

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
October 9, 2012

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 Grace Borgfjord
Trustee Dave Bushouse
Trustee Scott Ernstes
Trustee Lee Larson

Also present were Township Attorney James Porter, Planning Director Greg Milliken and 3 interested people.

ATLANTIC AVENUE PROPERTY – FUTURE USE

Planning Director Milliken reviewed discussion held at the August 14th Board work session regarding options for the former AT&T right of way, now owned by the Township, on Atlantic Avenue east of 9th Street noting the Board had granted a temporary construction easement for the Oshtemo Veterinary Clinic and had indicated it was comfortable with selling to adjacent property owners conditioned upon retaining an easement for future pedestrian uses. Mr. Milliken advised he and Attorney Porter had drafted policy language for the Board's review.

There was lengthy discussion regarding placement of future access points, service drives and pedestrian paths. Attorney Porter will prepare a second draft for Board review.

In reference to the previous discussion regarding the need to survey properties on 9th Street south of Stadium Drive to confirm property lines that have been in question, Mr. Milliken advised he had been in contact with former Township Engineer Marc Elliott who had advised he did not believe the issues extended that far east and were fairly confined to the 9th Street corridor.

Dr. Delman Heckaman, of the Oshtemo Veterinary Hospital was present seeking approval for extension of the temporary easement he had been granted.

Motion by Heiny-Cogswell, second by Borgfjord to extend the approval of the temporary easement for the Oshtemo Veterinary Hospital. Carried.

DISCUSSION – 2013 BUDGET

The Board continued discussion and review of the 2013 budget; specifically parks, fire department and police protection.

The Board work session adjourned at approximately 6:55 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at approximately 7:05 p.m.

PRESENT:
Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Grace Borgfjord
Trustee Dave Bushouse
Trustee Scott Ernstes
Trustee Lee Larson

Also present were Township Attorney James Porter, Planning Director Greg Milliken, and 6 interested people.

Motion by Borgfjord, second by Culp to approve the September 11th regular, September 18th joint meeting and September 25th special meeting minutes. Carried.

Income to the General, Building, Fire, and Sewer & Water Funds of \$32,633.87 and disbursements of \$380,031.76 were reported. Motion by Borgfjord, second by Larson to accept the receipts and disbursements report. Carried.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Fire Chief Barnes reminded the public that this is Fire Prevention Week.

RECOGNITION – DAN VISSER

Township resident Dan Visser was recognized and thanked for his service as citizen representative on the Capital Improvements Committee.

ISO EVALUATION

Fire Chief Barnes reviewed the results of the Insurance Services Office (ISO) evaluation earlier this year advising the rating for areas without fire hydrants has improved from Class 9 to Class 8B and while the areas with fire hydrants remains a Class 4, the score within the Class improved by 30%.

ADDENDUM TO INTERLOCAL STATE CONSTRUCTION CODE AGREEMENT TO ESTABLISH THE KALAMAZOO AREA BUILDING AUTHORITY (KABA)

Attorney Porter advised that Cooper Township is interested in joining as a member of KABA, therefore the original Interlocal Agreement must be amended and will establish that surplus funds at year end will be distributed back to the founding members, Oshtemo, Comstock, and Kalamazoo Townships proportionally as they contributed.

Motion by Heiny-Cogswell, second by Ernstes to amend the agreement. Carried.

LANDSCAPING ORDINANCE AMENDMENTS – FIRST READING

Planning Director Milliken presented a recommendation from the Planning Commission to amend the Zoning Ordinances related to landscaping and land clearing, requiring in subdivisions and site condominiums trees be planted along internal streets and greenspace and landscaping be provided on external roadways to provide screening for rear yards, that some of the plantings be native to lower Michigan, incentive for preserving trees and native vegetation, a clear cutting permit would be required for one or more acres of land with the exceptions of residential parcels of two acres or less, developments required to go through the site plan review process, and clearing for roads, drives, and utility easements, and would require erosion and sediment controls and a 20 foot buffer of undisturbed vegetation along roadways and property lines.

Mr. Milliken commented Zoning Administrator Karen High had conducted a great deal of the research on these items.

Motion by Borgfjord, second by Everett to accept the text amendments for First Reading and set Second Reading for October 23rd. Carried.

ORDINANCE AMENDMENTS – RETIREE HEALTH & TRUSTEE BENEFITS

Ordinance amendments to remove trustees as eligible for the Township Defined Contribution Pension Plan, Deferred Compensation Plan, Health Insurance Plan including Long Term Care, Life Insurance Plan, Dental Plan, and changing the Retiree Health Plan to a Defined Contribution Plan were before the Board for Second Reading.

Motion by Everett, second by Larson to adopt the amendments. Carried.

EMPLOYEE HANDBOOK AMENDMENTS

A recommendation from the Human Resources Committee to amend the Employee Handbook was before the Board for consideration to include changes to Appendix G adding the Ordinance Enforcement Officer to the list of employees required to carry a cell phone and removing the Building Official/Inspector as they now would be employed by KABA, Appendix I defining the Deferred Compensation Plan, Defined Contribution 401K Plan, and the MERS Health Care Savings Plan.

Motion by Heiny-Cogswell, second by Larson to amend the Employee Handbook as presented. Roll call showed Ernstes-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, Larson-yes, Heiny-Cogswell-yes.

MERS HEALTH SAVINGS PROGRAM AGREEMENT

Supervisor Heiny-Cogswell advised the Board had voted to change the retiree health benefit to a defined contribution plan and presented a resolution to move the MERS Retiree Medical Trust Fund into the MERS Health Savings Plan and to amend the budget to establish the defined contribution plan structure, with proportional benefit to employees based on their individual years of past Township employment since the retiree health benefit was established.

Motion by Larson, second by Borgfjord to adopt the resolution authorizing the Supervisor to sign the agreement establishing the MERS Health Savings Plan and amend the budget to transfer the retiree trust fund to the health savings plan as described. Roll call showed Larson-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, Ernstes-yes, Heiny-Cogswell-yes.

JOB DESCRIPTIONS/BUDGET AMENDMENTS

Supervisor Heiny-Cogswell advised the Board had discussed and based on projected savings, service accuracy, continuity and focus in task responsibility, had consensus to add three job descriptions, Parks Administrator, Municipal Engineer, and GIS Specialist, with the intention to fill them with part time employees, in combination of current and new employees. She advised the Human Resources Committee had reviewed the draft job descriptions; she further noted the 2012 budget would need to be amended for the engineer position - \$6,000 and the GIS position - \$3,000. She noted the Board had discussion consensus to include these positions in the 2013 budget.

Motion by Culp, second by Borgfjord to approve the positions and budget amendments for Parks Administrator and GIS Specialist. Carried with Bushouse voting *no*.

Motion by Larson, second by Borgfjord to approve the position and budget amendment for Municipal Engineer. Carried with Culp voting *no*.

INDIANA MICHIGAN POWER FRANCHISE AGREEMENT – FIRST READING

A request from Indiana Michigan Power to renew a franchise agreement, first issued in 1982 was before the Board for consideration. Attorney Porter commented that he had advised the applicant of the recent changes to the Township's utility ordinance.

Motion by Heiny-Cogswell, second by Larson to accept the ordinance to renew the franchise agreement for First Reading and set Second Reading for October 23rd. Carried.

MTT TAX SETTLEMENT

Attorney Porter recommended the Board approve a settlement reached with Meijer regarding their tax appeal.

Motion by Heiny-Cogswell, second by Ernstes to approve the tax settlement as presented by the Attorney. Carried.

RESOLUTIONS OF SUPPORT CHARITABLE GAMING LICENSE

Requests from Kzoo Leaders and the Reindeer Awareness Program, Inc. for resolutions of support for charitable gaming licenses were before the Board for consideration. Clerk Everett advised charitable organizations who wish to hold charitable gaming fund raisers must acquire a resolution of support from the jurisdiction they are headquartered, even if the event is held elsewhere.

Motion by Borgfjord, second by Heiny-Cogswell to adopt a resolution of support for Kzoo Leaders request for a charitable gaming license. Roll call showed Ernstes-yes, Borgfjord-yes, Culp-yes, Everett-yes, Bushouse-yes, Larson-yes, Heiny-Cogswell-yes.

Motion by Everett, second by Larson, to adopt a resolution of support for the Reindeer Awareness Program, Inc. request for a charitable gaming license. Roll call showed Larson-yes, Bushouse-yes, Everett-yes, Culp-yes, Borgfjord-yes, Ernstes-yes, Heiny-Cogswell-yes.

OTHER BUSINESS
TARGETED POLICE PATROLS

Supervisor Heiny-Cogswell presented a request to amend the 2012 police budget with an increase of \$4,000 to cover targeted police patrols, noting they had been effective.

Motion by Borgfjord, second by Heiny-Cogswell to approve the additional funds for the targeted patrols. Carried.

BOARD MEMBER COMMENTS

Supervisor Heiny-Cogswell advised the Park Committee has been working on a plan for a small playground at the Grange Hall, to be funded by donations received specifically for the project. Bids are due October 22nd.

There was no further business and the meeting was adjourned at approximately 8:05 p.m.

DEBORAH L. EVERETT
Township Clerk

Attested: LIBBY HEINY-COGSWELL
Supervisor