

THE CHARTER TOWNSHIP OF OSHTEMO
Township Board Meeting
March 15, 2016

The Oshtemo Township Board work 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 Nancy Carr
Trustee Dusty Farmer
Trustee Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Public Works Director Marc Elliott, Fire Chief Mark Barnes, KCSO Lt. Troy Faulk, and 1 interested person.

Kalamazoo County Sheriff's Department Update – Lt. Troy Faulk reported on recent activity in the Township.

Discussion – IT Committee Formation – Supervisor Heiny-Cogswell reviewed a recommendation from the Human Resources Committee to form an IT Committee to explore means to improve internal efficiencies and communication with the public; the committee would consist of Township Board members, the Township's IT consultant, staff, and citizens at large. She advised a citizen at large has been interviewed and requested the item be removed from the consent agenda to include the citizen at large position as filled.

Discussion – Funding Long Term Maintenance & Capital Road Needs – Discussion was held on the current road policy and possible funding mechanisms to address the local roadway maintenance and reconstruction needs that RCKC staff helped quantify in current dollars. Current Township policy is to use general township funds and Road Commission participation funds, plus neighborhood special assessments for major repairs; staff was requested to return for Board consideration alternative funding strategies that could be used to mitigate homeowner dollar-shock of a neighborhood special assessment.

The Board work session adjourned at approximately 7:00 p.m.

Supervisor Heiny-Cogswell called the regular meeting to order at approximately 7:10 p.m.

PRESENT:

Supervisor Libby Heiny-Cogswell
Clerk Deb Everett
Treasurer Nancy Culp
Trustee Nancy Carr
Trustee Dusty Farmer
Trustee Zak Ford
Trustee Grant Taylor

Also present were Township Attorney James Porter, Public Works Director Marc Elliott, Fire Chief Mark Barnes, and approximately 23 interested people.

CITIZEN COMMENTS

None.

CONSENT AGENDA

Items on the consent agenda were:

- a) Minutes of February 16th joint and February 23rd regular meetings
- b) Receipts & Disbursements Report
- c) IT Committee Formation

As discussed in the work session, Item C was removed from the consent agenda.

Motion by Taylor, second by Farmer to approve the consent agenda with Item C removed. Carried 7-0.

IT COMMITTEE

As discussed in the work session, the Human Resources Committee has recommended an IT Committee be formed to explore means to improve internal efficiencies and communication with the public; the committee would consist of Township Board members, the Township's IT consultant, staff, and citizens at large. Supervisor Heiny-Cogswell advised Richard Burton has been interviewed for a citizen at large position and recommended approval.

Motion by Taylor, second by Farmer to form the IT Committee as recommended. Carried 7-0.

FIREFIGHTER AWARDS

Fire Chief Barnes introduced Kalamazoo Township Fire Chief David Obereiter to present Citations for Bravery to Oshtemo Firefighters Nathan Carley, Michael Parker, and Brian Toepper for their assistance at an apartment fire on June 1, 2015.

2016 CONSTRUCTION CONTRACTS

North 10th Street Sanitary Sewer

Public Works Director Elliott advised bids were received for construction of sanitary sewer along North 10th Street from just north of Rudgate Drive to H Avenue, completing sewer from West Main to H Avenue, noting the project was included in the 2016 budget. He advised the low bid from Balkema Excavating of \$1,335,723 was \$86,000 over the budgeted amount of \$1,250,000, therefore a budget amendment would be needed for \$86,000 plus \$54,000 contingency per adopted Township Purchasing Policy with the funding source being general fund non-motorized South Drake Road Phase II, which is now planned for 2017.

He also presented Alternate #1 which provides for pavement widening and resurfacing for improved safety over the remaining road to W. Main St. The additional road work would allow striping of a uniform center turn lane and provide a uniform paved shoulder for the entire segment from H Avenue to West Main; the cost for Alternate #1 is \$217,676 with the funding source being general fund non-motorized South Drake Road Phase II rescheduled for 2017.

In response to board members question, Public Works Director Elliott and engineering consultant Tom Wheat advised the alternate of a fixed price bid was not considered as it would likely be more costly; the unit cost based bid is more flexible and results in paying for actual quantities used; the contingency amount (per Purchasing Policy) may or may not be spent; the bid is higher than amount budgeted due to the project was designed last year, city standards for pump stations have been redefined, estimates are based on historical costs, and due to the Great Recession, prices have been hard to predict; contractors are busier now, sewer pipes are plastic and have a long life span, pump station piping is ductile iron or stainless steel. Mr. Wheat advised he feels the bids were competitive and reasonable.

Trustee Carr commented she would prefer any cost over the bid price be brought back to the board; she objects to the \$54,000 contingency.

Motion by Farmer, second by Ford to approve the North 10th Street sewer project and Alternate #1 and amend the budget to include \$86,000 plus \$54,000 for the sewer project and \$164,000 for additional road work plus \$54,000 for work in the southern section. Carried 6-1 with Carr voting no.

Atlantic Avenue Water & Sanitary Sewer

Public Works Director Elliott advised bids were received for construction of sanitary sewer and water in Atlantic Avenue along with roadway improvements, noting this project was identified in the 2016 budget to coordinate with the Road Commission's 9th Street repaving project. He advised the low bid from Balkema Excavating is \$337,750. Alternate #1, an additional amount of \$67,079 is to extend roadway improvements to Parkview Avenue to provide an additional 3 feet in width. His recommendation is to accept the bid and Alternate #1 plus a \$20,000 contingency per adopted Township Purchasing Policy; the total project cost, including Alternate #1 is \$424,829 and falls within the 2016 budget for the project, therefore, no budget amendment is necessary.

Trustee Carr inquired if the contractors know there is a contingency and do they include room for error in their bid; it is easier for them to ask for more if they know money is set aside.

Public Works Director Elliott and engineering consultant Tom Wheat advised the unit cost contract is a recognized standard bid process, the contingency allows for small changes for unknowns that may occur, a major change in the scope of the project would have to be brought back to the Board; even if the contractors know of the Township's purchasing policy, they are bidding against each.

Supervisor Heiny-Cogswell commented there is a filter process before any additional money is awarded; if they run into something in field it goes to the engineer and Public Works Director for review and discussion. In response to Trustee Farmer's question inquiring if a contingency is typical, she commented it is; if the project has no flexibility, and any change had to wait for board approval, it could result in more cost.

Motion by Everett, second by Culp to accept the bid from Balkema Excavating in the amount of \$424,829 as described in the bid documents. Carried 7-0.

Downtown Development Authority Access Drive

Public Works Director Elliott advised bids were received for construction of the DDA area commercial access drive. He advised two property owners have signed agreements with the Township which provide their access to the commercial drive; in turn, they agree to provide cross access to their drives for neighboring properties and share maintenance cost with the Township and DDA. He commented this will provide access to commercial properties on South 9th Street, improve safety and promote economic development. He advised the project was bid with the Atlantic Avenue sewer/water project as Alternate #2 for efficiencies and overall low bidder is Balkema Excavating at \$205,924.93; adding \$9,000 for contingency issues, the total project is \$215,000.

In response to Trustee Carr's questions, Public Works Director Elliott advised he understood it was Board direction that the Township would not invest in the Access Drive Project unless there were two key property owners were willing to participate and grant cross access to neighboring properties.

Trustee Taylor commented this is a great opportunity for economic development and the DDA supports it.

In response to Treasurer Culp's questions, Supervisor Heiny-Cogswell advised the project is contingent upon the DDA contributing \$70,000.

Motion by Taylor, second by Farmer to approve an expenditure of \$215,000 and award the contract to Balkema Excavating, amend the road budget adding \$125,000 and the non-motorized budget adding \$20,000, with funding source being general fund non-motorized South Drake Road Phase II; the approval being contingent upon a contribution from the DDA in the amount of \$70,000. Carried 7-0.

DISCUSSION – NO HUNTING, NON-DISCHARGE OF FIREARMS AREA

Attorney Porter advised due to recent amendments in state law, he feels the Township could request the DNR expand the Township's no hunting/non-discharge of firearms areas. He provided maps with two possible options on the expansion and advised the board would need to adopt a resolution requesting the DNR consider the expansion, noting they would then hold a public hearing after which they would make the determination whether any expansion is warranted. He also noted the Township would be responsible to notice owners of properties being considered.

Board consensus was to choose option B and request that Attorney Porter prepare a resolution to be considered at the April 12th meeting.

BOARD MEMBER COMMENTS

Trustee Taylor commented it was nice to have another township recognize our Fire Department.

Clerk Everett advised the March Presidential Primary had a Township wide turnout of 37% with Precinct 1 and Precinct 3 just under 50%.

She also advised the 36th Annual Rotary Pancake Breakfast would be held at Ted & Marie's on Sunday, March 20th.

Supervisor Heiny-Cogswell advised the Board of Review is underway.

Trustee Farmer advised the Oshtemo Historical Society will be holding an open house on April 17th from 2:00 p.m. to 4:00 p.m.

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
Supervisor