NOTICE OF MEETING

The Regular Meeting of the Suttons Bay Township Board will be held Wednesday, May 10, 2023 at 5:15pm in the Suttons Bay Township Office. (There will be a ZOOM site for remote access)

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

PUBLIC COMMENT: Please limit comments to three (3) minutes unless the Chair grants otherwise. Questions will not be answered but citizens may call the township office at 231-271-2722 to have questions discussed.

CONFLICT OF INTEREST

REPORTS:

Planning & Zoning
Parks Supervisor
Parks & Recreation Committee
Fire Authority

OLD BUSINESS:

- 1. Approval of the Minutes: April 12, Regular Board Meeting & April 27, Special Meeting
- 2. Payment of the Bills
- 3. Review Recent Revisions to T.A.R.T. Draft Trail Extension Agreement

NEW BUSINESS:

- 1. Review Memorandum of Understanding with NMMBA for Pump Track
- 2. Appoint Supervisor as Official Representative on Hansen Plaza Condo Board
- 3. Approval to Seek SPARKS Grant for Children's Playground at Herman Park
- 4. Approval of Landscape Maintenance Quote for Front Entrance of Herman Park
- 5. Approve Tobin & Company as Auditor

PUBLIC COMMENT Please limit comments to three (3) minutes unless the Chair grants otherwise.

BOARD MEMBER COMMENTS

ADJOURN

This meeting is a session of the Suttons Bay Township Board held in public for the purpose of conducting the Board's business and is not to be considered a public discussion meeting. Time is set aside for public comment during the meeting as noted on the Agenda. The Township Board welcomes the public's input at those times.

ZONING ADMINISTRATOR'S REPORT

SUTTONS BAY TOWNSHIP

APRIL 2023

For May 2023 PC and Board Meetings

Prepared by Steve Patmore

LAND USE PERMITS ISSUED

| | | NEW | | ACCESSORY | |
|-------------------|-------|-------|-----------|------------|-------|
| DATE | TOTAL | HOMES | ADDITIONS | STRUCTURES | OTHER |
| | | | | | |
| April 2023 | 6 | 2 | 2 | 2 | 0 |
| | | | | | |
| Year To Date | 11 | 4 | 4 | 3 | 0 |
| Year to date 2022 | 12 | 5 | 5 | 2 | 0 |
| Year to date 2021 | 6 | 4 | 1 | 1 | 0 |
| Year to date 2020 | 2 | 0 | 0 | 1 | 1 |
| Year to date 2019 | 5 | 4 | 1 | 0 | 0 |
| Year to date 2018 | 6 | 4 | 1 | 1 | 0 |
| Year to date 2017 | 5 | 0 | 2 | 2 | 1 |
| Year to date 2016 | 5 | 2 | 1 | 1 | 1 |
| Year to date 2015 | 2 | 0 | 1 | 1 | 0 |

| S. Lake Leelanau Dr. | House Addition |
|----------------------|--|
| N. Nanagosa Dr. | Deck |
| Bayview Tr. | Accessory Building |
| Smiseth Rd. | New Single Family Dwelling |
| Solem Rd. | Accessory Building |
| Solem Rd. | New Single Family Dwelling |
| | N. Nanagosa Dr. Bayview Tr. Smiseth Rd. Solem Rd. |

Land Divisions:

- One application under review
- Several Inquiries on splits
- · Research old divisions

Zoning Board of Appeals:

No activity

Short Term Rentals:

- Renewal Permits for 2023 in progress.
- Short Term Rental Committee is meeting monthly to review ordinance and suggest changes.

Other:

- Follow up on Site Plan Reviews.
- Process application for rezoning on Lover's Lane Twp Board Meeting
- Inquiries on potential Land Uses
- Winery license for 9 Bean Rows.
- Application for Special Use Permit for a communication tower under review.
- New FEMA Flood Plain Maps revision to ordinance.

Land Use Permits revisions and a few in progress.

Research for Zoning Ordinance Overhaul.

DRAFT MINUTES

SUTTONS BAY TOWNSHIP REGULAR BOARD MEETING APRIL 12, 2023, 5:15 P.M.

(There will be a ZOOM site for remote access)

CALL TO ORDER

Tom Nixon, Supervisor, called the regular meeting of the Suttons Bay Township Board to order on Wednesday, April 12, 2023, at 5:15 p.m. at the Township Offices.

Roll Call of Board Members Present: Quorum Present

Present: Tom Nixon, Sandy VanHuystee, Dorothy Petroskey, Doug Periard,

Debbie Slocombe

Absent: None

Staff: Steve Patmore, Marge Johnson

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AGENDA

Dorothy Petroskey/moved, Sandy VanHuystee/supported, to approve the agenda as presented, passed.

PUBLIC COMMENT

None.

CONFLICT OF INTEREST

None.

REPORTS

- Treasurer
- Zoning Administrator & Planning
- Park Supervisor Report
- Parks & Recreation Committee
- Fire Authority Elected officers, approved office upgrades, Special Meeting - April 19th.

OLD BUSINESS

Approval of the Minutes

Dorothy Petroskey/moved, Sandy VanHuystee/supported, to approve the March 8, 2023 Regular Board Meeting Minutes as presented, passed.

2. Payment of the Bills

Sandy VanHuystee/moved, Debbie Slocombe/supported, to pay the bills as presented in the amount of \$45,313.34, passed.

NEW BUSINESS

- Approve Final Reconciliation of 2022-2023 Budget
 Final Reconciliation of 2022-2023 Budget was reviewed by the Board.
 Dorothy Petroskey/moved, Debbie Slocombe/supported, to approve Final Reconciliation of 2022-2023 Budget as submitted by the Clerk, passed. (Document attached to the Minutes)
- Discuss Gloria Korson's Rezone Property Request
 Application of Gloria Korson to rezone 2.854 acres of a 56 acre parcel of land on Stoney Point Rd from agricultural to residential.

The Township Board was provided with documentation regarding the requested rezoning.

Steve Patmore summarized the requested rezoning. This is not a conditional rezoning. Under current zoning the rezoning would allow two - one acre lots. The Planning Commission held a public hearing on the rezoning and recommended to the Township Board that the rezoning not be approved (5-3 vote to recommend denial of the requested rezoning.) The rezoning was reviewed by the Leelanau County Planning Commission who prepared a Staff Report, and recommended the rezoning be approved (Vote 6-0 with 1 abstain). The rezoning factors were reviewed by the Township Board at its April 12th Meeting and discussion was held regarding the rezoning.

Sandy VanHuystee/moved, Doug Periard/supported, to approve Ordinance No. 1 of 2023 to rezone 2.854 acres of land, Parcel Nos. 45-011-023-002-00, and 45-011-023-004-00 with the legal description and land survey, from the agricultural zoning district to the residential zoning district based upon the Board's review of the rezoning considerations contained in the Suttons Bay Township Zoning Ordinance, the General Findings of Fact, the Leelanau County Planning Commission recommendation, and staff report, and the Suttons Bay Township Planning Commission recommendations and facts presented by the public.

Roll call vote: Yes: Dorothy Petroskey, Sandy VanHuyste, Tom Nixon, Doug Periard. No: None. Abstain: Debbie Slocombe. (Vote: Yes - 4 No: 0, Abstain - 1). Motion carried.

3. Rescind Old Ordinance and Approve New Ordinance Addressing Flood plain Management Provisions of the State Construction Code

Steve Patmore reviewed the new FEMA Flood Plain Ordinance, including attachments, background and requested Board action.

The Board reviewed Steve Patmore's Memo of April 12, 2023.

Dorothy Petroskey/moved, Debbie Slocombe/supported, to adopt Suttons Bay Township Ordinance No. 2 of 2023, an Ordinance Addressing Flood Plain Management provisions of the State Construction Code and rescinding Suttons Bay Township Ordinance No. 2 of 2018 as presented.
Roll call vote: Yes: Tom Nixon, Sandy VanHuystee, Debbie Slocombe,
Dorothy Petroskey, Doug Periard. No: None. Motion carried.

4. Discuss Request from Friendship Community Center

Bekah TenBrink represented the Friendship Community Center who is requesting to use the Ice Rink Park on June 10 and 11, 2023 for a Cultural Festival 2023. Ms. TenBrink submitted copies of the Mass Gathering Application to the Village of Suttons Bay, Cultural Festival 2023 Information Schedule and drawing of the Ice Rink Park, showing how the Ice Rink Park would be used.

Bekah said she doesn't know how many people will be attending the event, wants Mass Gathering Ordinance in place so that if more than 300 people are in attendance, would be covered by the Ordinance. She chose the Ice Rink Park because of its close proximity to the Friendship Community Center. Parking would be on smaller roads and side streets, family event, no alcohol, will be food, etc., hope to use the side street for extended vendors and Friendship Center to indoor seating and food.

Board member comments and concerns -

Parking is a concern. The Village has an interest in the event. A lot of people would be drawn to this event, are there other parks in the area that would be better for a neighborhood setting. Not sure having 300 people on the ice rink site would be desirable, are other parks in the area that could be used for the event. If the Township doesn't grant approval, it sends signal that number of people on this parcel is a concern. Rendering not detailed enough to allow the event on Ice Rink Park parcel. Needs to be something that the Township is okay with in reviewing this application. Would delay the decision based on the rendering, not detailed enough to be assured that what is being planned will fit on the property. Don't have to be concerned about soil being disturbed. Having the event from 12:00 noon to 5:00 p.m. is good idea.

Bekah agreed to redraw the rendering as requested by the Board.

Bill Drozdalski said he reviewed the plan. Topography is an issue, large oak trees, recommends the Board visit the property.

The Village will review the request next Wednesday to determine what impact this event would have on that area. Tom Nixon will represent the Township at this meeting and will say the concept very well received, but question, will the number of people proposed be appropriate, and consider topography issues.

Bill Drozdalski agreed to meet with Bekah on the Ice Rink Property.

Bekah thanked the Township Board for its input on the proposed event.

PUBLIC COMMENT

Jim Muennich addressed the Board that he is working with Bill regarding the dog park.

BOARD MEMBER COMMENTS

Tom Nixon is working with Pete Ostrowski on the pump track, is upcoming discussion on Tart Trail Extension, Trash Pickup Day - Sat., May 20 from 9 a.m. to 12 noon.

ADJOURNMENT

The meeting was adjourned at 6:48 p.m.

Minutes by Marge Johnson, Recording Secretary Sandy VanHuystee, Clerk

Special Meeting of the Township Board was held on Thursday, April 27, 2023 beginning at 9 A.M.

Members present: Nixon, Van Huystee, Petroskey, Slocombe, Periard

Guest: Emily & Beka from Lift, Bill Drozdalski

Meeting was called to order by Supervisor Nixon.

Purpose of meeting: Decide on the Use of Ice Rink Park for a Cultural Festival

Approval of a Resolution to Establish and Escrow Account

For a Communication Tower.

No Conflict of Interest

No Public Comment

Supervisor Nixon commented on how well the meeting went with the Village in regards to the mass gathering application to the village for the Cultural Festival. Attending the discussion were the Police, County Emergency, Fire Department and DPW. Supervisor Nixon recommends that the Board consider allowing the festival since we do not know how many will attend at this time and review after the event to set rules for the use of the Ice Rink Park. Beckah presented a drawing how they would set up for the festival.

A motion by Dorothy Petroskey, supported by Debbie Slocombe to approve the application that will be Filed today with Township for the Cultural Festival to be held on June 11th from noon to 5 P.m. and set up to be on June 10.

All ayes. Motion carried.

Steve Patmore presented a resolution in regards to setting up an escrow account for the Communication Tower proposed on Bahle Road. Resolution was reviewed by our attorney and a motion by Dorothy Petroskey, supported by Sandra Van Huystee to approve Resolution # 7. Roll Call Vote: Periard, Petroskey, Slocombe, Nixon, Van Huystee. 5 ayes – 0 nays Resolution approved.

A motion by Dorothy Petroskey, supported by Van Huystee to adjourn at 9 30 A.M. Motion carried.

Submitted by Sandra Van Huystee

Suttons Bay Township Unpaid Bills Detail As of May 10, 2023

| Туре | Date | Num | Due Date | Aging | Open Balance |
|--------------------------------|--------------------------|-----|--------------------------|-------|------------------|
| BS & A Software Bill | 05/10/2023 | | 05/20/2023 | | 1,944.00 |
| Total BS & A Software | | | | | 1,944.00 |
| Christy Brow | 05/01/2023 | | 05/11/2023 | | 448.04 |
| Total Christy Brow | | | | | 448.04 |
| Colleen Christensen Bill | 05/10/2023 | | 05/20/2023 | | 207.00 |
| Total Colleen Christensen | | | | | 207.00 |
| Debbie Slocombe Bill | 05/01/2023 | | 05/11/2023 | | 137.64 |
| Total Debbie Slocombe | | | | | 137.64 |
| Dorothy Petroskey Bill | 05/01/2023 | | 05/11/2023 | | 2,186.11 |
| Total Dorothy Petroskey | | | | | 2,186.11 |
| Doug Periard Bill | 05/01/2023 | | 05/11/2023 | | 137.64 |
| Total Doug Periard | | | | | 137.64 |
| DTE Energy Bill | 05/10/2023 | | 05/20/2023 | | 130.81 |
| Total DTE Energy | | | | | 130.81 |
| Federal Tax Deposit Bill | 05/10/2023 | | 05/20/2023 | | 3,796.44 |
| Total Federal Tax Deposit | | | | | 3,796.44 |
| Gosling Czubak Bill | 05/10/2023 | | 05/20/2023 | | 6,401.00 |
| Total Gosling Czubak | | | | | 6,401.00 |
| Janis M. Palkowski Bill | 05/10/2023 | | 05/20/2023 | | 72.00 |
| Total Janis M. Palkowski | | | | | 72.00 |
| Jean Ann Moe Bill Bill | 05/10/2023 05/10/2023 | | 05/20/2023 05/20/2023 | | 602.66 341.00 |
| Total Jean Ann Moe | 00/10/2020 | | 00/20/2020 | | 943.66 |
| Jennifer M. Herman | | | | | |
| Bill | 05/10/2023 | | 05/20/2023 | | 279.00 |
| Total Jennifer M. Herman | | | | | 279.00 |
| Michigan Assessing Ser Bill | vice 05/10/2023 | | 05/20/2023 | | 3,888.33 |
| Total Michigan Assessing | Service | | | | 3,888.33 |
| Moses Window Cleaning Bill | 05/10/2023 | | 05/20/2023 | | 25.00 |
| Total Moses Window Clea | ning | | | | 25.00 |

Suttons Bay Township Unpaid Bills Detail As of May 10, 2023

| Type | Date | Num | Due Date | Aging | Open Balance |
|------------------------------------|--------------------------|-----|--------------------------|-------|-------------------|
| Northern Building Sup | ply, LLC 05/10/2023 | | 05/20/2023 | | 53.97 |
| Total Northern Building S | Supply, LLC | | | | 53.97 |
| Peter Stott Bill | 05/10/2023 | | 05/20/2023 | | 279.00 |
| Total Peter Stott | | | | | 279.00 |
| Sandra Van Huystee Bill Bill | 05/01/2023 05/10/2023 | | 05/11/2023 05/20/2023 | | 2,375.31 34.39 |
| Total Sandra Van Huyste | ee | | | | 2,409.70 |
| SOS Analytical | 05/10/2023 | | 05/20/2023 | | 75.00 |
| Total SOS Analytical | | | | | 75.00 |
| Spectrum Business Bill | 05/10/2023 | | 05/20/2023 | | 114.75 |
| Total Spectrum Business | 3 | | | | 114.75 |
| Steven Patmore Bill | 05/01/2023 | | 05/11/2023 | | 3,169.26 |
| Total Steven Patmore | | | | | 3,169.26 |
| Team Bob's Heating & Bill | Cooling 05/10/2023 | | 05/20/2023 | | 168.00 |
| Total Team Bob's Heatir | ng & Cooling | | | | 168.00 |
| Tom Nixon Bill | 05/01/2023 | | 05/11/2023 | | 1,330.58 |
| Total Tom Nixon | | | | | 1,330.58 |
| Village of Suttons Bay Bill | 05/10/2023 | | 05/20/2023 | | 64.11 |
| Total Village of Suttons I | Зау | | | | 64.11 |
| TAL | | | | | 28,261.04 |

Trail Use Agreement

Traverse
Area
Recreation &
Transportation
Trails Inc.

This Trail Use Agreement is between the <u>Hansen Plaza Condominium Association Common Area owners</u> and <u>TART Trails</u>, <u>Inc</u>. The purpose is to establish an agreement that is acceptable to both parties for the "Leelanau Trail to Hansen Plaza Connector Trail" to be established on the two adjacent properties.



Agreement

Both parties agree that the following conditions constitute the Trail Use Agreement. The conditions can be changed at any time with the agreement of both parties.

- 1) The trail shall be open for public year round use. There shall be no fees charged to use the trail.
- 2) The trail shall be used by the public only for non-motorized use.
- 3) The original trail route and any subsequent changes will be approved by the Hansen Plaza Condominium Association Common Area owners.
- 4) TART Trails will construct the 8' wide boardwalk and aggregate trail. TART Trails will be responsible for maintaining the boardwalk and provide trail surface maintenance for the aggregate trail that is located on Hansen Plaza Condominium

PO Box 252 Traverse City, MI 49685

231.941.4300 www.traversetrails.org

> Because Trails Matter

- Association Common Area property.
- 5) The construction of any bridges, boardwalks, or other necessary improvements will be made only after consultation and agreement with the Hansen Plaza Condominium Association Common Area owners.
- 6) The trail route will be signed so that the route can be followed easily in all four seasons.
- 7) The Hansen Plaza Condominium Association Common Area owners will be entered into TART Trails database and receive our annual newsletter.
- 8) The Hansen Plaza Condominium Association Common Area owners are protected from liability under Michigan's State Recreational Use Statue. A copy of the law is included in the packet.
- 9) Hansen Plaza Condominium Association Common Area owners may revoke this Agreement at any time by notifying TART Trails, Inc at PO Box 252, Traverse City, MI 49685 or info@traversetrails.org
- 10) If the Hansen Plaza Condominium Association Common Area property is sold on which a portion of the trail is located, it is requested that TART Trails, Inc. be notified. This Agreement does not extend to any new property owner, but for consistency of the trail it is asked that the new owner be made aware of the trail and that an agreement will be requested of the new property owner. TART Trails will not be responsible for removing trail on Hansen Plaza Condominium Association Common Area property.

Property Owner

Hansen Plaza Condominium Association Common Area

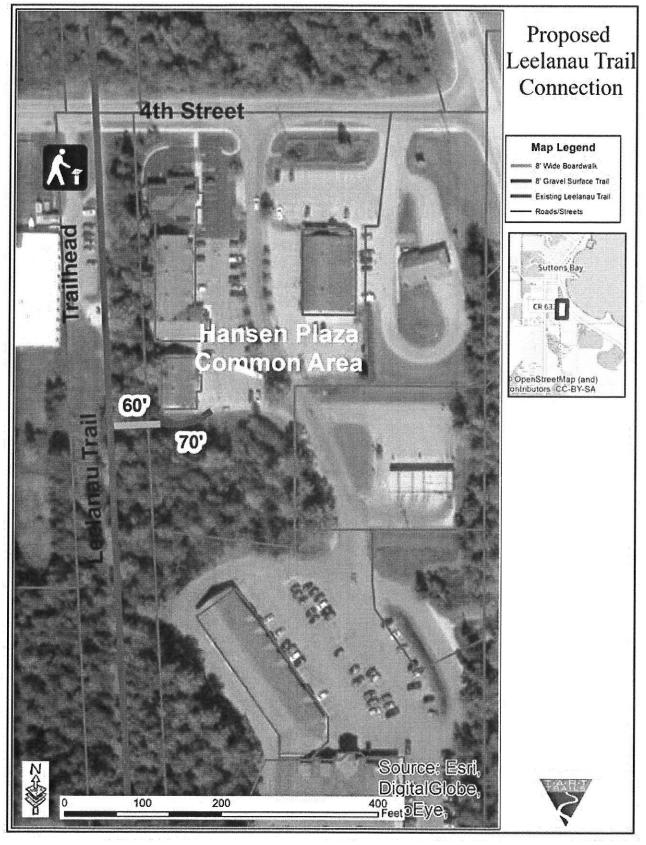
Trail Use Agreement 2

Members: Pryor Properties LLC (Kevin Pryor), MEAD Invenstments LLC (Chris Branson), and Suttons Bay Township

Address: P.O. Box 658

City: Suttons Bay

| State: MI Zip Code: 49682 | | |
|---|--------|--|
| Signature | Date: | |
| Signature | Date: | |
| Signature | Date: | |
| TART Trails Contact Person: Julie Clark | | |
| Address: P.O. Box 252 City: Traverse City State: MI Zip Code: 49685 | | |
| Signature | Date: | |
| Name: | Title· | |



Memorandum of Understanding Between Northern Michigan Mountain Bike Association and Suttons Bay Township for the purpose of developing, managing, and utilizing a Bicycle Pump Track at Herman Community Park in Suttons Bay Township

This Memorandum of Understanding (MOU) establishes a collaborative partnership between the Northern Michigan Mountain Bike Association (NMMBA) and Suttons Bay Township for the purpose of:

- -Constructing, maintaining, and managing the use of a modular pump track at Herman Community Park in Suttons Bay Township.
- -Providing recreational cycling at Herman Community Park for youth in this area.

NMMBA is an all volunteer run non-profit, 501c(3) organization dedicated to bringing accessible bike access in Northern Michigan. In addition to building, maintaining, and protecting trails, we take pride in building a community of active families that value bikes, the outdoors and camaraderie.

A. Pump Track Development:

- -NMMBA will procure and assemble an engineered modular pump track as approved by the township. The track will be installed within an area flagged and approved by the township in Herman Community Park.
- -Any permanent structures installed on township property become the property of the township. If Suttons Bay Township decides to discontinue the pump track as an amenity or the MOU is terminated by either party, NMMBA will remove the pump track within 60 days after the written 90 day decision to terminate this MOU agreement.
- -The pump track may be further expanded in the future as long as it remains within the allotted footprint. Provisions in this MOU apply to the current development of the pump track.

B. Pump Track Maintenance:

- -The engineered pump track requires no maintenance to the structure.
- -During the first year, NMMBA will perform monthly scheduled inspections with the township Park's Supervisor or Park Supervisor's Assistant. Following the first year of operations safety inspections will be done on a semi-annual basis scheduled with the Park's Supervisor.
- -If any unsafe conditions are discovered by either party at any time, the pump track will be closed immediately, NMMBA will provide the township with a written report, and signage will be placed at the site by the Park's Supervisor.
- -Suttons Bay Township will mow and maintain the grounds around and within the pump track on a regular and ordinary schedule.
- -NMMBA will be responsible for the operation, maintenance, scheduling, area cleanup, and general care of the track.

C. Additional Considerations:

- -Each party will maintain appropriate and reasonable liability insurance during the term of this MOU.
- -Suttons Bay Township retains final decisions on all uses and events at Herman Community Park. All events scheduled by NMMBA must first be approved by the Park's Supervisor.
- -Suttons Bay Township retains the sole right to cancel any event for any reason at Herman Community Park.
- -If NMMBA schedules an event where large groups are anticipated, NMMBA will make prior arrangements for additional porta-johns and trash containers and will be responsible for the additional cost.

D. Severance of the MOU:

NMMBA and Suttons Bay Township are mutually committed toward maintaining a long term collaborative relationship, however, the MOU may be terminated by either party with a 90-day written notice.

| d Suttons Bay | Township and assume no personal li | do so as official representatives of Nability. This MOU is effective as of: |
|---------------|------------------------------------|---|
| | , 2023 | |
| | | |
| NMMB | BA Board President (Print) | |
| | | |
| NMMB | A Board President (Sign) | Date |
| | | |
| Suttons Bay | Township Supervisor (Print) | |

CREATIVE DESIGNSCAPES INC

P.O. BOX 547 SUTTONS BAY MI 49682

Estimate

| Date | Estimate # |
|-----------|------------|
| 4/26/2023 | 620176 |

| Name / Address | |
|---|--|
| HERMAN PARK PO Box 574 SUTTONS BAY TOWNSHIP | |

| Description | | Total | |
|---|-------|-------|-------|
| mate for Entrance and Sign at Herman Park e- Garden, prune, and weed Garden, prune and weed. sust- Garden, prune, and weed. sember Garden, prune and weed. sember Garden, prune and weed. seber- Fall pruning and Fertilize with smoothed all plant materials | | | 700.0 |
| | | | |
| | | | |
| | | 20 | |
| | | | |
| | Total | 742 | |
| | Total | rac | |