

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
September 9, 2014

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 Dave Bushouse
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Lee Larson

Also present were Township Attorney James Porter, Township Engineer Marc Elliott, Assessor Cathy Harrell, Planning Director Greg Milliken, and 7 interested people.

Budget Workshop #2 – Discussion included accomplishments, goals and visions for the Assessing, Planning, Legal, and Public Works Departments.

The Board work session adjourned at approximately 6:50 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 were Township Attorney James Porter, Township Engineer Marc Elliott, Planning Director Greg Milliken, and 16 interested people.

CITIZEN COMMENTS

Namita Sharma introduced herself as a candidate or Probate Judge.

CONSENT AGENDA

Items on the consent agenda were:

- a) Minutes of the August 26th regular meeting.
- b) Receipts & Disbursements Report.

Motion by Larson, second by Culp to approve the consent agenda. Carried 7-0.

**PUBLIC HEARING – NORTH DRAKE ROAD SIDEWALK
SPECIAL ASSESSMENT DISTRICT 2014-1**

A public hearing was held on the North Drake Road Sidewalk Special Assessment District 2014-1 to install sidewalk from West Main to approximately 430 feet north of Beech Street.

There was no public comment.

Motion by Everett, second by Farmer to adopt a resolution setting the special assessment roll as noticed. Roll call showed Carr-yes, Culp-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes.

PRESENTATION – KALAMAZOO COUNTY BROWNFIELD AUTHORITY

Lotta Jarnfelt and Lee Adams from the Kalamazoo County Department of Planning & Community Development provided information on the Brownfield application from AVB Builders for the currently developing Costco site. Joe Gesmundo, of AVB advised the homes removed met the functionally obsolete criteria as well as having contained asbestos. In response to Board member questions, it was noted the plan functions like a Tax Increment Financing (TIF) plan by capturing taxes on increases in

value much like a Downtown Development Authority (DDA) or Corridor Improvement Authority (CIA), however, other taxing entities do not have the ability to “opt out” as they can from a DDA or CIA. It was further noted the Township must approve the plan, and can amend the plan. The proposed plan will come back to the Board for consideration at a later date.

LOT SPLIT - TUSCANY PLAT

A request was before the Board for approval to divide the current 5 acre Lot 12 in the Tuscany Plat into two equal 2.5 acre lots. Planning Director Milliken advised both proposed lots would continue to satisfy all ordinance requirements.

Motion by Heiny-Cogswell, second by Everett to approve the lot split as described with applicable legal documents subject to Township Attorney review. Carried.

PUBLIC HEARING – LIQUOR LICENSE APPLICATIONS FEED THE WORLD CAFÉ & KZOO GAMES, LLC

Attorney Porter advised two applications had been received for the remaining liquor license available to be granted by the Board, one from Kazoo Games who was before the Board previously on August 12th and Feed the World Café, a new applicant.

Laura Keeler, representing Kzoo Games, to open a pool hall in the current Birches facility on South 9th Street, advised they are requesting the license be granted for one year during which time they will pursue a license now available through the State’s new program that provides licenses for a \$20,000 fee to entities located in a Downtown Development Authority. She further advised without the liquor license they would have to open in an alternate location. She also advised they would be willing to reduce the time frame to six months.

Debra Mixis and Lori Shugars, representing Feed the World Café, to be located in Village Place on Stadium Drive, advised the restaurant is partnering with Loaves and Fishes, Ministry with Community and Food Bank of South Central Michigan to fund a meal for each meal sold; they feel a liquor license to offer beer and wine is crucial to their success. Ms. Mixis noted while they had applied based on the ordinance requirements, since they are also located in the DDA, they would also be amenable to a limited time frame on holding the liquor license to pursue one through the State and returning the license if the business fails.

There was lengthy Board discussion, with favorable comments that both proposals bring benefits to the overall community and the applicants’ willingness to negotiate makes the decision difficult.

Motion by Bushouse, second by Larson to table the matter to the September 23rd meeting and establish a committee of board members and Attorney Porter to draft an initial contract outlining the details as discussed so all understand the matter fully. Motion failed 3-4 with Bushouse, Everett, and Larson voting yes, and Carr, Culp, Farmer, and Heiny-Cogswell voting no.

Motion by Farmer, second by Heiny-Cogswell to grant the license to Kazoo Games for six months at which time the license will be returned to the Township. Motion failed 2-5 with Farmer and Heiny-Cogswell voting yes and Bushouse, Carr, Culp, Everett, and Larson voting no.

Motion by Everett, second by Larson to grant the license to Feed the World Café to be returned to the Township in one year or if the business fails. Carried 7-0.

RESOLUTION – REQUEST TO MICHIGAN TOWNSHIPS ASSOCIATION TRANSPORTATION ALTERNATIVES ACCESS TO GRANT FUNDING

Supervisor Heiny-Cogswell presented a resolution to request the Michigan Townships Association add to their 2015 Legislative platform support for Townships to directly apply for and receive Federal funds, such as the Transportation Alternatives Program, without the application process and funds passing through a local road agency. She noted this would aid townships with accomplishing complete streets and non-motorized plans.

Motion by Farmer, second by Larson to adopt the resolution. Roll call showed Culp-yes, Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Carr-yes.

EMPLOYEE HANDBOOK ADMENDMENTS

A recommendation from the Human Resources Committee to amend Section 2.8 regarding required physical examinations and Appendix I clarifying employee benefits was presented.

Motion by Heiny-Cogswell, second by Culp to adopt a resolution amending the Employee Handbook as recommended. Roll call showed Everett-yes, Farmer-yes, Heiny-Cogswell-yes, Larson-yes, Bushouse-yes, Carr-yes, Culp-yes.

OTHER BUSINESS

NOVEMBER 11TH BOARD MEEETING – DATE CHANGE

Supervisor Heiny-Cogswell advised the scheduled Board meeting in November falls on Veterans Day which is a Township holiday.

Motion by Heiny-Cogswell, second by Everett to change the November regular Board meeting date to November 18th. Carried 7-0.

BOARD MEMBER COMMENTS

Supervisor Heiny-Cogswell advised due to the recent storm causing many trees and brush to fall, residents should be aware of the Kalamazoo County Road Commission's policy on removal; if a tree or brush is removed from the travel portion of the road by KCRC or emergency responders, property owners must notify KCRC within 15 days if they want the trees and brush removed. Information is available on the KCRC web site.

She also advised the Court of Appeals hearing on the power line matter has been scheduled for October 15th in Lansing.

There was no further business and the meeting was adjourned at approximately 9:20 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Supervisor