



CHARTER TOWNSHIP OF TEXAS BOARD MEETING, JANUARY 24, 2022

COMMITTEE OF THE WHOLE

Supervisor Loeks commenced the Committee of the Whole at 5:00 p.m. The following board members were present: Trustee Don Boven, Trustee Barbara Hammon, Trustee Linda Kerr, Trustee Wendy Mazer, Treasurer Trish Roberts, Supervisor Nick Loeks, and Clerk Emily Beutel. Also attending were Superintendent Julie VanderWiere and Deputy Superintendent Brooke Hovenkamp.

2022 Community Events Pilot Program

Deputy Superintendent Hovenkamp stated that the survey the Township recently conducted to gauge interest in community events received 58 responses. Ideas with the most interest included a fall carnival, a food truck rally, a concert or movie in the park, and a 5K run. She stated the results were also shared with the DDA at its meeting on January 20th, and members were interested in being a part of the promotion. However, there was not interest in a food truck rally, as those compete with local restaurants, which are a huge part of the Corners.

Hovenkamp said she met with the Kalamazoo Experiential Learning Center, who coordinates several community events downtown, and they are open to working with the Township and working on some preliminary numbers. There is currently \$15,000 budgeted for this program in 2022.

Kalamazoo County Housing Goals Survey

Supervisor Loeks shared that at the December Supervisors' meeting, there was discussion about the County housing millage. The Upjohn Institute is currently working with the County to survey each jurisdiction on their housing goals. The millage raises approximately \$8 million annual, and of that, Texas Township contributes roughly 10%. The Board discussed the recent Master Plan update, which addresses the Township's housing goals, including preserving the rural preservation boundary and denser housing in the 9th Street corridor.

Township Hall Project – Site Layout

Board members reviewed the site layouts provided by Progressive AE and expressed a preference for the Township Hall toward the front of the parcel along Q Avenue but with the road relocated to the west side of the parcel. This makes the back half of the parcel more saleable should the Township decide to take that route in the future.

Committee of the Whole adjourned at approximately 5:50 p.m.

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Supervisor Loeks called the meeting to order at 6:00 p.m. and asked everyone to join Treasurer Roberts in the Pledge of Allegiance.

ROLL CALL

Clerk Beutel called the roll, and the following board members were present: Trustee Don Boven, Trustee Barbara Hammon, Trustee Linda Kerr, Trustee Wendy Mazer, Treasurer Trish Roberts, Supervisor Nick Loeks, and Clerk Emily Beutel. Also attending were Superintendent Julie VanderWiere, Deputy Superintendent Brooke Hovenkamp, Interim Planner Julie Johnston, Attorney Michael Homier (virtually) and eight members of the public in person and one participant via Zoom.

PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Lisa Koop, 5615 Texas Drive, stated she has lived in the Township for more than 15 years and would like to talk to the Board about the Fire Department family. She's concerned for the Township's firefighter family, as she stated the command staff are not doing their jobs and supporting their staff. She asked for an external 360-degree review of the department and challenged the Board to find out more about what's happening in the Fire Department.

Chuck Minor, 8643 S 6th Street, expressed that he doesn't feel that curbside pickup is appropriate for our Township. He feels that the dumpster days have been sufficient and is concerned about the curbside pickup pilot plan. He's afraid that it will become a security and enforcement issue, especially in the neighborhoods.



53 Tom Hackley, 6540 Misty Lane, gave each Board member information and an introduction to the
54 Kalamazoo Climate Crisis Coalition. The Coalition is attempting to be an advocate for climate action in
55 Kalamazoo County, and they'd like to reach out to do a presentation ask for a local government
56 declaration or resolution.

57

58 **PRESENTATION/PUBLIC HEARINGS/COUNTY COMMISSIONER**

59 There was none.

60

61 **SUPERINTENDENT REPORT**

62 Superintendent VanderWiere updated the Board on the following items:

63 *Administration*

- 64 • Two interviews for Planner/Zoning Administrator position were conducted today.
- 65 • Seven resumes were received for the for the Deputy Treasurer position, and Treasurer Roberts
66 and Deputy Superintendent Hovenkamp will be interviewing three candidates this week.
- 67 • The 2022 Strategic Plan Workshop is scheduled for May 12, 2022, facilitated by Lew Bender.
- 68 • The office has been short-staffed due to COVID-19, but everyone is working through it.

69 *Information*

- 70 • A combined Shred Day/E-recycling Day has been scheduled for April 30 at the Township Hall.
- 71 • The 2021 Leaf drop-off was a huge success, with 895.25 cubic yards collected; this is an 82%
72 increase since this partnership with Kalamazoo Landscape Supplies began in 2019.
- 73 • BS&A will be onsite for staff training next week to implement PZE.
- 74 • The Phase II ESA study came back from Envirollogic showing some elevated levels of arsenic,
75 but these are below the limits for non-residential zoning. The Board reviewed options for the
76 building on the site at Committee of the Whole.

77 *Flood Mitigation*

- 78 • After meeting with the Bentwood HOA Board members to discuss the request for the wetland
79 easement, she feels an agreement is near.
- 80 • EGLE has approved 19 of the 23 correction requests for the Long-Term Pumping Permit. Two of
81 the remaining four issues simply require additional documentation, but one of the requests
82 requires additional testing for the water transmissivity on Crooked Lake. This has been delayed
83 due to supply chain and staffing issues but should be completed by the end of the month. The
84 last issue is much more complex, as EGLE has requested a demonstrative project to prove that
85 the project will successfully filter out the Aquatic Invasive Species. Prein & Newhof, the Drain
86 Office, and the Township are working together to try to provide the requested information.
- 87 • The next Task Force meeting is scheduled for Thursday, January 27 at 10:30 a.m. by Zoom.

88

89 **ADOPTION OF MEETING AGENDA**

90 Supervisor Loeks asked to add Item G – Approve Land Purchase and to move Public Comment and
91 Reports before Item H – Closed Session.

92 Motion by Loeks, seconded by Boven, motion carried, to adopt the meeting agenda as amended.

93

94 **APPROVAL OF GENERAL CONSENT AGENDA**

95 Motion by Boven, seconded by Hammon, motion carried, to approve the General Consent Agenda,
96 as amended, consisting of:

- 97 • Approval of January 10, 2022 Regular Meeting Minutes and Closed Session Minutes
- 98 • Approval of Bills for \$80,327.73
- 99 • Payroll \$55,083.54
- 100 • December 2021 Building Report
- 101 • 2021 Strategic Plan Update

102

103 **BUSINESS**



104 **Tabled**
105 There was none.

106
107 **New**
108 Burial Fee Schedule

109 Clerk Beutel stated that the Township's sexton, Molnar Construction, has requested to increase the
110 rates for burial services in Hope and Virgo Cemeteries. The last increase was in 2014, and the cost of
111 labor, fuel and equipment have risen significantly since that time. Proposed increases include: \$700 for a
112 full burial and \$425 for a cremains burial, with 1.5x increase for Saturdays and 2x increase for Sundays
113 and holidays. The additional winter charge would increase to \$150, and additional work, including snow
114 removal, would increase to \$95 per hour. She stated that the the proposed increases are comparable
115 with other communities in the area.

116 Motion by Kerr, seconded by Mazer, motion carried, to approve burial rates as presented.

117
118 KATS Contribution

119 Deputy Superintendent Hovenkamp stated that the Kalamazoo Area Transportation Service (KATS)
120 has requested that Township renew its annual Agreement for contributed services to cover the local
121 match needed for their operations. Texas Township's contributed service amount is \$2,000, which is in
122 in-kind.

123 Motion by Beutel, seconded by Kerr, motion carried, to authorize Superintendent VanderWiere to
124 sign the KATS agreement renewal for 2022 with an in-kind contribution of \$2,000.

125
126 Superintendent Contract

127 Supervisor Loeks stated that Superintendent VanderWiere's contract expired on December 31, 2021
128 and requested that the Board review and authorize an extension of her contract for another three-year
129 term. The updated contract includes the salary increase and vacation hours increase previously
130 approved by the Board.

131 Motion by Boven, seconded by Hammon, motion carried, to approve the contract extension for
132 Superintendent VanderWiere expiring on December 31, 2024 and to authorize Supervisor Loeks and
133 Clerk Beutel to sign the contract.

134
135 Mystic Pines II, Step 3 Approval

136 Planner Johnston reviewed a request from Mr. Scott Carlson of Mystic Trails, LLC, for final approval
137 for the Mystic Pines II site condominium, which was approved by the Planning Commission and
138 Township Board as a Planned Unit Development. She explained that several items aren't yet complete,
139 including utilities and a final layer of asphalt. A design for nine lights has been submitted, but there is not
140 yet a signed contract with Consumers Energy for those lights. The cost of the lights will need to be
141 covered in 2022, which is included in the suggested conditions.

142 Instead of sidewalks, an 8-foot asphalt trail was approved on one side of the road, as well as several
143 other mulch trails throughout the development. These have not been installed prior to approval. It was
144 noted that some other developments installed all of their trailway prior to construction, rather than as
145 each site was developed. Additional funds will also need to be provided for surety to cover the landscape
146 costs of street trees.

147 Alex Phalen, engineering project manager, gave specific comments in response to Planner
148 Johnston's presentation. He stated all utilities were installed as of today, and the outstanding escrow was
149 paid the previous week. The final layer of asphalt would be completed as soon as weather allowed. They
150 would like to install the obligated portion of the trailway at this time and the balance when the
151 development is complete, as the asphalt along the road would likely be damaged as sites were built
152 upon. There was discussion about the deferment for sidewalks and trails being two years and how the
153 project could take to complete. Other discussion included street trees and the requirement of a new,
154 corrected letter of credit.



155 Motion by Boven, seconded by Loeks, motion carried, approve the Step 3 as-built plans and all
156 associated site condominium documents for Mystic Pines 2 and approve the deferment of the trail in front
157 of building sites for a two-year period, conditioned on the following being completed: conditions 1 through
158 10 listed in the packet, except items 3 and 7.

159
160 Household Hazardous Waste Contract Renewal

161 Kalamazoo County Health and Human Services Department provided the 2022 contract and
162 explained the increase in cost to provide the service to residents, as the cost to dispose of or recycle
163 several items has significantly increased. Superintendent VanderWiere explained that the Township
164 budgeted \$17,000, but it is likely that won't be enough for the year, so the Board will have to amend the
165 contract amount, as in previous years.

166 Board members discussed the value of this service for residents. While the E-Recycling Day may
167 reduce some of the items taken to HHW, members agreed an increase in the contract was wise.

168 Motion by Loeks, seconded by Kerr, motion carried, to approve the Household Hazardous Waste
169 Contract for \$20,000 and authorize Superintendent VanderWiere to sign the contact on behalf of the
170 Township.

171
172 College Hunks Curbside Bulk Pickup Pilot Program Contract.

173 Deputy Superintendent Hovenkamp explained that \$40,000 was budgeted in 2022 to pilot a curbside
174 bulk item pickup instead of hosting Dumpster Day events, which have been increasingly difficult to staff.
175 Unfortunately, the major service providers in the area aren't able to add this service for the township due
176 to staffing shortages or lack of a single source agreement. However, College Hunks provided bulk pickup
177 in Comstock last year and is willing to provide the service as a pilot program in Texas Township in 2022.

178 The pilot program would break the Township into four zones, each with approximately 1,500
179 households, and each zone would have a one-week designated pickup. The service would take place
180 mid-April to mid-May. There would be a limit of three cubic yards per household, and acceptable and
181 non-acceptable items would be communicated to residents via a township-wide mailer. Dumpster Days
182 would not take place in 2022 with this pilot program.

183 Board members expressed concerns about pickers and for items being out for a full week, stating a
184 pickup time of three to four days would be preferable. If the pilot program is successful, this could be a
185 goal for future years. Cost was also discussed; it is difficult to estimate participation or collection totals for
186 a pilot project, but Comstock had a cost of roughly \$30,000 last year.

187 Motion by Roberts, seconded by Hammon, motion carried, to authorize Superintendent VanderWiere
188 to sign a contract with College Hunks to provide curbside bulk item pickup in 2022 as part of our pilot
189 program and to authorize funding for a mailer to be distributed to each household advertising the service.

190
191 Township Hall Land Purchase

192 The purchase of the new property for the Township Hall was delayed in order to complete the
193 environmental assessment. With that now complete, the Board agreed to move forward with the
194 purchase of the land.

195 Motion by Boven, seconded by Roberts, to authorize Supervisor Loeks and Clerk Beutel to sign the
196 purchase agreement.

197
198 As only Board members and invited staff will be allowed in the room for Closed Session discussion,
199 Supervisor Loeks asked the Board to consider moving committee reports and public comments above
200 closed session.

201 Motion by Loeks, seconded by Boven, motion carried, to move Items 11 and 12 before Item 10H –
202 Closed Session.

203
204 **ZONING/BOARD/COMMITTEE REPORTS/RECOMMENDATIONS**

205 Fire Department Report

206 The Board members reviewed the report provided in the packet, as there was no one from the Fire
207 Department present to go over it.



208
209 **BRIEF PUBLIC COMMENTS ON NON-AGENDA ITEMS**

210 There were none.

211
212 Closed Session to Discuss Attorney Legal Opinion

213 Motion by Hammon, seconded by Boven, motion carried, to enter closed session, inviting Interim
214 Planner Johnston, Deputy Superintendent Hovenkamp, Superintendent VanderWiere, and Attorney
215 Homier, at approximately 7:20 p.m.

216 Roll Call Vote: Ayes - Boven, Hammon, Kerr, Roberts, Loeks, Mazer and Beutel. Nays – None.
217 Absent – None

218
219 Open Session reconvened at approximately 7:35 p.m.

220
221 Motion by Kerr, seconded by Hammon, motion carried, to approve the agreement that would
222 accelerate the right of redivision and authorize the Township Supervisor and Clerk to sign it.

223
224 **ATTORNEY’S REPORT**

225 There was none.

226
227 **BOARD MEMBER COMMENTS**

228 Trustee Boven was concerned that his road had not yet been cleared by the Road Commission.
229 Supervisor Loeks said he would address it at the next Road Committee meeting.

230 Treasurer Roberts said that she is keeping up with tax collection currently and appreciates the front
231 desk staff and their assistance. She also shared that she recently took a two-day Michigan Certified
232 Assessing Technician training, which was very helpful in her role as Treasurer.

233 Supervisor Loeks stated the Road Committee would meet Monday, January 31 to review 2022 road
234 projects. RCKC sent potential projects totaling \$2.4 million so the group has all of the information to
235 make decisions on what projects to do this year.

236
237 **ADJOURNMENT**

238 Motion by Boven, seconded by Hammon, motion carried, to adjourn the meeting. The meeting
239 adjourned at approximately 7:20 p.m.

240
241 **SUBMITTED:** February 2, 2022

APPROVED: February 14, 2022, as submitted

242
243 Clerk Emily Beutel

244 Attested: Supervisor Nicholas Loeks