



1 **CHARTER TOWNSHIP OF TEXAS BOARD MEETING, APRIL 25, 2022**

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3 **COMMITTEE OF THE WHOLE**

4 Supervisor Loeks commenced the Committee of the Whole at 5:00 p.m. The following board
5 members were present: Trustee Don Boven, Trustee Linda Kerr, Trustee Wendy Mazer, Treasurer Trish
6 Roberts, Supervisor Nick Loeks, and Clerk Emily Beutel. Trustee Barbara Hammon was absent. Also
7 attending were Superintendent Julie VanderWiere, Deputy Superintendent Brooke Hovenkamp, Deputy
8 Treasurer Emily Meinema, Engineer Tom Wheat, Attorney Michael Homier, and one member of the
9 public.

10 6th Street Park Restroom Project

11 Staff shared that several contractors have contacted the township, as they are no able to bid for the
12 6th Street Restroom project but were previously unable to submit a bid. While it can be put out to bid
13 again, an extended timeline of March 2023 was suggested in expectation of supply chain delays. Some
14 concern was expressed that the bid specs for the park lacked important details and information, which
15 may have discouraged bidding. Staff will reach out to VIRIDIS Design Group to see what can be done
16 and bring it back to a meeting in May.

17 Mandatory Sewer Connection Process and Update

18 Treasurer Roberts gave an overview of Ordinance #328, which states that existing structures must
19 connect if a sewer line is available within 200 feet of an existing structure in which sanitary sewer is
20 originating and that all new structures in which sanitary sewer originates must connect to an adjacent
21 sewer line regardless of distance by April 1, 2023. The Public Health Code supports public sanitary
22 sewer for public health, safety and welfare.

23 She and Deputy Treasurer Meinema shared an update on the existing systems and stated that at this
24 time, 229 improved parcels are not yet connected to sewer, down from 395 in 2018. Vacant parcels will
25 connect when/if construction begins. Many of the unconnected parcels are concentrated in a few areas.

26 Board members discussed some situations in which distance, cost or topography made connecting to
27 sewer difficult for some residents, who have asked the township to consider some kind of waiver or
28 extension. Mr. Sibley of East Eagle Lake Drive is one of these residents and explained that topography
29 issues on his property made connection difficult and asked the Board for a waiver or exemption. Board
30 members agreed that the discussion would need to continue before making a decision on any waivers or
31 exemptions to connection.

32 Committee of the Whole adjourned at approximately 5:57 p.m.

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35 **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

36 Supervisor Loeks called the meeting to order at 6:00 p.m. and asked everyone to join Trustee Boven
37 in the Pledge of Allegiance.

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39 **ROLL CALL**

40 Clerk Beutel called the roll, and the following board members were present: Trustee Don Boven,
41 Trustee Linda Kerr, Trustee Wendy Mazer, Treasurer Trish Roberts, Supervisor Nick Loeks, and Clerk
42 Emily Beutel. Absent was Trustee Barbara Hammon. Also attending were Superintendent Julie
43 VanderWiere, Deputy Superintendent Brooke Hovenkamp, Engineer Tom Wheat, Attorney Michael
44 Homier, Fire Chief Chad Tackett, and six members of the public in-person.

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46 **PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS**

47 Chuck Buxton, township resident, was happy to see a definition of a short-term rental in the zoning
48 ordinance (less than 90 days) but was concerned that it did nothing to control or regulate it. On the lake,
49 there are buyers who are actively looking for properties to purchase specifically for income property for
50 short-term rentals. He'd like to see the ordinance define "a permanent resident" and "rentals" to help
51 control and regulate the short-term rentals. He also addressed wake boats and their impact and damage
52 caused on lake shorelines, sea walls and docks. He stated that the Township can regulate stand-off
53 distances for wake boats.



54 Ann Platy, township resident, expressed concern about the curve at O Avenue and 9th Street. Several
55 vehicle accidents have happened there at Oak Shadows Condominiums, destroying or damaging lamps
56 and lamp posts, trees, fencing and signs. She said there have been eight accidents in five months and
57 asked the Board to consider doing something to slow down the speed limit or put “slow” signage there
58 before another fatal accident happens. Supervisor Loeks stated he’d talk with the Road Commission
59 about it. She’d also like a dog park in Texas Township.

60 Bo Snyder spoke representing Voters Not Politicians on Promote the Vote 2022, who will be
61 circulating petitions for signatures through June. He highlighted some of the initiatives the petition is
62 supporting, stating the Promote the Vote 2022 ballot initiative will enhance the integrity and security of
63 Michigan elections by modernizing how they’re administered and protecting voter rights.

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65 **PRESENTATION/PUBLIC HEARINGS/COUNTY COMMISSIONER**

66 There were none.

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68 **SUPERINTENDENT REPORT**

69 The Board reviewed the Superintendent Report, which highlighted the following items:

70 *Administration*

- 71 • The combined Shred Day and Electronics Recycling Event is scheduled for April 30 from 9:00
72 a.m. to noon at the Township Hall

73 *Information*

- 74 • She is working with the Kalamazoo Public Library on a potential one-year contract extension for
75 service to Mattawan and Schoolcraft based on service limitations due to COVID.
- 76 • The Curbside Collection pilot completed Zone 1 ahead of schedule, and the Township has
77 received many positive comments.
- 78 • Progressive AE presented updated design plans for the new Township Hall, and a meeting will be
79 scheduled in May to review the construction drawings and proposed materials.
- 80 • The search committee will be considering another candidate for the Planning/Zoning
81 Administrator position.
- 82 • The rezoning application from Wedel’s has been officially withdrawn.
- 83 • Siegfried Crandall conducted the township’s pre-audit the week of April 18 to conduct our pre-
84 audit.

85 *Flood Mitigation*

- 86 • The Flood Task Force met on April 14, and the Drain Commissioner, Attorney Hissong, and Prein
87 & Newhof explained the updated Lake Level Project. While EGLE would permit the horizontal-
88 well project, there was too much risk involved in the project, so the Drain Commission is moving
89 forward with a secondary option that involves pumping and mechanical filtration very similar to
90 the short term project but permanent. The design details and estimates are still being finalized.
- 91 • The next Task Force meeting is scheduled for Thursday, May 26 at 10:30 a.m. by Zoom.

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93 **ADOPTION OF MEETING AGENDA**

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

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96 **APPROVAL OF GENERAL CONSENT AGENDA**

97 Clerk Beutel noted a correction to the motion and second to approve the General Consent Agenda
98 from April 11, 2022 meeting minutes.

99 Motion by Loeks, seconded by Mazer, motion carried, to approve the General Consent Agenda as
100 amended, consisting of:

- 101 • Approval of April 11, 2022 Regular Meeting Minutes
- 102 • Approval of Bills for \$260,171.90
- 103 • Payroll \$61,965.24
- 104 • 2022 Q1 Financial Reports

- 105 • January, February & March 2022 Building Reports
- 106 • Y1 – Strategic Plan Update
- 107 • Correspondence – Roofing Complaint

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BUSINESS

Tabled

There was none.

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Splash Pad Bid Specs

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Tim Britain of VIRIDIS Design Group presented to the overall design for the Splash Pad project. He explained that the existing park pavilion would be able to house mechanical and electrical, and the system was set up so that the water percolates back into the ground. Some questions and concerns about well and electrical specs. Nick will reach out to Tim directly with questions. This will go through the Planning Commission as well at the May meeting. He was planning to release tomorrow but can wait until Friday if the Board is more comfortable, and due date could be pushed out as well.

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Motion by Roberts, seconded by Kerr, motion carried, to approve the bid specs for the Maple Hill Splash Pad with final review by Supervisor Loeks, and with his approval, and authorize VIRIDIS to solicit bids for the project beginning Monday, May 2 with a bid deadline adjusted accordingly from 4:00 p.m. on May 31, 2022.

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H&K Proposal to Purchase Fill for 6th Street Park

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Superintendent VanderWiere said that H&K Excavating reached out to her to inquire if the township was interested in fill for the 6th Street Park project at a reduced price. The fill would come from the Medistar Project at a significant savings and could reduce elevation differences between the next phase of the park and the existing sports fields and pickleball courts.

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Engineer Wheat recommended that H&K Excavating get the Phase 1 and 2 environmental results from Medistar.

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Motion by Loeks, seconded by Boven, motion carried, to authorize the expenditure of \$51,000 to have H&K Excavating haul, spread and compact 12,000 CYD of fill dirt at the 6th Street Park and authorize Superintendent VanderWiere to sign the agreement after review of the Phase 1 and 2 of the Medistar project.

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Authorize Hiring of Full-Time Firefighter

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Fire Chief Tackett stated there were two rounds of interviews and several very qualified candidates who were considered. He is recommending the hire of Kevin McGrew. Supervisor Loeks sat in on the interviews and said that Mr. McGrew did an excellent job.

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Motion by Boven, seconded by Mazer, motion carried, to approve the hiring of Kevin McGrew as a full-time firefighter through a conditional offer of employment contingent upon drug screening and medical evaluation.

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Accept Resignation of Michelle Seelye Drucker from Parks & Trails Committee

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Supervisor Loeks stated Parks & Trails Committee alternate member Michelle Seelye Drucker has submitted her letter of resignation from the committee, as she has other pressing issues that require her time.

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Motion by Roberts, seconded by Beutel, motion carried, to accept the resignation of Michelle Seelye Drucker from the Parks & Trails Committee.

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V's Bogey's & Stogies Liquor License Application

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Superintendent VanderWiere explained that a request for a Class C Liquor License for V's Bogey's & Stogies for a space in the Texas Square Mall. Joe Wolf advised that V's Bogey's and Stogies will be a

156 full-service bar that has golf simulators and a full-service kitchen when additional space becomes
157 available. However, in their current limited space, Mr. Wolf explained the current concept is to utilize a
158 “beer cart” concept with beer and mixed drinks, as there is no physical bar planned at this time in the
159 floor plan. Mr. Wolf also explained that while “Stogies” is part of the name, they are not planning a cigar
160 bar at this time as the State of Michigan is very restrictive on smoking; the name is being used for future
161 planning in other states. All reviews are complete, and all required documents have been submitted.

162 The Township currently has two liquor licenses available. Board members questioned Attorney
163 Homier if the Township can save a license for the 9th Street area. He will review the Township’s
164 ordinance but believes that is possible.

165 Motion by Boven, seconded by Loeks, to approve the liquor license application and Resolution 22-08.
166 Roll Call Vote: Ayes - Boven, Kerr, Roberts, Mazer, Loeks, and Beutel. Absent – Hammon.
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168 Review Proposed Change to Building Inspection Schedule

169 Superintendent VanderWiere asked the Board to consider some changes to the Building Department
170 Inspection Schedule requested by Building Official Rich McGrew. He would like to continue working 32
171 hours a week but working a half day on Wednesday instead of Friday. Artie Wilcox could cover
172 inspections on Friday if needed at a cost of \$50 per inspection.

173 Motion by Boven, seconded by Mazer, to authorize the change in schedule for the Building Official
174 and to authorize Artie Wilcox to perform inspections on Fridays.
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176 Authorize Hiring of Assistant Farmers’ Market Manager

177 Superintendent VanderWiere stated that market manager Molly Buckham had found a candidate for
178 the assistant market manager and recommended hiring Karen Clyne. Ms. Clyne has experience in food
179 systems and native grasses, as well as in social media. She would be able to start in time for the market
180 to open on May 7.

181 Motion by Roberts, seconded by Kerr, to offer the position to Karen Clyne as beginning the pay rate
182 at \$15 per hour.
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185 **COMMITTEE REPORTS**

186 Fire Department Report

187 Fire Chief Tackett recapped March 2022 statistics from the Fire Department. Board members
188 congratulated Chief Tackett, who recently completed his Executive Fire Class, which is an intensive four-
189 year program.
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191 **BRIEF PUBLIC COMMENTS ON NON-AGENDA ITEMS**

192 There were none.
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194 **ATTORNEY’S REPORT**

195 Attorney Homier stated that the short-term rental bills are coming back, but he doesn’t have a firm
196 update on the timeline. Board members agreed that the intent of the short-term rental definition should
197 be revisited for clarity. He’ll be heading to the MTA Conference in Lansing this week.

198 Treasurer Roberts asked about the mandatory sewer connection ordinance and how Attorney Homier
199 felt about the Committee of the Whole discussion and any type of waiver or exception. Attorney Homier
200 expressed his concern about equal protection with any type of exception, as it’s very difficult to define an
201 exception like topography. He did state there could be a way to amortize the contractor fees as well as
202 the connection fees.
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204 **BOARD MEMBER COMMENTS**

205 Trustee Boven asked about adding a left-hand turn arrow to the light at Q Avenue and 8th Street.
206 Supervisor Loeks said he would bring it up.

207 Trustee Kerr stated she recently attended the Southwest Michigan First Chamber Texas Corners
208 Business Townhall meeting. The businesses in the Corners would like public transportation in the



209 Corners for patrons and especially employees. The Township opted out except in Precinct 3, but adding
210 public transportation would assist residents, visitors and employees of downtown businesses.

211 Treasurer Roberts thanked Attorney Homier and Engineer Wheat for coming to Committee of the
212 Whole. She explained that the reason for putting it on the agenda for this meeting is that the Treasurer's
213 Department typically sends out an annual letter to unconnected parcels on April 1. While the Board
214 discussed and hasn't made any decisions yet, she will plan to send out that letter shortly.

215 Trustee Mazer stated there would be a Public Accuracy Test on Thursday at 2:00 p.m. and said
216 curbside bulk pickup in Rudgate was going well.

217 Clerk Beutel stated that she would like the Board to consider adopting a Cemetery Ordinance to help
218 clarify some policies and which would also help resolve some recurring issues. She also encouraged
219 everyone to vote on May 3rd for the Special Election.

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221 **ADJOURNMENT**

222 Motion by Roberts, seconded by Beutel, motion carried, to adjourn the meeting. The meeting
223 adjourned at approximately 7:24 p.m.

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225 **SUBMITTED:** May 4, 2022

226 Clerk Emily Beutel

227 Attested: Supervisor Nicholas Loeks

APPROVED: May 9, 2022, as submitted