

**LELAND TOWNSHIP BOARD MEETING**

**Monday, May 9, 2022 – 7:00 p.m.**

Leland Township Library, Munnecke Room

203 E. Cedar Street, Leland, MI 49654

**MINUTES (AMENDED)**

**PRESENT:** Supervisor Susan Och, Treasurer Shirley Garthe, Trustee Clint Mitchell, Clerk Lisa Brookfield

**ABSENT:** Trustee Mariann Kirch

**GUESTS:** 11

**CALL TO ORDER:** Ms. Och called the meeting to order at 7:00 p.m. with the Pledge of Allegiance.

**APPROVAL OF AGENDA:** The Joswiak invoice will not be discussed in Item #5 of Action Items.

**ACTION:** Ms. Garthe moved to approve the agenda as presented and amended; supported by Ms. Brookfield. Motion carried. (4 in favor, 0 opposed, 1 absent)

**DECLARATION OF POTENTIAL CONFLICTS OF INTEREST:** None

**CONSENT AGENDA: APPROVAL OF MINUTES/EVENTS**

- April 11, 2022 (Regular Meeting)
- Event: June 21, 2022, 7:00 p.m. Member Appreciation Open House
- Event: September 17, 2022, 10 a.m. – 3:00 p.m. Wood Boats on the Wall & Marine History Celebration

**ACTION:** Ms. Garthe moved to approve the minutes of April 11, 2022 and the events on the Consent Agenda; supported by Mr. Mitchell. Motion carried. (4 in favor, 0 opposed, 1 absent)

**PUBLIC COMMENT**

Page Sikes – She read aloud a statement she had prepared for public comment:

*Intro: My name is Page Sikes and I reside in the snake curves of Michigan Route 22, M22, otherwise known as Manitou Trail, between Michigan Route 204 and Leland.*

*I am here to ask your support for an official speed study of this dangerous stretch of road with the objective of a reduction in the current speed limit of 55 MPH.*

*I would like to recap my research on this matter.*

***First, I would like to reference Michigan Vehicular Code; Section 257.627, Speed Limitations.***

***“A person operating a vehicle on a highway shall operate that vehicle at a careful and prudent speed regarding the traffic and any other conditions then existing. A person shall not operate a vehicle at a speed greater than that which will permit a stop within the assured, clear distance ahead.”***

*My position is that the sharp blind curves do not allow adequate stopping distance or prudent speeds considering the existing terrain conditions if the driver adheres to the current 55 MPH speed limit.*

[Link: <http://legislature.mi.gov/doc.aspx?mcl-257-627>]

**Second**, I have contacted the Traffic and Safety Engineer of the Michigan Department of Transportation (MDOT), who provided a summary of crashes on this strip of road from 2017-2021. The two most common violations are speeding and failing to yield; and the majority of these occurred on dry roads, and clear days.

**Third**, I received preliminary results of a spot speed check from MDOT the first week of May that revealed the “85<sup>th</sup> percentile speed was 45 MPH”. Speed limits are set within 5 MPH of the 85<sup>th</sup> percentile, meaning this study indicates that possibly a speed reduction is warranted.

MDOT can request an official Michigan State Police speed study with a request from Leland Township and/or Leelanau County to determine if a speed reduction is warranted.

**Fourth**, I received a report dated 4/6/22 from the Michigan State Police Traffic Crash Reporting Unit covering the period between 1/1/2018 to 4/6/2022. This report revealed: one fatality in 2018, and 58 total accidents on this strip of roadway.

Additionally, 10 of my neighbors on Manitou Trail, to include the owner of the Whaleback, agree with my position that a speed reduction through our stretch of M22, is warranted due to the conditions that I am outlining. One of my neighbors stated she had to jump off the shoulder as a vehicle lost control around a curve, exemplifying this strip of road is not safe for either pedestrians or bikers.

My position is that the combination of the research points I have presented, identifies a public safety risk on a Leland township road that merits action from the board.

I am requesting that the Leland Township Board endorse an official speed study of this dangerous stretch of road with the objective of reducing the current overall 55 MPH speed limit and reducing the recommended 35 MPH speed in the road curves. I suggest that an engineering and safety study might also be warranted to demonstrate a situation with hazards to public safety. Thank you for your time and I will be happy to assist in any way I can in this endeavor.

#### **1. House Bill 4014, Committee on Transportation and Infrastructure**

This bill is currently active in Michigan Senate. Although still pending, this bill advocates that the speed must be “reasonably safe under the conditions found to exist upon any part of the highway”. I sent letters to the chair and all members of this committee advocating for endorsement.

*I strongly feel the vehicular traffic on this stretch of M22 from M204 to Leland is greater than is reasonably safe under the conditions found to exist such as the curves.*

Link: <http://legislature.mi.gov/doc.aspx?2021-HB-4014>

Jeff Green – He expressed interest in the update of the master plan as it pertains to issues with Lake Leelanau. The Lake Leelanau Lake Association (LLA) would like to have input into the master plan process.

Karen Chase – She expressed her support for the topics of the previous two speakers. The highway section of M22 is very dangerous. There has been and will continue to be an increase in tourist traffic. She also urged the Board to include the LLA in the master plan process.

Alan Campbell – He commented on the pier project that he initiated. He feels the pier is an under-utilized resource. The project involves building a walkway on the Leland pier for fishing that is handicap accessible. They were able to secure a grant to pay for a study of the project. The grant study will be sent to the Board. Mr. Campbell also proposed that the right of way on

the south side of Leland be cleaned up. It could be paved and marked for parking and handicap parking. Mr. Campbell will seek community input and put together a committee if the Board would like to proceed in this project.

Steve Mikowski - Mr. Mikowski presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. This is his 308th request. He also asked the Board to correct a longstanding error denying a 17 ½ inch side yard setback variance. He also commented on the sewer REU policy. Recently the Board granted 6 REU's for a development. He feels the Board should act as a sewer review board when the request is beyond 2 REU's. Mr. Mikowski commented that the consent agenda was approved with minutes that recorded a public comment verbatim. In that comment the population was misquoted.

## **REPORTS FROM BOARDS AND COMMISSIONS**

### Fire & Rescue, Chief Dan Besson

A report is on file at the Leland Township Office and is online. Chief Besson was absent because he was at an active fire scene.

### Sewer, Steve Patmore

A report is on file at the Leland Township Office and is online. It was a busy month. Mr. Patmore reported on the repairs made this month. The River St. gravity sewer project was started. The Carlson building and the Cheese Shop have been hooked up to the new system. The Cove and the Merchantile are being worked on next. The Harbor sidewalk and some on River Street will be repaired. A storm water sewer is being done in conjunction. Aerators were worked on at the shop. All 4 will be working again soon. The flow meter should arrive next month. A new technician from IAI has started work. The monitor well test came back lower than the initial one, which is good. They are getting pumpings done as much as they can. They are also salvaging old equipment that can be used.

### Harbor, Jeremy Anderson

Mr. Anderson was absent because things are very busy at the Harbor with the dredging.

### Planning/Zoning, Tim Cypher

A report is on file at the Leland Township Office. Tim Cypher was absent and Trustee Clint Mitchell reported. Two land use permits were approved. There will be a public hearing on June 1, 2022 within the regular meeting. At the last meeting there was discussion about the census and about a land coverage amendment. Planning Commission meetings are on the first Wednesday of the month.

### Parks & Rec

Molly Steck was absent. The minutes of the last meeting were distributed to the Board members. There was some garlic mustard removal, but there is still a good amount that has to

be removed. The tennis court at Grove Park was discussed. There appears to be no solution for restoring the tennis court. Resurfacing was estimated to cost \$40,000 several years ago. A list of present needs was sent to the Board members to be approved for expenditure (Action Item #6).

Assessor

Julie Krombeen was absent. However, the public can contact her by phone if they have any questions.

**TREASURER’S REPORT**

Ms. Garthe reported on income and expenses for the last month. The report was distributed to the Board members. The revenue sharing check came in. Normal bills were paid.

**ACTION:** Ms. Brookfield moved to approve the Treasurer’s Report as presented; supported by Mr. Mitchell. Motion carried. (4 in favor, 0 opposed, 1 absent)

**SUPERVISOR’S REPORT**

A written report was submitted to the Board prior to the meeting and is on file at the Leland Township Office. Ms. Och has been attending a course on asset management and shared some pertinent information. The sidewalk repair and the dredging work is going on. She interviewed someone who desires to be a lifeguard at Nedow’s Beach. The ballots for the August election will be arriving on June 18.

**ACTION ITEMS**

1. Resolution R-22-13, Street Closure for LCCC July 8-9 Annual Art Fair

**ACTION:** M. Brookfield moved to approve Resolution R-22-13 for street closure for the LCCC Annual Art Fair on July 8-9, 2022; supported by Ms. Garthe.

VOICE ROLL CALL: (not necessarily called in this order)

Supervisor Susan Och:	Yes	
Clerk Lisa Brookfield:	yes	
Treasurer Shirley Garthe:	Yes	
Trustee Clint Mitchell:	Yes	
Trustee Mariann Kirch:	Absent	Motion carried. (4 in favor, 0 opposed, 1 absent)

County Commission

Patricia Soutas-Little arrived late but was allowed to give her report at this time. She commented on the progress of internet services for the county. Echo Valley has delivered equipment for 3 of the towers. Installation will start on the unserved first. There will still be areas that have dial-up only. Fund raising will be taking place.

2. Youth Soccer Club request to use Hancock Field for spring league

**ACTION:** Ms. Brookfield moved to approve the Youth Soccer Club’s request to use Hancock Field for their spring league; supported by Ms. Garthe. Motion carried. (4 in favor, 0 opposed, 1 absent)

3. Resolution R-22-14, Adopt ballot language Fire Department.

Ms. Och explained the details of the requested millage.

**ACTION:** Ms. Brookfield moved to approve the ballot language for general operating expenses of providing emergency medical services and firefighting in Leland Township for the August 2, 2022 regular election (Resolution R-22-14); supported by Mr. Mitchell.

VOICE ROLL CALL: (not necessarily called in this order)

Supervisor Susan Och: Yes

Clerk Lisa Brookfield: yes

Treasurer Shirley Garthe: Yes

Trustee Clint Mitchell: Yes

Trustee Mariann Kirch: Absent Motion carried. (4 in favor, 0 opposed, 1 absent)

4. Resolution R-22-15, Adopt ballot language Fire Department

**ACTION:** Mr. Mitchell moved to adopt the ballot language for R-22-15 for the Leland Township Fire and Rescue Department Equipment and Training millage for the August 2, 2022, regular election; supported by Ms. Garthe.

VOICE ROLL CALL: (not necessarily called in this order)

Supervisor Susan Och: Yes

Clerk Lisa Brookfield: Yes

Treasurer Shirley Garthe: Yes

Trustee Clint Mitchell: Yes

Trustee Mariann Kirch: Absent Motion carried. (4 in favor, 0 opposed, 1 absent)

5. Sunset Shores – authorize Supervisor to proceed with acquisition of Borre Property at \$30,000 and the Korson easement for \$10,000 and authorize payment of the Jozwiak invoice.

Ms. Och reported that we can pay the amounts as soon as the Township receives a letter from EGLE stating that the project is permissible. The funds will be taken out of the capital improvement budget and will be put back when the bonds are sold. The bond sale is scheduled for September 7, 2022.

**ACTION:** Ms. Brookfield moved to authorize the Supervisor to proceed with the acquisition of the Borre property (\$30,000) and the Korson easement (\$10,000) using funds that were previously budgeted when we get the letter from EGLE that the project is permissible; supported by Mr. Mitchell. Motion carried. (4 in favor, 0 opposed, 1 absent)

6. Parks & Rec request to budget lifeguard, beach safety equipment and basketball nets.

Molly Steck sent an email to the Board detailing the requested amounts:

Lifeguard	\$6,555.00
Tree Removal	600.00
Basketball nets	125.00
Beach safety equipment	891.00
TOTAL	\$8,171.00

There was discussion about what part of the budget could pay for these requests. There was an additional discussion about the life guard. The lifeguard amount was not budgeted. Mr. Mitchell was concerned about a young person (certified lifeguard) taking on the responsibility of life or death situations **without oversight**. It may be a liability and cause more problems than it solves. Parents may rely on the lifeguard and not closely watch their children. There are more people using Nedow's Beach than previously. Ms. Brookfield tended to agree that parents need to watch their children. Ms. Och felt that may be a problem anyway. A lifeguard could save lives as well as provide safety management, give information about the risk of drowning, and monitor the increased interaction of boaters and swimmers. Ms. Och will research the cost of a sign stating, "no lifeguard on duty."

**ACTION:** Mr. Mitchell moved to approve funds for tree removal, basketball nets, and beach safety equipment with the dollar amounts provided by the Parks and Rec chairperson; supported by Ms. Garthe. Motion carried.  
(4 in favor, 0 opposed, 1 absent)

#### **OTHER/OLD BUSINESS**

1. Schedule a workshop to focus the facilities committee.

Ms. Och sent out a doodle poll for scheduling a meeting. Ms. Brookfield will be back on May 25. Ms. Och will resend the doodle poll to the Board and include the Facilities Committee.

#### **BILLS AND ACCOUNTS**

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

**ACTION:** Ms. Garthe moved for payment of bills from April 11, 2022 to May 9, 2022; supported by Mr. Mitchell. Motion carried.  
(4 in favor, 0 opposed, 1 absent)

**CORRESPONDENCE** - None

**BOARD COMMENT** - None

#### **PUBLIC COMMENT**

Tony Borden - He commented that he thought the original contract was for \$60,000 for the Borre property.

Keith Ashley - He reviewed the Harbor building per the request at the last meeting. Most notable is that there is no parking available in the summer. It has an unimproved upstairs area

that would require new drywall and rewiring. Also, the only access is through the “boatowners only door” and up some stairs. An elevator would need to be installed. Currently, the Harbor is using the space for storage. It is not suitable for Township offices. He reviewed another option mentioned at the last meeting: renting space at the new building being built in the place of the old Township offices. 2400 square feet of office space will be available at the monthly rent of \$1900 a month. It would still be a small space and doesn’t meet the objective for a new space for the Township offices. The use of the museum/Munnecke room space was thought to be a possibility but there are deed restrictions that would not allow that. The recommendation from the Facilities Committee remains to be a new building at the fire station in Leland.

Karen Chase – Given the discussion about lowering the speed limit on M22, she asked what would be the next step in the process. Ms. Och will talk to the MDOT safety engineer and it will be put on next month’s agenda. Ms. Sikes’ information will be sent on to Patricia Soutas-Little.

Tony Borden – He stated that he looked through past paperwork and believes that the amount for the Borre property was \$30,000 for one acre and there are two acres. Ms. Och will investigate.

**ADJOURNMENT**

**ACTION:** Ms. Brookfield moved to adjourn the meeting at 8:24 p.m.; supported by Ms. Garthe.  
Motion carried. (4 in favor, 0 opposed, 1 absent)

The next meeting is June 13, 2022.

Respectfully Submitted,  
Cindy Kacin, Recording Secretary

Date Approved: \_\_\_\_\_

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Susan Och, Leland Township Supervisor

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Lisa Brookfield, Township Clerk