves. Carried with Everett voting no.

BOARD MEMBER COMMENTS

Supervisor Heiny-Cogswell advised plans for Flesher Field Phase I have been approved by the MNRTF.

She also advised there will be two additional budget workshops, September 10th 5:00 p.m. to 7:00 p.m. and either September 17th or 19th from 3:00 p.m. to 5:00 p.m.

There was no further business and the meeting was adjourned at approximately at 8:35 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: LIBBY HEINY-COSGWELL
Supervisor