

ALAMO TOWNSHIP BOARD OF TRUSTEES MEETING

7901 NORTH 6th STREEET
Kalamazoo, Michigan 49009
May 13, 2013
7:00 pm

Meeting was called to order by Supervisor Conti at 7:05 pm with the Pledge of Allegiance and an Invocation given by Trustee Potter-Williams.

Present: Supervisor Conti, Treasurer Stoneburner, Clerk Endres, Trustee VanderWeele, Trustee Potter-Williams.

Other interested Parties: 50 +/-

Supervisor Conti spoke of a letter the Township received from the State Police regarding an allegation made by some citizens concerning entering into closed door sessions when not permitted to do so. Conti made it clear there has never been any closed door meetings and hope s to never need one. Lieutenant Christianson said they are not going to authorize any investigations; however he did express the importance of being very clear on how meetings are to be conducted. Supervisor Conti went on to read the Policy on Public Comment at Meetings of a Public Body

Approval of April 8, 2013 meeting minutes: Motion was made by Trustee Potter-Williams to approve the April 8, 2013 meeting minutes as written, supported by Trustee VanderWeele. Motion Carried 4-1 (Treasurer Stoneburner Opposed).

Authorization of Liabilities:

Clerk Endres asked permission to pay the Consultant Fee for work done with the Planning Commission. Questions arose as to whether he should be under contract and if it was common practice to pay mileage. It was determined that the consulting fee is a line item in the budget and it is common practice to pay mileage.

Motion was made by Trustee Potter-Williams to pay the Consulting Fee for work done with the Planning Commission, Supported by Supervisor Conti. Motion Carried 4-1 Supervisor Conti- Yes, Clerk Endres -Yes, Trustee Potter-Williams- Yes, Trustee VanderWeele- Yes, and Treasurer Stoneburner – No.

Motion was made by Supervisor Conti to authorize payment of liabilities, Supported by Clerk Endres. Motion Carried 4-1 (Treasurer Stoneburner opposed).

Supervisors Report: Supervisor Conti was pleased to report another successful Township Junk and Recycle Day. The Township collected 300 car tires keeping them off the roadside in the township, 40 pounds of used household batteries, 40 yards bottles and cans, loosely filling a dumpster with metal, 15 yards cardboard, lots of newspaper for the Boy Scouts, and 60 + yards household waste. Another event held within the Township was the first Alamo Farmers & Crafters Market of the year, thank you for hosting such a tremendously huge successful event. Conti thanked Clerk Endres and the election staff for a job well done on the June 7, 2013 Election.

Clerk / Sexton Report:

Liabilities for the Month of April: \$ 34,194.50

Clerk Endres is working on plans to organize the fireproof room so documents can be located in a timely fashion when filling FOIA requests.

Township Audit is scheduled to begin June 3, 2013.

Sexton:

Income for the month of April: \$ 400.00

A big Thank You goes out to Township residents Kim Spitzner and daughter, Pam Campbell and Daughters, Onalee Potter, and Dawn Potter-Williams, for coming out and helping with Spring Clean- up of the Cemeteries.

Elections:

Clerk Endres reported The Transit Authority Millage passed in 90 of 94 precincts, tied in two, and failed in two. County wide turnout was 8.52%. Alamo Township had a total of 297 voters vote 113 walk –ins, 184 voting Absentee Ballot. Thank You to Alyce Bosma, Barb Venema, Pam DeBoer, Paula Baker, and Township Election Specialist Michelle Forrest for a well run election. Election Day begins at around 6:00 am and does not end until around 9:00 or 10:00 pm, it is a very long day and each worker works hard at making sure everything runs smooth.

Treasurers Report:

General Fund Balance:	\$ 138,214.09
Fire Truck Fund Balance:	\$ 18,236.51
Investment Fund Balance:	*Will report next month
Kalamazoo Foundation Balance:	*Will report next month
Tax Fund Balance:	\$ 0 zero

Building Department Report:

Building Permits	7	\$ 1,117.50
Electrical Permits	5	\$ 580.00
Mechanical Permits	1	\$ 80.00
Zoning Compliance	0	
Total Revenue for April:		\$ 1,777.50

Fire and Rescue Report:

Chief Kizer reported responding to 24 incidents in the month of April.

- 9- Medical Emergencies
- 2-Vehicle Accidents
- 3- False Alarms
- 3- Grass Fires
- 3- Chimney Fires
- 1- Smoke Alarm
- 1- Cover Assignment (Oshtemo)
- 1- Unauthorized Burn
- 1- Unknown Location

The team participated in continued education and practiced Vehicle Extrication Techniques.

Operations: Tanker 161 had a Turbocharger seize up and taken to the shop for repair, while it was there the oil leak was also worked on.

Chief Kizer was pleased to announce that the Grant amendment was approved by FEMA. This means we will get the original requested amount of SCBA’s at the 20% matching funds. We will get \$ 105,000.00 in equipment and it will only cost the Township around \$ 21,000.00.

Firefighter Mike Newbre has resigned, as of Saturday April 27, 2013. He has accepted a job in Minnesota in his field of aviation mechanics.

Park Board Report:

The annual Car Show is scheduled for June 22, 2013. Dust control is to be coordinated by the Township Board prior to the event.

The Parks Board has developed a preliminary flow chart to manage improvement projects and the related expenditure tracking. The Board has collected three estimates from 3 different suppliers for gate installation on two of the ball fields and will have them installed prior to the Car Show. The Parks Board will begin Design and cost estimates for the barrier free access project which will run from the parking lot to the pavilion and concession stand. A flow chart has been developed to manage improvements of projects.

This year's Trout Unlimited projects will include understory tree removal and plant cover growth along portions of Sand Creek. Work day has been scheduled for the last Saturday in July.

The Parks Board would like to purchase ground maintenance equipment including: garden rake, round nose shovel, a spade and loppers. The Little League is installing safety improvements at the two ball fields.

Center Point Church has requested the use of the park for a youth baseball camp from August 5th – August 7th 8:00 am to Noon each day, a certificate of insurance will be provided to the Township Board for this event.

Road Committee Report:

Upcoming meetings to focus on development of a long term road strategy for Township depressed and failing roads in our township, meeting schedule to be published on the web site. The roads that were chose for this year's repair are up for bid, after bids are accepted the Road Commission will let us know when they will begin.

Farmers Market Report:

Member Dan Knight reported the first Farmers & Crafters Market event for the year was a huge success, he reports having 14 venders participate along with Andy Wedels live broadcast, it was estimated that 500 to 600 people attending the market. The next opportunity to attend will be June 8, 2013. The Group will be having meetings on Wednesday evenings, 7:00 pm at the Township Hall, all are welcome to attend.

Trustee VanderWeele brought to the attention of the Board that since The Farmers & Crafters Market have become their own entity it is necessary for them to fill out a use agreement and be charged the \$50.00 rental fee for the Park Pavilion as Policy states.

Motion was made by Trustee VanderWeele to have The Farmers & Crafters Market fill out a use agreement and pay the \$50.00 rental fee, Supported by Treasurer Stoneburner. Motion Carried 4-1; Trustee Potter-no, Trustee VanderWeele-Yes, Treasurer Stoneburner – Yes, Clerk Endres –Yes, and Supervisor Conti- Yes.

Planning Commission Report:

Chair Covault reported the Planning Commission is working on The Special Exception Use Permit for property located at 6387 Hart Drive (Kalamazoo Nature Center Property). It will be used as an educational facility .The Kalamazoo Nature Center will be holding work training classes, there will be two classes with 15 students in each class offered to Juniors and Seniors in Kalamazoo, Chair Covault is working on securing 6 spots for the Otsego and Plainwell Schools. They are requesting the property be used as a private park not open to the public. A public hearing will be held Tuesday June 4, 2013 at 7:00 pm at the Alamo Township Hall. Chair Covault will be working with Otsego and Plainwell Public Schools to provide them with the opportunity to allow 3 students each to participate in the Biology and Ecology programs being offered.

There is an issue being brought to the ZBA, regarding the current Ordinance that addresses Kennels within the Township. The Township does not address Boarding and the criteria of such facilities. The Consultant will be contacted on this matter and will work on defining the differences between Dog Boarding vs. Kennel.

They are also working on, and gave an update on the Master Land Use Plan.

Paula Baker provided information on House Bill No. 6151; The House Bill passed Public Act 134 and Public Act 135, of 2010. This bill addresses sidewalks and streets for automobiles, foot traffic, and bicycles. To be in compliance with Michigan State Law the Board needs to pass a resolution supporting the Michigan Department of Transportation Complete Streets Initiative as Outlined in Public Act 134 and Public Act 135 of 2010. At that point it can be included in the updated Land Use Plan currently being worked on.

Motion was made by Supervisor Conti to adopt the resolution supporting the Michigan Department of Transportation Complete Streets Initiative as outlined in Public Act 134 & 135 of 2010 to place Alamo in compliance with Michigan Law, to the extent feasible; Supported by Clerk Endres. Motion Carried 4-1. Clerk Endres- Yes, Supervisor Conti- Yes, Treasurer Stoneburner – No, Trustee Potter- Williams- Yes, and Trustee VanderWeele- Yes.

Policy Committee:

Residents Pat Perry and Mike Cramer have agreed to serve on the Policy Committee along with Clerk Endres and Treasurer Stoneburner. The committee will have three mandates: to develop fiscal policies, organize and review existing policies and aid in the development of document management practices.

Safety Committee:

Resident Kim Spitzner is working with Alice Foster to create a second Neighborhood watch area in the Township. Please contact the Township to set up a protection zone in your neighborhood.

Old Business:

Repairs have been completed on the Township Hall.

New Business:

Dust Control contract: The annual Dust Control contract is ready to be filled out signed and returned to the Kalamazoo County Road Commission. We will do the same application as in previous years; Continuous application 18% Mineral Well Brine at 2,000 gallons per mile at \$ 280.00 per mile. It was decided to take out Adobe Road and 5th Street between 'DE' Avenue and 'D' Avenue. Approximate cost of contract is \$ 1,730.86, \$ 400.00 of that going for dust control in the parking lot at the Park on 'DE' Avenue.

Motion made by Trustee VanderWeele to accept the Kalamazoo County Road Commission Dust Control contract with the Continuous application of 18 % Mineral Well Brine at 2,000 gallons per mile, with Adobe Road and 5th Street between 'DE' Avenue and 'D' avenue removed, Supported by Clerk Endres. Motion Passed 5-0.

Park Board Ordinance 55-M: An Ordinance to amend the Alamo Township Park Ordinance, Ordinance No. 55-M, to change the appointment and terms of members of the Park Board.

The current Ordinance reads 'The Park Board shall consist of five (5) Township Residents''. A proposal was made to add 2 additional members bringing the total number of members back to the original Seven (7) when created. The benefit is to promote additional volunteerism within the Parks Department.

Questions were asked regarding the Parks Board, was it intended to be set up as a Board or an Advisory Committee. A Parks Board has authority over the Park, they take care of the park with the only requirement to the Township Board being submitting a Budget vs. an Advisory Committee that lets the Township Board know what they think they should have done, putting an additional work load on the Township Board. Trustee VanderWeele is working with MTA legal council to look into this issue as the Township owns the Park.

Supervisor Conti spoke of the \$ 81,000.00 benefit the Park received because of an empowered Park Board.

Motion was made by Treasurer Stoneburner to leave the Alamo Township Parks Board at the Current five (5) members

like the Ordinance states; Supported by Trustee VanderWeele. Motion passed 3-2 (Supervisor Conti and Trustee Potter-Williams opposed).

Ordinance 51-M: An Ordinance to amend the Alamo Township Purchasing Policy Ordinance, Ordinance No. 51-M, with regard to purchases or contracts **approved by budget Resolution** under \$2,500.00. This would allow Budgeted Projects to be started without waiting to come to the Board of Trustees for an additional approval before starting a project that has already been approved. The Board Chairperson will be working with the Townships Purchasing Agent prior to all purchases. The purchasing agent is responsible to see that all is properly verified. Purchases will be awarded to the lowest qualified bidder with consideration as to whether or not the bidder is a resident of Alamo Township.

Requests were made to have departments submit a report at a Board of Trustees Monthly meeting as to what took place the preceding month. The Board Chairperson shall notify all Board of Trustee members when the prior approved project is to begin much like the Fire Department currently does, to stay consistent throughout the Township. A budget and later verification of all purchases are to be provided to all. Only Budgeted Items fall under this addition.

Motion was made by Supervisor Conti to approve allowing Budgeted Projects to be started without waiting to come to the Board of Trustees for an additional approval. With the stipulation that all board members are to be contacted via email before project begins and Prior to any purchases; supported by Trustee Potter-Williams. Motion passed 3-2, Clerk Endres – Yes, Trustee Potter Williams – Yes, Supervisor Conti – Yes, Treasurer Stoneburner - No, and Trustee VanderWeele - No.

Office Computer: Due to the Townships modem burning up and the necessary purchase of a new modem the Supervisors Computer no longer is capable of connecting to the internet making retrieval of e-mails impossible. It was suggested purchasing one capable of running Window 7 for the Clerk so she is able to run her Michigan Qualified Voter Registration Program, and then giving her new one to the Supervisor.

Motion was made by Clerk Endres to allow the purchase of a new computer for the office, collecting 3 bids, may spend up to \$1,000.00; Supported by Supervisor Conti. Motion passed 5-0.

Lawn Care: It was discovered that the Gentleman that has done the Townships Lawn Care since 2010 has retired, making it necessary to advertise and hire an new lawn care service to provide this service. There will be a special meeting on Monday May 20, 2013 at 7:00 pm at the Alamo Township Hall to discuss bids and approve a Lawn Care Contract for the current season.

FOIA Charges: The question arose whether or not the Township Supervisor should have to FOIA records, and then be required to pay for it like any private citizen does. Supervisor Conti Sent several FOIA's to Treasurer Stoneburner so the question is: should he be required to pay for the gathering of materials. Treasurer Stoneburner recorded spending 24 ½ hours gathering the requested documents, she states the records are not organized making them difficult to locate. Clerk Endres stated no one should have to pay unreasonable charges because the Townships records are not in order so a reasonable charge should be established, possibly setting up a payment plan if needed. Attorney Lohrstorfer commented that The clerk is responsible for the integrity of the Townships records, there should not be a free for all access, requests to see records should go through the Clerk/ FOIA coordinator at that time she may delegate who is better to access those records, all records should be secured. It was determined that yes he did need to pay for his FOIA as it was not done with Board approval, but that it should be a reasonable charge.

Motion was made by Trustee Potter-Williams, that Supervisor Conti not be required to pay for information supplied through his FOIA request, Supported by Supervisor Conti. Motion died 2-3, Supervisor Conti -Yes, Treasurer SStoneburner – No, Trustee Potter Williams -No, Trustee VanderWeele – No, and Clerk Endres- No.

**** Trustee Potter Williams voted Yes ****

Motion was made by Clerk Endres to charge Supervisor Conti and make him responsible to pay \$ 50.00 for his outstanding FOIA's; Supported by Supervisor Conti. Motion Passed 4-1 (Treasurer Stoneburner opposed).

Option to Purchase Property: Alamo Township received a letter from Kalamazoo County Treasurer Mary Balkema listing a property in Alamo Township (Twins Lakes / 5246 Peninsula Drive) that was foreclosed on pursuant to Public Act 123. Under PA 123, the Alamo Township Board may purchase any or all of these properties by paying the minimum bid prior to the public auction which is to be held August 22, 2013. Deadline to exercise the Township Right is June 1, 2013. It was decided that the Township would research the benefits if any and make a decision on Monday May 20, 2013 at the Special Board Meeting.

Citizens Comments:

Citizen: asked if the playground equipment met safety standards, she advised contacting Kristen Rimes the Kalamazoo County State Inspector to arrange an inspection.

Citizen: item D 5 of the Policy on Public Comment, breach of peace, is in violation of OMA.

Citizen: would like the word Speedway added to the Current Noise Ordinance. He pointed out he was told he could be shut down because the Race track was non-conforming. Request was made to add this to the June agenda.

Citizen: lives near speedway commented on the noise problem that when he first moved into his home there were no practices being done during the week and races were held on Friday's, however 2 to 3 years ago they began practicing 3 to 4 days a week and he cannot hold a conversation outside his home he feels it has "damaged his families quality of Life". He also stated this year things have gotten a lot better, in fact things have gotten much better; please find a way to keep it how it is now.

Citizen: commented on the speedways appeal to have the word speedway added to the noise ordinance. He believes it is not a Planning Commission or a Township Board issue that it should be brought up to the ZBA as an interpretation of the Ordinance, he feels it is a non issue.

Citizen: commented on procedures that are to be followed when obtaining new playground equipment.

Citizen: A letter was sent to each Board member and the Chair of the Planning Commission from Attorney Thinschmidt, P.C. regarding Alamo Townships anti noise ordinance and a warning ticket her family received over noise. She wanted to know how each board member was going to handle the complaint.

Citizen: A Question was asked whether the park playground area was approved by Board.

Citizen: The Parks have prospered since the creation of the Park Board. It has taken it from being neglected to a well maintained public facility.

Citizen: The Township Board has the responsibility to oversee the Parks Board.

Board Member Comment:

Treasurer Stoneburner read a letter that had been written to the Howe family about the noise ordinance. Treasurer Stoneburner requested the Noise Ordinance be added to the agenda for June's meeting.

**** Treasurer Stoneburner requested the Jolliffe Attorney letter be placed on the June agenda. ****

Meeting Adjourned:

Motion was made by Trustee Potter-Williams at 10:30 pm to adjourn the meeting; Supported by Trustee VanderWeele.
Motion Carried 5-0

Respectfully Submitted,
Laura Endres, Alamo Township Clerk