



## CHARTER TOWNSHIP OF TEXAS BOARD MEETING, FEBRUARY 28, 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, Treasurer Trish Roberts, Supervisor Nick Loeks, and Clerk Emily Beutel. Absent was Trustee Wendy Mazer. Also attending were Superintendent Julie VanderWiere, Deputy Superintendent Brooke Hovenkamp, and Fire Chief Chad Tackett, and six members of the public.

#### Township Hall Update

Supervisor Loeks shared the most recent site plan layout from Progressive AE for the new Township Hall property, which incorporates some requested changes. The new plan includes roughly 1,400 square feet total with a large conference room near the Board Room for closed sessions that could also be used for absent voter counting boards during election season, as well as several additional offices. The plan also indicates areas that could be used for office expansion, if necessarily in the future.

#### 2022 Community Events Pilot Program and Event Proposal

Deputy Superintendent Hovenkamp contacted the Kalamazoo Experiential Learning Center (KELC), who manages some events in downtown Kalamazoo, and is interested in helping the township kick off its community events pilot program. For a one-time pilot event like the township planned, KELC estimated a cost of \$2,500. Board members discussed a food truck rally, movie in the park, or concert in the park, as those were the preferred options from the community survey conducted. After some discussion, most Board members favored a concert in the park during the summer on a Sunday or a late Saturday afternoon, at Texas Drive Park. Hovenkamp will follow up to initiate the planning for this pilot event.

#### Presentation from Matt Callendar re: Ring Road Segment

Matt Callendar presented his concept for a development on the northeast corner of the Texas Corners DDA district. The parcel he recently purchased is approximately 10 acres, and he presented conceptual plans for what he considered to be the highest and best use for the parcel.

His plan incorporates a ring road segment to connect Q Avenue to Texas Drive with a mixed-use development incorporating apartments, townhouses, on-road parking, and cross-access to restaurants and commercial development located to the west of his parcel. Mr. Callendar presented to the DDA at its meeting the week prior as well, stating that he is open to the Road Commission of Kalamazoo County or the DDA taking over the road if either entity is willing and building to those specifications. He asked the Township to consider in sharing the cost of the ring road to build it to public road specifications and support the Township and DDA Master Plan.

Committee of the Whole adjourned at approximately 5:47 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 Clerk Beutel 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, Treasurer Trish Roberts, Supervisor Nick Loeks, and Clerk Emily Beutel. Absent was Trustee Wendy Mazer. Also attending were Superintendent VanderWiere, Deputy Superintendent Brooke Hovenkamp, Attorney Lindsay Dangl, and 10 members of the public in person, with Attorney Michael Homier and three members of the public attending virtually via Zoom.

### PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Lisa Koop, 5651 Texas Drive, shared concerns regarding the Fire Department, focused on command staff. She has been speaking up because there are many issues the Board doesn't seem to be aware of and was pleased to hear that the Board was supportive of a 360-degree review. She is fighting for the firefighters to have a safe and supportive workplace.



Thomas Allen, 4373 Kettle Moraine Drive, announced that he is a lawyer running for judge in Kalamazoo and has worked in every court in Kalamazoo.

Sue Derhammer, 5880 Texas Drive, stated she has lived in the township for 30 years and is concerned about the things that she's hearing about the Fire Department and asked for a full investigation.

Connor McClain, 8798 West OP Ave, would like to be able to process and grow 150 marijuana plants as a caregiver. He asked Board members to start the conversation as to how this might be possible.

Kathy Staufer, 5620 Texas Drive, stated she wants to feel safe if she has another fire at her home and was glad to hear of plans for an external review.

Nicolas Hill, 6407 South 4<sup>th</sup> St, stated that the Fire Department has been coming up a lot lately. He was not hired as a paid-on-call firefighter and doesn't understand why. He gave Board members details of his background experience and questioned some of the hiring processes at the Township.

## **PRESENTATION/PUBLIC HEARINGS/COUNTY COMMISSIONER**

There was none.

## **SUPERINTENDENT REPORT**

Superintendent VanderWiere updated the Board on the following items:

### *Administration*

- Bids for the 6th Street Restroom project are due by 2:00 p.m. Thursday, March 10.
- The Strategic Planning session has been rescheduled for May 9 from 2:30 – 5:30 p.m.
- Emily Meinema, Deputy Treasurer started this week and has been a great addition to the team.
- The Superintendent department met with Welsh & Associates to start the executive search process for the new Planner. They have a candidate profile prepared and have started their search process.

### *Information*

- The curbside bulk item collection mailing has been sent to print and will arrive in resident mailboxes by mid-March. Prein & Newhof created an online map to help residents identify their zone and collection dates.
- Oshtemo Township is asking for a letter of support for the Fruitbelt Trail Project as they are planning to submit two applications for MDNR Trust Fund grants.
- A community engagement event for the "First Fifty" donors to the Splash Pad from Giving Tuesday is scheduled for March 15 at 6:00 p.m. The Parks Committee and VIRIDIS Design Group have made good progress on the layout and design.

### *Flood Mitigation*

- The Task Force met February 24 to continue discussion on the EGLE permitting process for the long term project.
- The next Task Force meeting is scheduled for Thursday, April 14 at 10:30 a.m. by Zoom.

## **ADOPTION OF MEETING AGENDA**

Motion by Boven, seconded by Kerr, motion carried, to adopt the meeting agenda as presented.

## **APPROVAL OF GENERAL CONSENT AGENDA**

Clerk Beutel stated that the draft February 24 Special Board Meeting minutes were not yet complete.

Motion by Loeks, seconded by Roberts, motion carried, to approve the General Consent Agenda omitting the February 24<sup>th</sup> Special Meeting minutes, consisting of:

- Approval of February 14, 2022 Regular Meeting Minutes
- Approval of Bills for \$71,968.47
- Payroll \$40,452.70

## **BUSINESS**



**Tabled**

There was none.

**New**

Resolution 22-02 In Support of RCKC Applying for Federal Funds for O Avenue Bridge Repair

Supervisor Loeks explained that the Board has discussed and supported this request in previous years, as the RCKC has submitted several requests for federal funds for the O Avenue Bridge Repair without success. The grant will fund 95% of the cost of the project, and RCKC and the Township will split the remainder of the cost, anticipated to be approximately \$10,000 each. If granted, the Local Bridge Program Funds will be released in 2025, and RCKC would anticipate started the project in 2025 as well.

Motion by Loeks, seconded by Hammon, motion carried, to adopt Resolution 22-02 in Support of RCKC Application for Local Bridge Program Funds for O Avenue Bridge Preventive Maintenance and commit to provide the necessary local funds for this project.

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

Extension of Planning Services Consultant Agreement

Superintendent VanderWiere presented the contract for planning services provided by Interim Planner Julie Johnston, explaining that the new agreement increases the hourly rate from \$55 per hour to \$75 per hour. She anticipates 63-68 billable hours per month, resulting in approximately \$4,725 to \$5,100 monthly. Board members discussed and supported the extension for continuity and ease of transition until a new Planner/Zoning Administrator can be hired.

Motion by Boven, seconded by Beutel, motion carried, to approve the extension of the contract with J. Johnston Consulting and authorize Superintendent VanderWiere to sign the revised contract.

Resolution 22-03 Eagle Lake Goose Round-Up

Phil DeYoung of the Eagle Lake Association asked the Board to consider passing another resolution of support to control the goose population on the lake, as their five-year permit from MDNR has expired. This cost is covered by the Eagle Lake Association; no Township or special assessment funds are used.

Motion by Boven, seconded by Hammon, motion carried, to approve Resolution 22-03 Eagle Lake Goose Round Up.

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

RCKC Non-Motorized Trail Agreement for N Avenue

Superintendent VanderWiere stated that Oshtemo Township contacted staff requesting collaboration from Texas Township to determine the feasibility and impact of a shoulder widening project on N Avenue from 9th Street to 11th Street on both sides of the road. RCKC provided a cost estimate of \$1,791 for the feasibility determination, which would cost each township \$895.50. She clarified that this was to determine the feasibility of the project only and did not commit the Township to the actual project.

Motion by Hammon, seconded by Loeks, motion carried, to authorize Superintendent VanderWiere to enter into a non-motorized agreement and application with RCKC to investigate widened shoulders on N Avenue between 9th Street and 11th Street.

Motion by Supervisor Loeks, seconded by Treasurer Roberts, to move items 11A and Brief Public Comments above Item 10G Closed Session.

Accept Resignation of Firefighter Shoemaker

Fire Chief Tackett stated that Firefighter Shoemaker recently purchased a new home and had submitted his resignation as he'll be outside of the response area. He's served the Department as a paid-on-call firefighter for six years and has been one of the top responders.



Motion by Boven, seconded by Beutel, motion carried, to accept the resignation of Chuck Shoemaker from the Texas Township Fire Department, with regrets.

Accept Retirement of Deputy Chief Williams

Superintendent VanderWiere stated that Deputy Fire Chief Jim Williams submitted his letter of retirement to be effective February 28, 2022 after serving Texas Township for nearly 39 years in various capacities within the department.

Motion by Boven, seconded by Hammon, motion carried, to accept the retirement of Deputy Fire Chief Jim Williams, effective immediately.

Fire Department Report

Fire Chief Chad Tackett shared statistics from January 2022, in which the Fire Department responded to 87 incidents, 23 of which were Fire and 64 of which were EMS.

Boven asked about Fire Department staffing. Chief stated there were second interviews scheduled for the full-time paid-on-call position.

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

Kathy Staufer, 5620 Texas Drive, asked if the Board had taken action on the 360-degree external review; Supervisor Loeks stated that the Township was collecting bids and hoped to vote at the March 14 meeting.

Closed Session to Consult with the Township's Attorney Regarding Settlement Strategy in Connection with the Pending Litigation of Weitekamp v Texas Township

Motion by Roberts, seconded by Loeks, motion passed, to enter into Closed Session to consult with the Township's attorney regarding settlement strategy in connection with the pending litigation of Weitekamp v. Texas Township, inviting Superintendent VanderWiere and Deputy Superintendent Hovenkamp to enter closed session. The Board entered closed session at approximately 6:40 p.m.

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

The Board resumed open session at approximately 6:48 p.m.

Motion by Kerr, seconded by Roberts, motion passed, to have Attorney Dangl proceed as directed in Closed Session.

**ATTORNEY'S REPORT**

Attorney Homier was not present at the time of the report.

**BOARD MEMBER COMMENTS**

Treasurer Roberts stated that Emily Meinema started last week as Deputy Treasurer and is learning quickly. Her experience at the County is very helpful and insightful.

Trustee Boven is disappointed with the conflict between The Ukraine and Russia.

**ADJOURNMENT**

Motion by Hammon, seconded by Beutel, motion carried, to adjourn the meeting. The meeting adjourned at approximately 6:50 p.m.

**SUBMITTED:** March 9, 2022

Clerk Emily Beutel

Attested: Supervisor Nicholas Loeks

**APPROVED:** March 14, 2022, as submitted