

Meeting of Sparta Township Board
Sparta Township Hall - 160 E Division St - Sparta MI 49345
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August 14, 2025 - 7pm

Present: Supervisor Dale Bergman, Clerk Marcy Savage, Treasurer Ashley Johnson, Trustee Jason Bradford, Bill Goodfellow, Barb Johnson, and Rob Steffens. Also, attorney Michael Homier.

Also Present: Historical Society Chairman Doug Pinckey, Village of Sparta President Bob Whalen, Village of Sparta Manager Jim Lower, and Recording Secretary Sarah Fischer.

Absent: None

1. **Call to order:** The meeting was called to order at 7:00pm.
2. **Pledge of Allegiance:** The Pledge of Allegiance was recited.
3. **Additions or corrections to the agenda:** None. Motion to approve the agenda by Bill Goodfellow with a second by Jason Bradford. Passed unanimously.
4. **Public comment for agenda items:** Mercantile Bank, Karla Childers Assistant Vice President and Government Banking Sales Officer with Kathy Kelvin Community Development Officer presented Commercial Banking Services Proposal (handout provided).
5. **Approval of minutes and treasure report:**
 - a. **Approval of minutes of July 10th, 2025:** Motion by Barb Johnson with a second by Ashley Johnson. The motion passed unanimously.
 - b. **Treasurer's Report:** Motion by Bill Goodfellow with a second by Rob Steffens to approve. Passed unanimously.
 - c. **Building Department Monthly Report:** this is informational only.
6. **Business items:**
 - a. **Approval of bills:** Motion by Bill Goodfellow with a second by Ashley Johnson. Motion passed unanimously.
 - b. **Metro Act Application: Surf Internet:** Tina Clipfell provided an update on the transport line application for Sparta, noting potential service eligibility for nearby homes and future rural expansion opportunities if approved.

Motion to approve the internet services request by Bill Goodfellow and second by Marcy Savage. Passed unanimously.

- c. **Earned Sick Time:** Marcy Savage led the discussion, and the board agreed to collaborate with Attorney Michael Homier's team for further amendments. This matter tabled until next month with unanimous approval.
- d. **Michigan Class Resolution and Policy Update:** Ashley Johnson recommended the Township move to MI Class, noting strong recommendation from the Village, Cindy Dodge, and others. With Bill Goodfellow's experience collaborating with MI Class and investments in the past, they partnered with MI Class representatives to update the outdated 1998 investment policy. A minor amendment was made to item five, adding letter E; no other changes were made. Per Jeff with MI Class, a resolution is included and must be signed to move forward with Michigan Class. Motion to approve the policy and the resolution. Motion to approve the Policy, approved by Bill Goodfellow and seconded by Barb Johnson. Motion to approve the Resolution, approved by Bill Goodfellow and seconded by Rob Steffens. Passed unanimously.
- e. **Deputy Treasurer Wages:** Led by Ashley Johnson, Support the Treasurer Duty position to be filled by Christina Beach, and request for her wages to be \$20 dollars an hour. With many years of customer services and accounting experience, Christina has adapted well to the role and has already shown enormous potential and promise to the role and Township. Motion to Welcome Christina Beach and to pay her \$20 dollars an hour, was moved by Barb Johnson and seconded by Bill Goodfellow. Passed unanimously.
- f. **Elevator Repair Options:** Dale Bergman shared that option one, replace the roller guides on the elevator for a cost of \$6,967.32 or option two, to repair/replace Code items along with the roller guides for \$18,019.22. Motion for support of option two by Bill Goodfellow and seconded by Barb Johnson. Passed unanimously.
- g. **Township Hall Safety and Security:** Ashley Johnson recommended upgrading building locks due to security concerns with untracked keys and the recent sale of the adjoining building previously owned by the Village of Sparta. Dale advised separating the issues being discussed.

- i. **Issue 1 – Updating the Lock System:** A motion by Marcy Savage, supported by Barb Johnson, to table any lock system changes until next month to obtain additional quotes for either replacing the current locks and keys or installing key fobs, passed unanimously.
 - ii. **Issue 2 – Addressing the Shared Door:** Village Manager Jim Lower noted that the adjoining building, now owned by Chad Momber, will remove the shared door and install drywall on their side. The Township may do the same on their side at the Township expense. Approved by Dale Bergman.
- h. **Expansion of the Hard Drive:** Discussion led by Marcy Savage, Township’s current hard drive is getting full. Recommendation by Gary Glass IT is to replace the hard drive with one sold from Amazon. Comment by Bill Goodfellow to improve from the recommended 8TB for \$169.05 to the 24TB for \$280 dollars which offers more storage space. Additionally, needing a quote for the labor to install the new hard drive. Motion by Bill Goodfellow to go with Gary for the 24TB with a second by Barb Johnson. Passed unanimously.
- i. **Civic Center Trade for Historical Commission Research Facility:** Dale Bergman led a discussion on page 4 of 16, item 9, “Future Sales Conditions,” suggesting removal of sales conditions, though it might be unlikely. Bill Goodfellow proposed splitting any sale revenue between the Village and Township. Village Manager Jim Lower, Michael Homier (Township Attorney), and Historical Society Chairman Doug Pinckney provided input on the matter. Jim spoke on behalf of the Village board regarding building ownership, profit rights, while Doug shared historical context on the building sales and donations. Dale Bergman tabled decisions until next month for legal review. Village Manager Jim Lower emphasized the need for an immediate decision on the Township’s position regarding the property split, and the board agreed with the Village’s proposal.
- j. **Village - Cityhood Discussion:** Michael Homier (Township Attorney) drafted a legal opinion on the Village - Cityhood and 425 Agreement and stated that the board must adjourn to a close session to review the document and discuss it as it is confidential attorney client privilege communication exempt from disclosure by State or Federal law and therefore, permissible purpose for a closed session. Dale Bergman proposed that before the board breaks for a closed-door session, they hear

from the Village of Sparta 12 Mile Road on their 425 Agreement Presentation (which was item 11 on the Meeting agenda plan). The board decided to move to the topic of the 425 - Agreement Presentation from the Village of Sparta.

k. 425 Agreement Presentation from the Village of Sparta 12 Mile Road:

Jim Lower spoke on behalf of the Village of Sparta regarding the agreement in conjunction with the agreement being a partnership between all three Village, Township, and property owners. Handed out a concept plan map for the proposed land and provided amendments to his memo on the agreement, paragraph one, sentence one, changed the typo zoned R-2 to Ag-2. Jim Lower presented the request to get representatives from the Township, the Village and property owner together to hash out a finalized plan that is a compromise and agreement between all. After reviewing the concept plan and hearing the presentation, Dale Bergman summarized that, based on the discussion, the group is aiming to move the conversation to the subcommittee level, where more detailed, back-and-forth dialogue can take place. Jim Lower agreed this would be the ideal next step but emphasized the importance of first confirming whether the Township is open to considering the 425 agreement before moving forward with establishing a subcommittee. Dale leaned on Michael Homier (Township Attorney) for his opinion on how to proceed with the remainder of the meeting, and Michael advised that they could open the remainder of the meeting to the public for additional comments, but reassured that with any 425 agreement a public hearing would need to be conducted at a separate time.

- i. Village President Bob Whalen 273 River Road, spoke about the 425 agreement, emphasizing that the Village supports development of the property and that legal opinion backs their stance that certain restrictions in the agreement—such as limiting future votes or uses of the property—were improper. The Village anticipated a lawsuit and, at the property owner's request, pursued direct annexation through the county, which shields the Village but not the Township from legal action. Whalen also noted that Sparta's potential Cityhood would not include the property in question. In contrast, he shared that Jim Lower suggested returning to the Township to avoid a lawsuit, stressing that all Village taxpayers pay the Township tax and would bear the costs.

- ii. Travis Ward 2169 Sparty Lane, nearby property owner, disputed the Village Manager's memo, paragraph five, sentence three, arguing it misrepresented Kent County Corporate Counsel's position. He stated that the county's review found statutes and case law prevented it from considering the Village's annexation petition, making the 425-agreement valid and enforceable. Ward emphasized that the litigation talk was premature, as both the Township and Village are bound by the agreement. He urged the Township to wait for clarity on Sparta's Cityhood before making decisions, so all information is available for potential compromise. Ward also noted he supports development, provided it follows Township zoning under Ag 2.
- iii. Attorney Bernard Schaefer representing the owners of the Momber property, Chad Momber, and John Klamt, argued that the Township should avoid litigation over the 425 agreement. He stated the Village's annexation petition was valid, and the 425-language restricting annexation was misapplied since it pertained to the Corewell Health property, not the Momber property. Schaefer warned that using the agreement to block development could constitute an unconstitutional taking of property rights, exposing the Township—and board members personally—to liability and compensation claims. He cited case law and past legal outcomes where governments faced costly consequences. Schaefer urged the Township to focus on collaboration with the Village for a mutually beneficial resolution, noting annexation and development would increase tax revenue without harming Sparta Township's rural character.
- iv. Todd Olin 4060 Plymouth MN, a former resident now living in Minnesota, shared his experience working on the Bedford Falls project, which faced strong opposition during its annexation and 425 agreement process. He explained that despite initial resistance, the parties involved—including neighbors, the Township, the Village, and the developer—worked together to reach a compromise on project details such as density and transition. Olin urged the board to follow a similar collaborative approach for the current situation, using attorneys to facilitate solutions rather than escalating conflict. He

emphasized the importance of good faith efforts from all sides and offered his technical expertise on the current project if needed.

- v. Jim Knauf expressed concern that allowing commercial development, such as restaurants, malls, or gas stations, on the proposed property near 12 Mile Road would harm downtown Sparta. He noted that J&J Investments has already invested heavily in revitalizing the downtown area, and new development outside of it could draw people away, undermining those efforts and potentially forcing downtown spaces to convert to offices.
- vi. John Kosel 9356 Laubach Sparta, a licensed builder and engineer, argued that the property in question was purchased with known zoning conditions, and the current owners should bear responsibility for those restrictions rather than shifting the burden to the Township. He stressed that zoning and the master plan must be upheld to protect farmland and prevent uncontrolled commercial or residential expansion. Kosel warned that development near 12 Mile and Laubach could trigger further sprawl, undermine Sparta's downtown investments, and erode the township's agricultural character, particularly its valuable apple-growing land. He urged the board to prioritize the master plan and long-term township interests over short-term development pressures.
- vii. Chad Momber, the property owner, stated that when he purchased the farm in 2017, he was unaware of the restrictive 425 agreement language regarding water and sewer access. He emphasized that neither he nor the previous owner, Phil Saur, knew of the clause, and that it was not disclosed at closing or by attorneys involved. Chad argued that if he had known, he would not have purchased the property until the issue was resolved. He also noted that the Township itself rezoned the land from agricultural (A1) to A2 years earlier, and that he followed Township guidance by purchasing additional acreage and developing large residential lots to protect the southern border from further development. Chad urged the board to recognize that rumors suggesting he knowingly bought the property with restrictions are false.
- viii. Richard Ebers at 1705 10 Mile Road, lives just outside the township, stated that he does not believe the Township's role is to preserve farmland for the apple industry but rather to protect farmers

themselves. He argued that consumer demand will determine the future of farming, not zoning boards. Ebers expressed concern that the Township may be using "preserving farmland" as an excuse while restricting farmers' ability to expand operations, such as labor camps or packing sheds. He emphasized that the Michigan Right to Farm Act was intended to shield farmers from outside interference. While noting he saw issues with Chad's conceptual plan, Ebers said he did not believe it created public safety concerns and urged the board to focus on protecting farmers over farmland.

- ix. Nick Curcio 16905 Birch View Drive Nunica, MI, legal counsel for the Village of Sparta, clarified that while the development plan is currently conceptual, enforceable parameters can and will be built into the new agreement. He explained that the draft agreement already includes binding provisions specific to this property, unlike the broader 425 agreement. Curcio noted that additional safeguards important to the Township could be established through a subcommittee, ensuring the plan's terms are legally enforceable and not subject to future disputes.
- x. Dale Bergman asked if it was necessary to make a motion to enter a closed session for the purpose of considering a written confidential legal opinion with the Township's attorney pursuant to Section 15.268(1)(h). Motioned by Barb Johnson and a second by Ashley Johnson. Roll call was conducted for a vote, all aye's.
- xi. Motion by Barb Johnson to come out of closed-door meeting, seconded by Bill Goodfellow. All aye's.
- xii. Motion by Rob Steffens to set up a subcommittee to discuss the 425 agreement, with a second by Bill Goodfellow. All aye's. Passed unanimously.
- xiii. Marcy Savage made the motion that Jason, Rob, and Ashley to be on the subcommittee, with a second by Bill Goodfellow. All aye's. Passed unanimously.

7. Other information: Comment from Rob Steffens sharing that Sparta Sports Park had a little vandalism last week in the bathroom.

8. Public Comment: Robert Carlstrom, representing the Village Council, spoke in favor of Cityhood, using the Nash Creek drainage project as an example of township mismanagement. He outlined the project timeline,

noting that the Sparta Township Board petitioned Kent County in December 2020 and was liable for a portion of the project costs. Public meetings were held between 2022 and 2024, with initial estimates of \$8.9 million. By May 2025, the total cost was finalized at \$6 million, with \$2 million covered by state grants, leaving the township responsible for \$4 million. In July 2025, the township voted to pay \$600,000 in full, partly to limit funds potentially owed to the village if it became a city. Carlstrom criticized the township for poor financial planning, stating that spending decisions and lack of preparation put the township at financial risk, neglected fiduciary responsibilities, and demonstrated poor governance. He emphasized that the village did not petition for the project but still paid a portion of the costs, illustrating why cityhood could provide the village with more control and accountability over local projects.

John Kosal 9356 Laubach Sparta, a licensed professional engineer and builder in Michigan, acknowledged he was unaware of the Nash Creek project's implementation, citing COVID-related distractions but taking full responsibility for not staying informed. He recommended that the township form a citizen committee to monitor project costs, timelines, change orders, and communications among the state, county, Village of Sparta, and affected townships. He emphasized the need for collaboration between village and township residents to prevent cost overruns, missed deadlines, or poor contractor performance, ensuring better oversight and accountability for the project.

Bob Whalen, 273 River Road, commended Ashley, and Bill for transferring funds to Michigan CLASS, noting it was overdue and resulted in missed interest earnings but was glad it was completed. He also clarified that the village has never claimed to be rare, only that it is the second-largest village in Michigan, among fifty-five villages compared to 276 cities.

Historical Society Chairman Doug Pinckney 11353 Stebbins Avenue, commented on the lack of communication from the drain commissioner since 2020. He noted that previous requests for decisions or cost information were never provided, leaving the township unaware of ongoing matters. When he inquired about township costs for the 2025 budget, the drain commissioner was unable to provide answers and left the meeting when questioned.

9. Adjournment: Motion to adjourn at 9:25 by Barb Johnson, with a second by Marcy Savage. All aye's.

Submitted by: Sarah Fischer

Reviewed by: Marcy Savage, Clerk