



CHARTER TOWNSHIP OF TEXAS BOARD MEETING, JUNE 20, 2022

COMMITTEE OF THE WHOLE

Supervisor Loeks commenced the Committee of the Whole at 4:00 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, Deputy Superintendent Brooke Hovenkamp. Attorney Michael Homier and Fire Chief Chad Tackett joined at approximately 4:30 p.m.

Proposed Text Amendments Permitting eBike Usage

Deputy Superintendent Hovenkamp stated that the Parks & Trails Committee discussed and would like to recommend that the Board consider text amendments to permit Class 1 and 2 eBikes on Township trailways. While park rules state that “no motorized vehicles” are allowed on paths and trails, the State of Michigan doesn’t classify eBikes as motorized vehicles. Board members discussed the growing popularity of eBikes but also expressed concerns about speeds, proper signaling, and pedestrian traffic. To get input from residents, the Board asked to hold a public hearing at a future meeting.

Township Hall Project and Funding Sources

Treasurer Roberts began the funding discussion with an explanation of the Township’s fund balance and how it has been a Board goal to maintain a balance of 80% of expenditures in case of budget shortfalls. The Township is currently healthy and growing, with a fund balance that now exceeds that 80%. Board members reviewed current Capital Improvement Projects and funds earmarked for those, as well as total budget and fund balance numbers over the past several years.

Rather than deplete the fund balance, it was suggested that the Township pursue a bond to cover the cost of the new Township Hall project. Attorney Homier explained the bonding process and recommended the Township pursue a bond greater than estimated project costs to avoid having to re-notice, especially with the volatility in the supply chain, interest rates, and construction costs at the current time. In order to bond, the Board must approve a Resolution of Intent to Bond, after which there is a 45-day referendum period. Board members reviewed proposed payment schedules and timelines as well for the project.

Draft Corners Business District (CBD) and Planned Unit Development (PUD) Ordinance Amendments

In the absence of Interim Planner Julie Johnston, the Board did not discuss the draft CBD amendments. However, after last month’s Committee of the Whole discussion on the PUD ordinance, they felt comfortable with the revisions recommended by the Planning Commission and agreed to hold the first reading.

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 Trustee Mazer 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, Engineer Tom Wheat, Attorney Michael Homier, and five members of the public in-person and two virtually.

PUBLIC COMMENTS ON AGENDA AND NON-AGENDA ITEMS

Lisa Koop, township resident, thanked the Board for allowing her and her husband, Don, to be part of the Fire Department 360 Review. She asked when and how the Report would be made available to the public. Staff stated the review is still in progress.



53 Lana Maria Escamilla, of Kalamazoo, introduced herself and stated she is running for 8th District
54 Judge. She shared her values and her experience as an attorney and in the justice system and asked
55 everyone to vote in the August 2, 2022 State Primary election.
56

57 **PRESENTATION/PUBLIC HEARINGS/COUNTY COMMISSIONER**

58 2021 Audit Report by Vredevelde Haefner

59 Doug Vredevelde of Vredevelde Haefner reviewed the 2021 Audit Report, stating that this year’s audit
60 went very well. He shared some financial highlights, including increased state revenue sharing, ARPA
61 funding, and a healthy fund balance for the Township.
62

63 **SUPERINTENDENT REPORT**

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

65 *Administration*

- 66 • Clerk Beutel and Deputy Superintendent Hovenkamp interviewed three Deputy Clerk candidates
67 and would be recommending the hiring of one of them to the Board.

68 *Information*

- 69 • The Township received two bids for the Maple Hill Splash Pad, and both came higher than
70 anticipated. VIRIDIS Design is investigating for any discrepancies and any potential cost
71 reductions or savings.
- 72 • Staff are working with Consumers Energy on several street light issues in the Township, including
73 some replacements and potential upgrades. Unfortunately, supply chain issues are causing some
74 delays for the DDA light fixtures.
- 75 • Progressive AE presented the Township Hall project to the Planning Commission for initial review
76 on June 14th before it goes to Design Review Committee review on June 22nd and to site plan
77 review at the Planning Commission on July 26th meeting. Design documents are being finalized
78 with the intent to go to bid by the end of July.
- 79 • Attorney Homier is completing the draft agreement for the Q Corners LLC development with the
80 Township and DDA; it will be disseminated for review and comment once completed.
- 81 • Chief Stedman was onsite for his follow-up visit for the 360 Review. McGrath Consulting will be
82 working to assemble the draft report.

83 *Flood Mitigation*

- 84 • The next Task Force meeting is scheduled for Thursday, July 11 at 10:30 a.m. by Zoom.

85
86 **ADOPTION OF MEETING AGENDA**

87 Motion by Boven, seconded by Kerr, motion carried, to adopt the meeting agenda as presented.
88

89 **APPROVAL OF GENERAL CONSENT AGENDA**

90 Motion by Hammon, seconded by Beutel, motion carried, to approve the General Consent Agenda as
91 presented, consisting of:

- 92 • Approval of June 6, 2022 Regular Meeting Minutes
- 93 • Approval of Bills for \$160,178.32
- 94 • Payroll of \$58,986.79
- 95 • May 2022 Building Report
- 96 • Financial Reports: Cash By Bank & Fund – April 2022 & May 2022
- 97 • Correspondence: Letter RE: 7650 South 8th Street Assessment

98
99 **BUSINESS**

100 *Tabled*

101 There was none.

102
103 *New*

104 Resolution #22-10 to Adopt Ordinance No. 366 Rezoning 6179 West N Avenue

105 Board members reviewed the request to rezone the parcel located at 6179 West N Avenue to R-5:
106 Residential District, High-Density, Multiple-Family, as well as Interim Planner Julie Johnston's staff
107 report. Members considered the Master Plan and Future Land Use Plan, as well as zoning and
108 compatibility with adjacent parcel zoning and land uses. Attorney Jeff Swenarton and Max Saichuck
109 representing Continental Properties shared the proposed project for development on that parcel, which
110 includes approximately 200 apartment units, which will be 24-unit two-story buildings targeted toward
111 young professionals working in the community. The parcel is approximately 20 acres and currently zoned
112 R-2 Single Family. Board members agreed that the project was a good use for the area and transitioned
113 well from commercial to residential.

114 Motion by Loeks, seconded by Roberts, motion carried, to approve Resolution 22-10, which adopts
115 Ordinance No. 366, and directs the Township Clerk to publish the notice of adoption.

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

118
119 Approve Request for Quotation (RFQ) for Planning Consultant Services

120 Deputy Superintendent Hovenkamp explained that the Board's discussion on June 6th to reorganize
121 of the Planning Department resulted in the creation of a new full-time Zoning Administrator position and
122 the desire to hire a consultant to manage the high-level planning functions of the department. These
123 would include site plan review, Planning Commission and Zoning Board of Appeals support, residential
124 development and complex commercial project review, and text amendments oversight. She presented
125 the RFQ for planning consultant services and stated it would be posted on several sites, as well as sent
126 out to several firms. The Board discuss who would conduct the interviews and would prefer the existing
127 Planner Search Committee handle them.

128 Motion by Roberts, seconded by Hammon, motion carried, to approve the RFQ for planning
129 consultant services and to authorize administration to post the RFQ with a response deadline of 3:00 PM
130 on July 15, 2022.

131
132 Interim Zoning Review Assistance

133 Superintendent VanderWiere stated that Julie Johnston has agreed to remain on as the Interim
134 Planner but needs to focus her time away from zoning permits and inquiries which have been absorbing
135 much of her time. She met with Ordinance Enforcement Officer Dale Epkey and Deputy Superintendent
136 Brooke Hovenkamp to train them to review more simple zoning permits. To compensate Ms. Hovenkamp
137 for her time taking on these additional duties outside of her job description, she recommended a weekly
138 stipend of \$100 to be paid out of Department 805.

139 Motion by Kerr, seconded by Boven, motion carried, to approve the proposed \$100 weekly stipend
140 for Ms. Hovenkamp to take on the zoning review for building permits until a Zoning Administrator is hired
141 retroactive to June 13, 2022.

142
143 Great Lakes Burn Camp Fireworks

144 After a break of several years due to COVID-19, Chief Tackett stated the Great Lakes Burn Camp
145 was returning to Pretty Lake Camp in August. A fireworks display is planned, as in previous years, to
146 celebrate the event on August 11 at the camp, and nearby residents will be notified as in past years.

147 Motion by Loeks, seconded by Beutel, motion carried, to authorize the fireworks display for the Great
148 Lakes Burn Camp at Pretty Lake Camp on August 11, 2022.

149
150 Resolution 22-11 Notice of Intent to Bond for New Township Hall

151 Superintendent VanderWiere stated that the Township Board and Staff have been working on the
152 design of a new township hall for nearly six years, as it has been delayed due to flooding and COVID-19.
153 The project is finally moving forward and nearing the completion of design. Prior to Progressive AE
154 posting the project for bid, the funding source must be determined by the Township Board. Staff have

155 met with several loan advisors who have recommended that the Township pursue a bond rather than an
156 installment purchase loan due to the cost of the project and longer payment schedule.

157 In order to bond, the Township must contract with a Bond Agent and Bond Counsel. Scott Hogan
158 from Foster Swift can act as the Bond Counsel, and Attorney Homier has recommended Warren
159 Creamer, Managing Director of MFCI, LLC as the Bond Agent. Both agents charge a fee, based on the
160 amount of the bond.

161 The first step in the bond process is to publish the Notice of Intent to Bond, which is presented in
162 Resolution 22-11. If adopted, the notice is published, followed by a 45-day waiting period before the
163 bonds can be put on the market for purchase. The Notice of Intent to Bond indicates a “not to exceed”
164 amount of \$8.5 million, though the current project estimate is roughly \$6.6 million, to account for any
165 unknowns in today’s market. She clarified the Township will only bond for the actual amount needed for
166 the project.

167 Motion by Beutel, seconded by Mazer, to adopt Resolution 22-11 to Publish the Notice of
168 Intent to Bond not to exceed \$8.5 million for the New Township Hall project and to engage Warren
169 Creamer of MFCI, LLC as our Bond Agent and designate Scott Hogan from Foster Swift as our Bond
170 Counsel.

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

173

174 Annual DDA TIF Financial Report

175 Treasurer Roberts stated that each year, the State requires the DDA and all TIF districts in the state
176 to submit an annual report 180 days after the close of the fiscal year. She shared a two-page Annual
177 Report, which will be posted on the Township website, published in a local newspaper, and submitted to
178 all taxing authorities from whom taxes were captured.

179 Motion by Kerr, seconded by Hammon, to approve Fiscal Year 2021 Annual Report on Status of the
180 Texas Corners Downton Development Authority and its Tax Increment Financing Plan.

181

182 FEMA Flood Mitigation – New Grant Match Letter

183 Superintendent VanderWiere explained the Township was awarded a Hazard Mitigation Grant
184 Program FEMA grant for Flood Mitigation in August of 2021 in the amount of \$772,275 with a grant match
185 of \$257,425. However, the original project to use a horizontal well and gravity flow piping to connect
186 Eagle to Crooked and Crooked to Bass Lake through the Bentwood Wetland was not deemed
187 acceptable by EGLE to prevent the downstream impact and spread of invasive species.

188 Instead, Prein & Newhof recommended using a filter bed and pump at both Eagle and Crooked
189 Lakes and utilizing the filtration equipment to filter the water before it was let out into the Bentwood
190 Wetland. This change of scope considerably increased the cost of the project, which is now estimated at
191 approximately \$3 million, requiring a resubmission to FEMA for the grant award.

192 A grant match letter is required for the submission, which indicates the project cost is \$2.5 million as
193 it does not account for the preliminary engineering and legal lake level study. The letter indicates that
194 the Township is responsible for the grant match of \$562,075, but the plan is to utilize the Lake Level
195 District Special Assessment District to help fund this match. She also explained a letter from the
196 Kalamazoo County Drain Office’s Attorney for this project will be submitted indicating that the district will
197 be responsible for the amount in excess of the Township’s at-large assessment.

198 Motion by Loeks, seconded by Boven, to authorize Superintendent VanderWiere to sign and
199 send the FEMA Grant Match Letter as part of the Amended FEMA HMGP Grant Submission.

200

201 Authorize Hiring of Deputy Clerk

202 Clerk Beutel explained that she Deputy Superintendent Hovenkamp interviewed three candidates for
203 the Deputy Clerk position and recommended hiring Kerrie Douglas. Ms. Douglas has seven years of
204 municipal experience with Comstock Township as their Fire Department administrative assistant and has
205 extensive payroll and budget experience.



206 Motion by Hammon, seconded by Kerr, to approve the hiring of Kerrie Douglas at an hourly wage of
207 \$24 per hour with an annual stipend of \$5,000 for serving as the Deputy Clerk, contingent upon a
208 background investigation.
209

210 **COMMITTEE REPORTS**

211 Fire Department Report

212 Fire Chief Chad Tackett shared the May 2022 Fire Department report with 97 incidents (70 EMS and
213 27 Fire).
214

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

216 There were none.
217

218 **ATTORNEY'S REPORT**

219 Attorney Homier had nothing to report.
220

221 **BOARD MEMBER COMMENTS**

222 Treasurer Roberts stated tax bills would go to the mailer next week and would be on their way to
223 residents' mailboxes around July 1. After the last mailing regarding the sewer ordinance, there have
224 been many sewer questions but also an increase in the number of connections.

225 Trustee Hammon said she was excited to be moving forward with the new Township Hall.

226 Clerk Beutel thanked the Board for approving the staffing support. She stated the Clerk's office was
227 already busy preparing for the August 2 State Primary election and would be sending absent voter
228 ballots soon. She also recognized the Juneteenth holiday and was grateful for the progress made since
229 that point in our nation's history.

230 Trustee Boven said he's also excited for the new township hall.

231 Supervisor Loeks met with a few residents about the sewer connection ordinance, and he stated they
232 planned to attend the next Committee of the Whole meeting where the Board would be discussing it to
233 express their concerns.
234

235 **ADJOURNMENT**

236 Motion by Roberts, seconded by Boven, motion carried, to adjourn the meeting. The meeting
237 adjourned at approximately 7:10 p.m.
238

239 **SUBMITTED:** June 30, 2022

240 Clerk Emily Beutel

241 Attested: Supervisor Nicholas Loeks

APPROVED: