

LELAND TOWNSHIP BOARD MEETING

Monday, June 12, 2023 – 7:00 p.m.

Leland Township Library, Munnecke Room

203 E. Cedar Street, Leland, MI 49654

MINUTES

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

ABSENT: Clerk Lisa Brookfield

GUESTS: 15

CALL TO ORDER: Ms. Och called the meeting to order at 7:03 p.m. with the Pledge of Allegiance.

APPROVAL OF AGENDA: Mr. Mitchell moved to approve the agenda as presented; supported by Ms. Garthe. Motion carried.

DECLARATION OF POTENTIAL CONFLICTS OF INTEREST: None

CONSENT AGENDA

APPROVAL OF MINUTES

May 8, 2023 (Regular Meeting), May 12, 2023 (Special Meeting, Open Session), May 12, 2023 (Special Meeting, Closed Session), May 17, 2023 (Special Meeting Open Session), May 17, 2023 (Special Meeting, Closed Session): Mr. Mitchell moved to approve the minutes from all meetings in May of 2023; supported by Ms. Garthe. Motion carried.

PUBLIC COMMENT

Maude Babington – Ms. Babington commented that there were many questions and negative comments following the May 3, 2023 Planning Commission Public Hearing on the Residential Character Amendment; she believes that the public left with the understanding that there would be a second public hearing. She is concerned that members of the public do not understand what the Planning Commission is proposing and how this could affect the zoning ordinance. The proposed Amendment would reduce Ms. Babington’s allowed lot coverage footprint by 30% which will make it difficult to build a one-story home designed for aging in place. She urged the Board to stay on top of this issue.

Dani Geraci – Ms. Geraci represents the Leelanau Montessori Forever Foundation which is a 501(c)(3) organization. The purpose of this organization is to raise money for the Leelanau Montessori Public School Academy. They would like to have a 50-50 raffle at their upcoming fundraiser but township approval is required. This is an action item later in the agenda.

Steve Mikowski - Mr. Mikowski presented his request to hold a referendum vote on the Leland Township Zoning Ordinance 96-1. This is the 321st 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 stated that there should be minutes from the open session portions of meetings; these were not provided to the public. He would like to have seen an agenda item on tonight's agenda regarding the purchase of the new building. Mr. Mikowski suggested that the Board continue to use the members from the Facilities Committee to also work on the meeting room that will be needed at the new Township Hall. He inquired if the new meeting room would alleviate the need to use the Munnecke Room for various meetings and added that the Township can improve their process of holding meetings without having people travel around the Township to other locations. Mr. Mikowski appreciated the sewer information that will be discussed at tonight's meeting but noted that the project was poorly designed from the start. The Township is paying for costs now that stem from the original poor design.

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

Fire & Rescue - Chief Dan Besson. Supervisor Och made the report in Chief Besson's absence. She reported that Tate Hall was recently hired, and the Fire Department is now fully staffed. May was the slowest May on record. The risk of fire danger is presently very high.

Planning/Zoning - Tim Cypher. Allison Hubley-Patterson gave Cypher's report in his absence. A total of \$570 in income was collected during May. A total of three land use permits were issued bringing the year-to-date total to 28. One Public Hearing was held on the Residential Character Amendment and seven construction inspections were conducted. Two violations were discovered during May. Mr. Mitchell added that the Planning Commission heard a presentation from Mr. Josh Deters of Fiddlehead's at their last meeting. The site plan review for a food truck on the premises was approved with a two-year renewal. The Planning Commission members also continued their work on the Master Plan.

Harbor - Jeremy Anderson. No report as Mr. Anderson was absent.

Sewer - Steve Patmore. Mr. Patmore reported that his department is now very busy as of the end of May. There was a slight scare regarding the clarifier. Things were not flowing correctly, and it was determined that a lot of sludge was caked in the bottom. The system was cleaned, washed and is flowing again but not at full capacity. Seven used aerators were purchased from the Village of Honor. Mr. Patmore's team has been working on Thompson Street for the past year.

Parks & Rec – No report. Supervisor Och referred to the Parks and Rec report in the board books. Ken Hagstrom has been returned to work on restriction but has been referred for an MRI.

County Commission - Kama Ross. Ms. Ross has now been in her position for approximately six months. She reported that Point Broadband is moving forward, and the first step is now in process. There are cell towers at the Government Center but there will also be a tower in Leelanau Township; this will improve cell phone service on M-204. There will be a Kid’s Fishing Day on Sunday, June 25th from 11:00 a.m. to 3:00 p.m. at Veronica Valley. The Solid Waste Council is working diligently. Ms. Ross commented that we cannot continue to feed the landfill as we have in the past; it is now time to look at how we can handle this problem. The Leelanau County Senior Services Expo 2023 will return this year and is scheduled for Tuesday, June 20th from 10:00 a.m. to 2:00 p.m. at Suttons Bay High School.

Assessor – No report.

Facilities Committee – No report.

TREASURER’S REPORT

Ms. Garthe reported on income and expenses for the last month. A total of \$53,417.15 was taken in during the partial sewer billing month of May. Ms. Garthe is currently working on summer taxes and will have this completed by the end of the week.

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. Ms. Och reported that the Township has purchased 489 W. Main Street as their new Township office building; this is currently the site of Community Chiropractic Health, Dr. Russ LeBlanc’s practice. Dr. LeBlanc is currently trying to find care for his existing patients and has asked for some grace with regard to an occupancy date. The Township will pay \$600,000 with a down payment of \$150,000. This is a 15-year land contract with financing terms of 6.5%. The Township may refinance this at any time and Ms. Och is currently looking at obtaining financing through the USDA. She commended the Township Board and the Facilities Committee for doing a wonderful job to bring this deal to fruition. A meeting was held on June 6th regarding Sunset Shores; approximately 30 people attended either in-person or via Zoom. The Township continues to work through some of the easement issues. Ken Hagstrom continues to recover so an independent contractor was recently hired to mow the parks. Any volunteer assistance for mowing and trimming would be welcomed by the Township. Ms. Alexa Petoskey from Picnic in Leland spoke to Ms. Och regarding using a small dumpster on her property that will be rolled out to the curb on Monday nights for pick up. If this arrangement works, the Board will be asked to officially approve a “No Parking from 2 AM to 7 AM on

Monday Nights” sign to be placed on the property. Ms. Och and Mr. Mitchell met with staff from the LCRC recently to determine how the Township and the LCRC can move forward on various paving needs. Some chip-sealing projects will begin in Leland Township this fall. Ms. Och will be meeting with Mr. Martin Graf from Gosling Czubak regarding sidewalk work.

TRUSTEE’S REPORT (Mariann Kirch)

Ms. Kirch submitted a Trustee’s Report which appears in the Township Board Book. She stated that Clerk Brookfield mentioned that this report will need to be added as an agenda item if it is to be included in the meeting agenda. Ms. Kirch would like to begin submitting a report each month detailing her observations. Her primary concern is that a meeting was recently held during her absence, but she would have liked to have the meeting delayed until she was available. She also discussed the importance of the Board adhering to meeting agendas.

ACTION ITEMS

1. Approval of sewer rates for 2023-24 fiscal year

Mr. Patmore explained that the cost to operate the sewer has risen in the last couple of years. The Sewer Commission recommends a rate increase at this time. The proposed increase represents an average of 8.9%; the monthly payment would go from \$49.34 per month to \$53.72 per month. A Schedule B was provided which shows a comparison between old and new rates. The increase will help fund both the Sewer Operating Fund and the Capital Improvement Fund. Mr. Patmore has been working with engineers regarding replacing various items such as the lagoon, pumps and the drain field.

Mr. Mitchell inquired about the rate increase for sewer hook-ups. These fees have been \$6,000 since 2010 and the Sewer Commission is proposing to raise this to \$8,000. Mr. Mitchell indicated that the Township budgeted \$24,000 for hook-ups but this figure has already been hit; he anticipates that we may be \$30,000 over for the year depending on the number of future hook-ups requested. Of the \$6,000 fee, ½ of the funds have been placed in the Sewer Operating Fund and one-half in the Capital Improvement Fund; this is because the Township was consistently short in the Sewer Operating Fund. Mr. Patmore discussed that there is a 10-year Capital Improvement Plan based on an assessment that was conducted by IAI; the list of items that need to be paired or replaced is getting longer.

Mr. Patmore stated that a letter will be mailed to all sewer users. He has received telephone calls from residents and has let them know that the rates may go up in July. The next sewer bill will be mailed in July, but Mr. Patmore will work on sending out the letter immediately. Alternatively, a short message could be included on the postcard with the sewer bill.

ACTION: Ms. Garthe moved to approve Resolution R-23-17 (Approval of sewer rates for the 2023-2024 fiscal year); supported by Ms. Kirch. Motion carried. The motion was amended to

reflect that the rate increase will go into effect on July 1, 2023 and the hook-up fee increase will become effective as of August 1, 2023.

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

Supervisor Susan Och:	Yes
Clerk Lisa Brookfield:	Absent
Treasurer Shirley Garthe:	Yes
Trustee Clint Mitchell:	Yes
Trustee Mariann Kirch:	Yes

Motion carried. 4 in favor, 0 opposed, 1 absent

Ms. Och stated that the purpose of this increase is to make things equal for people who want to get onto the sewer system in relation to the residents who have been paying for this all along.

2. Public Hearing on Spark Grant: Improvement of Grove Park for Increased Public Recreation

Jim Kobberstad – Mr. Kobberstad discussed the rapidly growing interest in pickleball and suggested that the tennis court be reconstructed to a pickleball. He explained that the court should not have lines drawn on it to allow it to function as both a tennis court and a pickleball court as multiple lines can be distracting and confusing to players. He believes that one or more pickleball courts at Grove Park will attract people to the park as the word will get out quickly.

Kathy Dawkins – Ms. Dawkins would like to learn more about the Spark grant program. Ms. Och briefly explained the Spark grant and stated that the proposed grant application budget for Grove Park is \$190,000. The Township is not required to provide a match under the terms of the Spark grant. The total amount being requested will be added to the resolution.

3. Resolution R-23-14: Improvement of Grove Park for Increased Public Recreation

ACTION: Ms. Garthe moved to approve the amended Resolution R-23-14 (Improvement of Grove Park for Increased Public Recreation); supported by Mr. Mitchell. Motion carried.

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

Supervisor Susan Och:	Yes
Clerk Lisa Brookfield:	Absent
Treasurer Shirley Garthe:	Yes
Trustee Clint Mitchell:	Yes
Trustee Mariann Kirch:	Yes

Motion carried. 4 in favor, 0 opposed, 1 absent

Mr. Mitchell commented that the pickleball courts may be more appropriately placed at Hancock Field due to the fact that there are restrooms, adequate parking and the noise will not bother neighbors who live near the courts. Mr. Kobberstad noted that if the pickleball court was at Grove Park, players may frequent the local businesses afterward for food and beverages.

Ms. Juliana Lisuk explained that what the grant funds are used for may be changed by the applicant as long as it is in the same budget category as what was originally proposed. Thus, the application will indicate reconstruction of tennis courts; however, pickle ball courts could be constructed instead.

4. Public Hearing on Spark Grant: Improvement of Hancock Field for Increased Public Recreation

Ms. Lisuk discussed the Spark grant application for Hancock Field and explained that the five-year Parks and Recreation plan was reviewed and considered when preparing the application. She also stated that ARPA funds are being used for this grant and the State of Michigan is now returning those funds to the parks. In this round of funding, a total of \$23 million is being awarded by the state.

Jeff Keen explained that there are 600 children who participate in the Leelanau County Youth Soccer Program. As the children grow, they play on a larger field; Hancock Field is one of the designated locations for games county-wide.

Ms. Heidi Weckwert inquired about lighting. Ms. Lisuk replied that the Township is not proposing to install lights. Individuals using the park will be required to follow the Parks Ordinance which states that the parks close at 10:00 p.m.

Discussion ensued regarding the grandstand, ice skating and hiking trails. Ice skating will continue at Hancock Field. Any trails would not be paved but would remain wooded. Pickleball courts are not listed in the Spark grant application for Hancock Field at this time.

5. Resolution R-23-15: Improvement of Hancock Field for Increased Public Recreation

ACTION: Mr. Mitchell moved to approve the amended Resolution R-23-15 (Improvement of Hancock Field for Increased Public Recreation); supported by Ms. Garthe. Motion carried.

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

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

6. Update of Provemont Pond entrance sign to include Coburn's Challenge Trail

Mr. Mitchell stated that he prefers that a separate sign be placed at the trailhead so the Township does not set a precedent regarding signage. Ms. Och proposed that the sign be

placed on the same post but down below the Provement Pond entrance language. This project is funded by Bike Leelanau. Mr. Mitchell proposed that the applicant return to the Board with a proposed sign and cost and recommended tabling this agenda item.

ACTION: Mr. Mitchell moved to table further discussion of the Coburn’s Challenge Trail signage until a sample sign can be presented to the Board; supported by Ms. Garthe. Motion carried.

7. Renewal of BC/BS contract August 1, 2023 to July 30, 2024.

ACTION: Mr. Mitchell moved to renew the BC/BS contract effective August 1, 2023 to July 30, 2024; supported by Ms. Garthe. Motion carried.

8. Approval of MTA Dues and Level of Learning

Ms. Och explained that the MTA is the Michigan Townships Association. When questions arise, she is able to turn to the MTA staff for assistance; the organization also offers many educational opportunities.

ACTION: Ms. Garthe moved to renew the MTA Dues in the amount of \$7,537.54 for the upcoming year; supported by Ms. Kirch. Motion carried.

9. Road Improvement and Maintenance Policy

Ms. Och thanked Mr. Mitchell for working on this policy. Mr. Mitchell proposed that this agenda item be tabled as funding language was removed from the document and this is an issue that is very important to Clerk Brookfield. Ms. Och asked how long this item would be tabled and Mr. Mitchell replied possibly late summer. He commented that the Township’s plan should dovetail with the plan that is developed by the LCRC. Ms. Och stated that the LCRC has told her that the Township should prioritize our requests and that September would be a good time to work on these projects. She added that we would be placed at a higher priority if we were prepared. Mr. Mitchell stated that he does not want to pass something at tonight’s meeting that may change in a couple of months.

ACTION: Mr. Mitchell moved to table further discussion of the Road Improvement and Maintenance Policy; supported by Ms. Garthe. Motion carried.

10. Resolution R-23-16 Montessori School Charitable Gaming License

ACTION: Mr. Mitchell moved to approve Resolution R-23-16 (Local Governing Body Resolution for Charitable Gaming Licenses); supported by Ms. Kirch. Motion carried.

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VOICE ROLL CALL: (not necessarily called in this order)
Supervisor Susan Och: Yes
Clerk Lisa Brookfield: Absent

Treasurer Shirley Garthe: Yes
Trustee Clint Mitchell: Yes
Trustee Mariann Kirch: Yes Motion carried. 4 in favor, 0 opposed, 1 absent

11. Authorize Cal Little to design roadside sign for the new township office

ACTION: Ms. Garthe moved to authorize Cal Little to design the roadside sign for the new township office; supported by Mr. Mitchell. Motion carried.

Ms. Kirch inquired as to how the sign would work. Mr. Little replied that he will develop a concept and a budget and will bring this information back to the Board for discussion. He feels the existing sign on the building looks nice and believes that the current style fits in well with the design and architecture of the building. Mr. Little added that he would not begin the sign project until after the Township closes on this purchase.

ACTION: Mr. Mitchell moved to amend the previous motion and moved to have Mr. Little come back to the board in July with a design and a budget; supported by Ms. Garthe. Motion carried.

OTHER/OLD BUSINESS – None

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 May 1, 2023 to May 31, 2023; supported by Mr. Mitchell. Motion carried.

CORRESPONDENCE – Ms. Och stated that she received correspondence from Mr. Jim Tiffany. Ms. Kirch asked why Mr. Tiffany is not distributing his correspondence to the entire Board, as was previously requested. Ms. Och will discuss this with Mr. Tiffany. Mr. Mitchell added that the Board took action on this and made the request two times previously.

BOARD COMMENT – Ms. Och stated that the Township has also submitted a Letter of Intent (LOI) to MDARD (Office of Rural Development) for the library seawall. If approved by MDARD, the Township will receive notification along with a grant application inviting them to submit a complete application for this project.

PUBLIC COMMENT

Shep Burr – Mr. Burr inquired as to the timeline to do the seawall repair. Ms. Och explained that in 2020, the Township received a report that this must be done within five years. She added that the Township is looking at phasing this project in order to tackle the worst part of the seawall first. If money were not an issue, Ms. Och stated that the project could begin next spring.

Lawrence Bunchek – Mr. Bunchek resides on Oxford Drive and expressed his concern that the Road Improvement and Maintenance Policy was tabled to a future meeting. He stated that Leland Township has not spent any money on repairing roads for several years and this is concerning to those residents who live on streets that require attention. He spoke to the LCRC and was told that they will do the work, but they have not received a request from the Township. The LCRC also stated that they would give any request serious consideration. Mr. Bunchek stated that residents who live on these streets are taxpayers and asked if this is negligence. There are 33 property owners on Oxford Drive representing 38 separate properties. These residents are very willing to assist the Township in helping to pay for the road, but the Township needs to do its work. Mr. Bunchek also discussed his concern over the Township spending money on other things as opposed to working on the roads, including salaries, the Spark grant applications for the parks, etc.

Jeff Keen – Mr. Keen resides on North Manitou Trail and thanked the Board for submitting the Spark grant applications.

Kathy Dawkins – Ms. Dawkins commented that if the federal funds are not used, the money will go away. She appreciates that the Board wishes to maintain the parks in Leland Township. With regard to salaries, Ms. Dawkins reminded everyone that Mr. Mikowski proposed a higher annual salary for the Board Trustees at the Annual Meeting; this decision was not made by the Board.

Steve Mikowski – Mr. Mikowski confirmed his suggestion to increase the salary for Board Trustees at the annual meeting. He also inquired about the closing date and occupancy date for the new building. Mr. Mikowski also inquired about the timing of notifying residents that the sewer rates would increase in relation to the next billing date. He expressed concern over the recent poor audit report that Leelanau County received and added that a great deal of money and time has been spent working on this; he believes the County created a crisis when they made the decision to remove duties. Mr. Mikowski would like to see a differentiation between a Regular Township Board Meeting and a Public Hearing.

Ms. Och reported that the inspection of the new building has been completed and there are no showstoppers. She added that a Phase I and Phase II environmental assessment is needed because the building is next door to a gas station. Occupancy may take place within 60 days; however, this is negotiable as Dr. LeBlanc is working to find care for his current patients.

ADJOURNMENT

ACTION: Mr. Mitchell moved to adjourn the meeting at 9:05 p.m.; supported by Ms. Kirch. Motion carried.

The next meeting is Monday, July 10, 2023.

Respectfully Submitted,
Allison Hubley-Patterson, Recording Secretary

Date Approved: _____

Susan Och, Leland Township Supervisor

Lisa Brookfield, Township Clerk