

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
December 10, 2013

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, Planning Director Greg Milliken, and 4 interested people.

KCSD Activity Report – Sgt. Todd Meyers was present and provided information on recent KCSD activity in the Township.

Update – KL Landfill – Supervisor Heiny-Cogswell and Attorney Porter advised there has been discussion with MDEQ regarding permitting properties located in the Groundwater Restricted Use Zone (GRUZ) to keep wells for irrigation after connecting to municipal water, low levels of 1,4 Diethylene Dioxide have been found on the west side of Van Kal Street and in 2014 the State will be reviewing acceptable levels of the chemical.

Update – Non-Motorized Facilities – Supervisor Heiny-Cogswell advised work continues on the proposed non-motorized facilities on Drake Road, KATS staff will make application on behalf of the Township to the State for funding and another meeting will be held in early 2014 with residents of North Drake Road.

Discussion – 2013 Community Survey Results – Julie Pioch, Public Policy Educator for MSU Extension, reviewed the results of the recent community survey.

The Board work session adjourned at approximately 6:40 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at approximately 7:00 p.m.

PRESENT:
Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Trustee Dave Bushouse
Treasurer Nancy Culp
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 4 interested people.

Trustee Carr commented she felt the November 12th minutes were not clear that the increase for the Police Protection Special Assessment would be billed on the 2013 winter taxes. Motion by Larson, second by Carr to approve the November 12th minutes with the clarification. Carried.

Trustee Carr inquired what grave openings and grave sales on the Receipts & Disbursements Report were and how many occur each year. Clerk Everett advised graves are sold and when a burial is needed, there is an opening/closing charge; approximately 25 per year. Motion by Larson, second by Culp to approve the Receipts & Disbursements Report. Carried.

2014 PROPERTY & LIABILITY POLICY

Trustee Carr inquired what the term Inland Marine means in the proposed Property & Liability Policy. Jon Koets from the Ted Hartleb Agency advised it refers to items the Township owns that are used away from Township property, i.e., equipment on fire vehicles. Motion by Everett, second by Larson to approve the 2014 policy in the amount of \$62,266. Carried.

2013 BUDGET ADJUSTMENTS

Trustee Carr inquired regarding the budget adjustment for Trustees salaries. Clerk Everett advised it was due to the budgeted amount being more than actual expenditures with the excess being used to balance the line item for payroll taxes where actual expense is more than was budgeted. Motion by Culp, second by Farmer to approve the 2013 budget adjustments.

BOARD/COMMITTEE APPOINTMENTS

Supervisor Heiny-Cogswell provided recommendations for Board/Committee appointments and advised there will be additional recommendations in January.

Board of Review – appoint Kim Bourner as Alternate to fill the term expiring 12/31/2014.

DDA – reappoint Jack Siegel to a 4 year term ending 12/31/2017.
reappoint Bruce Betzler to a 4 year term ending 12/31/2017.
appoint Grant Taylor to a 4 year term ending 12/31/2017.

Friends of the Parks – appoint Robb Smalldon to a 2 year term ending 12/31/2015.

Planning Commission – reappoint Millard Loy to a 3 year term ending 12/31/2016.

Public Media Network Representative – appoint Trustee Bushouse as primary and Trustee Carr as alternate.

ZBA - reappoint Cheri Bell to a 3 year term ending 12/31/2016.
appoint Jim Sterenberg to a 3 year term ending 12/31/2016.
appoint Bob Anderson as Alternate to a 3 year term ending 12/31/2016.

Motion by Bushouse, second by Farmer to approve the Board and Committee Appointments. Carried.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Paul Ecklund, representing the Kalamazoo County Transportation Authority advised he will be attending Township Board meetings periodically to keep the Board apprised of their activities, the system is on goal to reach three million bus route rides and 100,000 county connect rides this year. He also advised there is now an app available for tracking when the next bus will arrive at a particular stop.

OSHTEMO ROTARY PLEDGE OF SUPPORT FOR FLESHER FIELD UPDATE ON FLESHER FIELD PHASE II GRANT APPLICATION

Steve Kinney, representing the Oshtemo Rotary Club presented a pledge of \$20,000 to be paid over a five year period to replace the roof on the Rotary Pavilion at Flesher Field. Supervisor Heiny-Cogswell thanked the Rotary Club for this current and their past contributions to the parks.

Motion by Heiny-Cogswell, second by Larson to accept the pledge from the Oshtemo Rotary Club. Carried.

Supervisor Heiny-Cogswell announced the Township has been awarded a second \$300,000 grant from the Michigan Department of Natural Resources Trust Fund (MNRTF) for Phase II improvements at Flesher Field. She noted this is the third MNRTF grant the Township has received in four years.

UPDATE – 2013 COMMUNITY SURVEY RESULTS

Planning Director Milliken reviewed the results of the recent community survey; they will be available on the Township web page.

PUBLIC HEARING – 5 YEAR PARKS & RECREATION PLAN

Parks Administrator Karen High advised staff had worked with the Parks Committee, held public hearings and a public comment review period as required to update the Five Year Master Park Plan and presented a resolution from the Parks Committee to adopt the plan.

In response to questions from Trustee Carr, Ms. High advised while advertising was done for the public input sessions the turnout was disappointing, the \$300,000 grant just awarded is for Phase II at Flesher Field, and the Township must have a Five Year Master Park Plan to be eligible to apply for the MNRTF grants.

There was no public comment.

Supervisor Heiny-Cogswell commented she would recommend a change to the Administrative Structure chart to remove policy as a function of the Parks Sub-Committee.

Motion by Everett, second by Larson to adopt the 2014 – 2018 Five Year Park Plan with the change requested by Ms. Heiny-Cogswell. Roll call showed Bushouse-yes, Carr-no, Culp-yes, Everett-yes, Larson-yes, Farmer-yes, Heiny-Cogswell-yes.

RESOLUTION OF INTENT TO ESTABLISH CORRIDOR IMPROVEMENT AUTHORITY (CIA)

As discussed at the October 22nd meeting, Attorney Porter presented a resolution of intent to establish a Corridor Improvement Authority (CIA) through Public Act 280 of 2005. Discussion included clarifying the purpose of implementation is to assist communities with funding infrastructure improvements in commercial corridors, similar to the Downtown Development Authority (DDA) by capturing tax revenue on increases in taxable value; it was noted property assessments would not be affected by being included in the Authority boundaries, thus it does not involve a tax increase to the property owner above what would normally occur, while there is a Corridor Improvement Authority Board, the Township Board would approve proposed plans or any change in the boundaries. The proposed corridor would include properties abutting the west side of Drake Road within 500 feet and properties abutting the north and south sides within 500 feet of KL Avenue between Drake Road and South 11th Street. There was comment that perhaps it should be extended to Parkview Avenue.

Grant Taylor, 2928 Sunset Road, inquired who would develop a plan and oversee the projects and could the Authority purchase property; Attorney Porter advised projects would require approval of the Township Board, and the Authority can purchase property.

Motion by Larson, second by Culp to adopt the resolution of intent to establish a Corridor Improvement Authority and set the Public Hearing for January 14th. Roll call showed Farmer-yes, Larson-yes, Everett-yes, Culp-yes, Carr-no, Bushouse-yes, Heiny-Cogswell-yes.

2014 POLICE PROTECTION AGREEMENT

Supervisor Heiny-Cogswell presented a proposed 2014 Police Protection agreement with Kalamazoo County noting it contains the same language as in recent years. She advised a list of requested contract items were submitted to the Sheriff's Office in early October with the understanding some or all could not be accomplished at the start of 2014 but requested to have all in any amended contract negotiated in 2014. She further noted the Police Committee and Board have identified objectives for any increased contract to provide increased performance and measureable outcomes and contract negotiations will move forward with these in mind; a renegotiated contract will likely come back to the Board in 2014.

Motion by Bushouse, second by Farmer to approve the 2014 Police Protection agreement. Carried.

KELLISON WOODS PHASE II STREET SPECIAL ASSESSMENT DISTRICT

A petition from residents of Kellison Woods Phase II to contract with the Kalamazoo County Road Commission for the top coat of asphalt on a currently unfinished private road was before the Board. Attorney Porter noted current property owners unknowingly purchased unbuildable lots as the unfinished roads are in violation of the Site Condominium Act. He further noted a property owner has placed the necessary funds in escrow to pay for the project, the Township is assisting by setting up the special assessment district to contract with KCRC to include it in their bidding process and work plan.

Motion by Bushouse, second by Larson to adopt a resolution accepting the plans and cost estimates for the Kellison Woods Phase II road project special assessment district and set a public hearing for January 14th. Roll call showed Everett-yes, Larson-yes, Farmer-yes, Culp-yes, Carr-yes, Bushouse-yes, Heiny-Cogswell-yes.

UPDATES

2014 PROJECTED YEAR END FUND BALANCES/LAWFUL TOWNSHIP EXPENDITURES

Supervisor Heiny-Cogswell provided information regarding year end fund balances noting comments made at the November 12th meeting. Information regarding lawful expenditures the Township may make was also provided.

FLEXIBLE BENEFIT PLAN (FSA) AMENDMENT

A resolution to amend the Flexible Spending Account Benefit Plan (FSA) was before the Board. It was noted change in Federal law now allows employees to carryover up to \$500 in their FSA account. It was also noted these are not Township funds, rather, deductions authorized by employees.

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

218 AGREEMENT AMENDMENT

A resolution to amend the Township's 218 agreement was before the Board. Attorney Porter advised the original agreement established in 1959 excluded part time employees from Social Security tax provided they were in a qualified retirement plan. He noted the agreement needs to be amended to designate that "paid on call" firefighters are the employees now covered by the agreement.

Motion by Heiny-Cogswell, second by Culp to adopt the resolution to amend the Township's 218 agreement to designate excluded employees as "paid on call" firefighters. Roll call showed Heiny-Cogswell-yes, Bushouse-yes, Carr-yes, Culp-yes, Everett-yes, Larson-yes, Farmer-yes.

BOARD MEMBER COMMENTS

Trustee Farmer commented the Lighthouse Community Church on South 11th Street will be presenting a live nativity program on December 13th, 14th, and 15th.

There was no further business and the meeting was adjourned at approximately 9:30 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: ELIZABETH HEINY-COGSWELL
Supervisor