

LELAND TOWNSHIP BOARD MEETING
Monday, December 11, 2023 – 7:00 p.m.
Leland Township Library, Munnecke Room
203 E. Cedar Street, Leland, MI 49654

MINUTES

PRESENT: Supervisor Susan Och, Clerk Lisa Brookfield, Treasurer Shirley Garthe, Trustee Clint Mitchell, Trustee Mariann Kirch.

ABSENT: 0

GUESTS: 9

CALL TO ORDER: Ms. Och called the meeting to order at 7:01 p.m. with the Pledge of Allegiance.

APPROVAL OF AGENDA: Mr. Mitchell requested that the MDOT Leland project be added to the agenda. He would like to discuss the bump-outs. Ms. Och suggested that this is on the agenda for January and action could be taken at that time. The MDOT plan for Leland was put on the agenda as item #8.

ACTION: Mr. Mitchell moved approve the agenda as presented with the addition of the MDOT plan for Leland as item #8; supported by Ms. Garthe. Motion carried.

DECLARATION OF POTENTIAL CONFLICTS OF INTEREST: None

CONSENT AGENDA

APPROVAL OF MINUTES: Regular Meeting, November 13, 2023
Workshop, December 4, 2023

ACTION: Ms. Brookfield moved to approve the Consent Agenda as presented; supported by Mr. Mitchell. Motion carried.

PUBLIC COMMENT

Keith Ashley – He endorse the appointment of Lee Cory to the Planning Commission (agenda item #6). She winters out of area, but he doesn't think that will hinder the Commission in getting things done.

Steve Mikowski - Mr. Mikowski presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. This is the 327th month this request has been made. He also asked the Board to correct a longstanding error denying a 17 ½ inch side yard setback variance. This request has been made since 1983 at Planning and Township meetings.

Mr. Mikowski shared with Board members a photo of the new building in Lake Leelanau. He stated that the structure is not harmonious or in character with the village of Lake Leelanau. The building plan was not discussed in a public hearing.

The bump-outs in Lake Leelanau are a hazard to pedestrians.

He commented on the County Board's recent decision to work in sub-committees. He believes that the County Board has been in chaos since then.

Cal Little – He added his endorsement of the appointment of Lee Cory to the Planning Commission.

Kathy Dawkins – She thanked the Fire Department for hosting the recent Harassment workshop. She also appreciates the opportunity to apply for commission vacancies.

REPORTS FROM BOARDS AND COMMISSIONS – Reports are online and on file at the Leland Township Office.

Fire & Rescue, Chief Dan Besson

Chief Besson is absent. He is attending the first class of the Fire Academy. Ms. Och shared some items from Chief Besson's report. Tim Eggert is celebrating 40 years of service to the Fire Department. The ambulance chassis is being built. The Fire Department participated in the funeral of former fire chief, John D. Van Raalte.

Planning/Zoning, Tim Cypher

There are no active violations. \$630 came in for permit fees.

Clint Mitchell reported on the Planning meeting. The Main Street application was denied. There will be a public hearing for a proposed tower for internet to be built on the Price property. Phase 1 of the redevelopment of a Leland restaurant was approved.

Harbor, Jeremy Anderson

All icing equipment is ready. 4 otters are in the Harbor. Ms. Och reported that she has had phone calls from people who want the Wine Fest to be at the Harbor again.

Sewer, Steve Patmore

Normal operations for the month. Freeboard is dropping, it is now at about 4 feet. Mr. Patmore reported on repairs and maintenance for the month.

IAI will be renegotiating its contract with Leland. There is a significant increase in the cost. Other options have been discussed by the Sewer Commission. It was decided to recommend that sewer operations be handled in-house. IAI's current technician is interested in being employed by Leland to run the sewer operations. Mr. Patmore believes that doing it in-house will break even and/or save money for Leland in the long run. Leland will also have more control over repair and maintenance.

The Commission is also working on the budget.

Meetings have been changed from Fridays to Thursdays.

Ms. Och asked about odor control and why the hydrogen chloride level is going down everywhere except on Terrace Lane. The Sewer Commission does not have an answer, but they continue to work on it and exploring various methods for odor control.

Parks & Rec

The parks have been winterized. There is a meeting this Wednesday at 5:30 p.m. The committee has 2 new members. They will be discussing signage for Provemont Pond. They also will look at why two Spark grants were denied. They will be working on the next 5-year plan.

County Commission, Kama Ross

There will be a County Commission meeting tomorrow night. They will be discussing hiring a new person for the Finance Department.

The Energy Futures Task Force is looking at grants for the Government Center. It could lower energy bills by 30%.

Ms. Ross defended the committee system at the County. She feels strongly the two committees she is on (Personnel, Finance) are working well and making progress.

TREASURER'S REPORT

Ms. Garthe reported on income and expenses for the last month. Activity in the general fund is business as usual. Tax bills are being prepared and mailed out.

ACTION: Mr. Mitchell moved to approve the Treasurer's Report as presented; supported by Ms. Kirch. Motion carried.

SUPERVISOR'S REPORT

A written report was submitted to the Board prior to the meeting. It is on file at the Leland Township Office.

- There is a M22 Scenic Byways committee. This is a prerequisite for funding for improvements to the road.
- There was a meeting to discuss run off water in Lake Leelanau.
- Mr. Tiffany originally agreed to delay invoicing for the work at the river wall. However, there now is a delay concerning the easement and he wants to present an invoice. When we get the invoice, the Board will discuss and may approve, perhaps in January.
- Budget meetings will take place in January and February.
- Ms. Och encourage residents to look at street lights and report to the office any that are burnt out or broken.

ACTION ITEMS

1. Sidewalk Phase 2, \$121,524
\$121,524 is the amount the Township will pay. Ms. Och explained how the cost is shared between homeowners and the Township. Below are the three sidewalk plans.

- a. Proceed with repair and replacement of sidewalk on Grand Ave. from Pearl Street to Juniper Trail.
- b. Proceed with new sidewalk and sidewalk repair, M204 from St. Joseph Street to St. Mary's Street, north side.
- c. Proceed with new sidewalk and ramp on River Street from Lake Street to public restrooms, north side. They would be unable to get the grade at the rest rooms less than 10%. 16 % is the worst grade on that one.

The Board moved to approve the plans last year. The plans were budgeted and the Board promised to do it. There is currently no time frame to complete the work, but the longer we wait the more expensive it will be. Mr. Mitchell suggested to wait until the Board gets the bond proceeds from the sale of the Borre property in Sunset Shores. That probably will not happen in a timely fashion and we probably will not be able to get bids until spring. However, the public will be advised of the approximate cost and their ability to finance.

ACTION: Mr. Mitchell moved to proceed with the sidewalk, phase 2 project as presented, supported by Ms. Garthe. Motion carried.

2. Direct Supervisor to notify property owners by mail, schedule public hearing.

Ms. Brookfield reviewed the letter to property owners and suggested 2 edits. Any misunderstanding can be discussed with property owners, case by case. The sidewalk ordinance was referenced for the process in notifying property owners. A public hearing could be scheduled for January 8, 2024.

ACTION: Mr. Mitchell moved to direct Supervisor Och to notify property owners by mail, pursuant to the sidewalk ordinance, and the suggested edits to the letter; supported by Ms. Garthe. Motion carried.

3. RFP for legal services

Ms. Och made up a list of the types of representation the Township would need. It was suggested that an attorney would be in place by March when the Board of Review meets. Mr. Mitchell understood that the interim attorney be given time to see how it goes. Ms. Garthe understood that an RFP would be worked on right away. The need for an RFP and the time frame for it was discussed. Ms. Och and Mr. Mitchell will work on it.

ACTION: Mr. Mitchell moved to table the development of an RFP for legal services; supported by Ms. Brookfield. Motion carried. (3,2)

4. Schedule the annual meeting

The meeting is typically the last Saturday in March. If possible, it is scheduled not to interfere with the schools' spring break.

ACTION: Ms. Brookfield moved to schedule the annual meeting for March 30, 2024 at 10 a.m., subject to the availability of the Old Art building, with March 23, 2024 as an alternative date; supported by Ms. Kirch. Motion carried.

5. Appointments to Parks & Rec Leslie Maclin and Greg Mielczarek term expiring June, 2026.

ACTION: Ms. Brookfield moved to appoint Leslie Maclin to the Parks & Rec committee, term expiring June, 2026; supported by Mr. Mitchell. Motion carried.

ACTION: Ms. Brookfield moved to appoint Greg Meilczarek to the Parks & Rec committee, term expiring June, 2026; supported by Mr. Mitchell. Motion carried.

6. Appointment to Planning Commission, Lee Cory term expiring August, 2026

Several Leland residents have expressed their support of appointing Lee Cory to the Planning Commission:

Emil & Maureen Brolick	Jim Carpenter	Rebecca Reynolds
Mark Nesbitt	Charlie Boesel	Cal Little
Amy Radford	Tom Earwood	Brian Bishop
Keith Ashley	Sharon Kalchik	Wendy & Tad McKay
Dan White	Louise & Ben Scott	Warren & Anne Watkins
Linda Lindquist-Bishop	Jennie Berkson	David Edelstein
Bob & Janine Ball	Tom & Christine Pfennig	Ann Fisher
James & Katherine Wysor	Randy & Joan Woods	Molly & Brett Crimmins
James Ganley	Chuck Hall	Tim & Lucy Schaub
Georgia Rivers	Logan Suttman	Sally & David Buchanan
Mary & Bob Brown	Barbara Balongue	Yoav Yaakoby

ACTION: Ms. Brookfield moved to approve the appointment of Lee Cory to the Planning Commission for term expiring August, 2026; supported by Mr. Mitchell. Motion carried.

7. Appoint Kathy Dawkins to a board (Sewer, PC, or ZBA) 3-year term, expiring September, 2026.

Since 2011, one person could not sit on more than one board. Currently, it has been difficult to find people willing to serve on the various boards. Kathy Dawkins has served on the ZBA before.

ACTION: Ms. Brookfield moved to approve the appointment of Kathy Dawkins to the ZBA for a 3-year term expiring September 2026; supported by Mr. Mitchell.

DISCUSSION: The Board defines guidelines for having a person serve on more than one board or committee. It has not been a policy but an accepted practice. Kathy Dawkins has not seen the policy. Mr. Mitchell questioned if Ms. Dawkins would have conflict

with a particular matter coming up before the ZBA. Ms. Dawkins made comments illustrating her impartiality in the matter. Mr. Mitchell cited public comments made by Kathy Dawkins to the contrary. Ms. Och endorsed Kathy Dawkins for the ZBA.

Motion carried. (3,2)

Ms. Kirch volunteered to fill the vacancy in the Sewer Commission.

8 . MDOT plan for Downtown Leland

Ms. Och attended a meeting for 2025 road projects. Ms. Och read notes from the meeting outlining 3 alternatives for the Township to consider. There was a lot of discussion about proposed bump-outs. Mr. Mitchell, Ms. Och and the Road Commission are opposed to bump-outs. Concerns about the bump outs were reviewed and will be discussed at the January Board meeting. Mr. Mitchell wanted the Board to tell MDOT that Leland does not want bump-outs and MDOT should not present a plan for bump-outs at all. Ms. Och stated that MDOT will present a plan with bump-outs anyway and the Township could approve or disapprove when the plans are presented.

ACTION: Mr. Mitchell moved to direct MDOT to make a schematic design consistent with option 1 only; supported by Ms. Kirch. Motion carried. (4,1)

Ms. Och will let MDOT know and copy the board on the correspondence.

OTHER/OLD BUSINESS

Sunset Shores – Ms. Brookfield reported that the Township is working to get the Road Commission to approve our initial design.

BILLS AND ACCOUNTS

The bills and accounts lists were distributed to Board members. There was nothing unusual for the month. Regular bills were paid.

ACTION: Ms. Brookfield moved for payment of bills from November 17, 2023 to December 11, 2023; supported by Ms. Garthe. Motion carried.

CORRESPONDENCE

- Ms. Brookfield received a letter from Fortune Wireless citing their interest in using some space on Popp Road for a wireless communication facility. Ms. Brookfield will make copies for Board members.

BOARD COMMENT

Mr. Mitchell – He reported that Elmers completed the work in front of Jaffes. The painting will be put off until spring.

PUBLIC COMMENT

Keith Ashley - He commented that the RFP process should be done for the hiring of a new attorney. He is not in favor of bump outs in Leland. He would like an answer to a letter he sent concerning public lands being used for religious services.

Kathy Dawkins – She commented that she was concerned about the abrupt change in attorneys. She commented that the previous attorney had knowledge and expertise in the business of Leland Township. The public needs to be informed and such action should be researched and discussed.

Steve Mikowski - He reported that having one person serving on more than one board was a problem in 1983 and had significant consequences.

The intent of the Sewer Commission is to have only one Board representative.

He stated that the Board succumbed to having bump-outs in Lake Leelanau. Now big trucks have trouble making the turn. He feels the Board should take a strong stand against bump-outs.

He stated that Provemont Pond should be either commercial or a park. It is now 50% commercial.

He stated that the County has not been accountable for all the money wasted since 2021. He would like the County Commission to provide a special report of all expenses.

ADJOURNMENT

ACTION: Mr. Mitchell moved to adjourn the meeting at 9:01 p.m.; supported by Ms. Brookfield. Motion carried. (5,0)

The next meeting is January 15, 2024.

Respectfully Submitted,
Cindy Kacin, Recording Secretary

Date Approved: _____

Susan Och, Leland Township Supervisor

Lisa Brookfield, Township Clerk