

Solon Township Board
Regular Meeting
Thursday, November 12, 2020 7:00 P.M
Solon Township Hall
9191 S. Kasson St., Cedar, MI 49621

MINUTES

1. Call to Order

2. Pledge of Allegiance

Supervisor Jim Lautner called the meeting to order at 7:00 PM. with the recitation of the Pledge of Allegiance.

Board members present: Supervisor Jim Lautner, Clerk Shirley Mikowski, Treasurer Joan Gauthier, Trustee Ron Novak and Trustee Steve Yoder

Guests present: Mary Taylor, Kelly Claar, Lisa Rossi Brett, Robert Robinson, Judy Robinson, Charlene Verschaeve, Samantha VanderVlucht, Doug Fierberg and Corey Flaska.

3. Approval of Agenda

Motion by Shirley Mikowski and seconded by Joan Gauthier to approve the agenda with additions under Unfinished Business: A. Township Hall/Repairs 2. Blood Drive, F. M-72 Audit Report and G. Kasson Street Safety and under New Business: A. Robinson Rezoning and D. Property Use Agreement/Cedar Chamber of Commerce.
Motion carried 5-0.

4. Approval of Minutes

Motion by Joan Gauthier and seconded by Steve Yoder to approve the October 15, 2020 regular meeting minutes with a correction under 8. Committee Reports, third bullet: should read separate instead of combine.
Motion carried 5-0.

5. Public Comment

Doug Fierberg thanked Shirley Mikowski for her work on the November Election.

Judy Robinson said that she and Bob Robinson are here to tell once again their request to rezone has been in the process for over two years and they have been more than patient. She reminded the board that the first time the Planning Commission voted on their project, it was approved by a unanimous vote. The second time it was approved by a 5-2 vote, and the third time it was turned down by a 1-6 vote. They are aware that farmland wants to be preserved in Solon Township. Mr. Flaska's property is prime farmland and their property is not. They are here to make the township board aware that they want to be treated equally. The two properties are very similar, and at the Planning Commission, meetings it was always Flaska and Robinson until the October Planning Commission meeting when they separated the two properties and they stood alone. Mr. Flaska's property was approved to be rezoned and the Robinson's was not. Ms. Robinson gave the following view points: 1) they do not have prime farmland, 2) a report card was given and they failed, 3) they purchased approximately 2,400 feet of commercial property, 4) this is not spot zoning, 5) they would be creating more taxes for the township, 6) the Downing property across the road from Mr. Fierberg is under contract, and that would leave Solon Township with no B-2 Zoning, 7) they would have less traffic in and out of their storage units than Jacob's Farm. The complaint of nuisance lighting is not accurate. They went past the storage units prior to the meeting and it was completely dark. They are hoping the board will take into consideration the points they made and come to a decision.

Samantha VanderVlucht said she spoke with Mr. and Mrs. Downing, and the property is not under contract, and is still up for sale. Ms. VanderVlucht said she lives right there and sees the light pollution every night coming from the Robinson's property. She repeated Judy Robinson's action that the Planning Commission took on the Robinson property, and noted there is an explanation for each time the Planning Commission voted on it.

Bob Robinson said it is not true their lights are on; they only come on when someone drives in, and they may stay on for five minutes.

Charlene Verschaeve believes there should be more safety first before there should be any more development on M-72. Ms. Verschaeve also talked about how much property the Flaska family owns, and that there is many hands in this proposed development.

Corey Flaska commented on Charlene Verschaeve's comments, and noted that M-DOT has been on his property, and has the paperwork that shows it has been approved. He asked that he not be grouped with any of his other family members. He stated that his taxes on all of his properties are paid up to date.

6. Correspondence

- Received the Public Officials Bonds which are effective from 11/20/2020 – 11/20/2024 from Municipal Underwriters of West MI Inc. at no additional charge to the township

7. Treasurer's Report/Authorization for Payment of Vouchers:

Joan Gauthier did transfer the funds to the General Fund from the Sidewalk Fund so the fund balance is up to date. TCF Checking \$45,256.22, TCF Bank General Savings \$30,750.12, Total Funds Available: \$76,006.34, TCF Bank Road Improvement Fund \$5,343.60, TCF Fire Fund CD \$6,677.62, TCF Fire Fund Savings \$161.73, Total Fire Sinking \$6,839.35, TCF Sidewalk Fund \$4,408.84, TCF Cedar River Marina Project \$22,413.49, TCF Oleson Foundation Grant/Playground Equipment \$10,000.15, total other Township Funds Available: \$49,005.43 - Total Current Assets: \$125,011.77. Voucher #'s 13785-13845 were submitted for payment. Motion by Steve Yoder and seconded by Shirley Mikowski to accept the Treasurer's report and pay vouchers as presented. Motion carried 5-0.

8. Committee Reports:

Steve Yoder reported the Planning Commission met on Wednesday, November 4, 2020. Six board members and four guests were present. Andy Romzek was excused.

- Tim Cypher/ZA went over his report
- Chair Steve Morgan motioned to put a moratorium on future rezoning requests until the Zoning Ordinance is complete. The Planning Commission approved, but the township attorney advised against it. The township board asked Steve Yoder to take it back to the Planning Commission for further discussion.
- Reviewed existing Zoning Ordinance Articles referring to Site Plan Review. Talked about increasing screening requirements and not allowing distracting operations in the township other than on Harrys Road.

Kelly Claar reported the Parks and Recreation Committee met on Tuesday, October 27, 2020 at the Solon Township Hall. All members were present with a welcome to newly appointed Brett McDowell.

- Thanked the board for the removal of the dock at Vlack's Pond and trimming the trees.
- Kelly asked how the committee requests could be brought before the board without bringing them to the meeting? Jim Lautner asked that requests get sent to the clerk the Monday prior to the meeting so the board can review it.
- Kelly is applying for the 2% grant from Grand Traverse Band, and needs formal approval from the board to proceed. The deadline for applying is November 30, 2020. The money will be used to purchase a boat washing station. Motion by Shirley Mikowski and seconded by Joan Gauthier to allow the Cedar River Waterways Committee to apply for the Grand Traverse Band 2% grant. Motion carried 5-0.
- The committee would like to have a year round restroom by the river.
- The next meeting is scheduled for Tuesday, November 24, 2020 at 6:00 P.M. at the Solon Township Hall.

Mary Taylor said that Kelly Claar has agreed to complete the application for the Grand Traverse Band 2% Grant. Mary said she is still looking into the \$10,000.00 Seed Grant to cover all of the parks.

The original design for the Cedar River Marina Project is being revised by Fleis and Vandenbrink.

Zoning Administrator Written Report is attached.

9. Unfinished Business

A. Township Hall/Repairs

1. Cherry Capital/Wi-Fi

A proposal has still not been received from Tim Maylone from Cherry Capital.

2. Blood Drive

Shirley Mikowski received a request to use the township hall for a blood drive in December. Her question to the board was whether to charge a rental fee for the use of the hall. The board agreed not to charge a rental fee.

B. Parks

1. Recycling Site

Jim Lautner said the Solid Waste will be installing a camera at the recycle site and with no cost to the township. There is also going to be a new recycle site on Popp Road.

Ron Novak shared his disappointment with the porta jon being pulled and no longer by the river. Ron said that was on his wish list at the budget meeting to have a year round restroom available in Cedar. Shirley Mikowski had the porta jon pulled at the end of October as she had always done in the past, and noted that it was not in the Budget Meeting Minutes that the board agreed to have it year round. After much board discussion, it was agreed that a porta jon would be placed on the other side of the river, and Ron will let Shirley know where to have it placed before she calls to have one delivered.

C. Fire Department

There was no one present to give a report.

D. Cedar River Project

See under Committee Reports

E. Cemetery

Joan Gauthier talked to Edna King and found that all Mrs. King would like to have is some posts put up to mark the entrance into the cemetery. Shirley Mikowski will be working with Zach Baker in the near future to possibly turn some of the roads into additional cemetery plots. Shirley will also continue to look into the cost of purchasing additional fence.

F. M-72 Audit Report

Joan Gauthier commented on the road safety audit that was conducted for M-72 from Maple City Road to Lautner Road on October 19 - October 26, 2020 by MDOT. Jim Lautner said they will be installing a flashing light at the crossroads of Goodrick Rd./South Cedar/M-72 in 2021. They have already changed the passing lane. There are also plans to put in a center lane from the church to Lautner Road. The soonest would be 2026 to put a round-about in South Cedar Road and Maple City Road. Joan Gauthier wishes there would be a warning light on M-72 and Gray Road.

G. Kasson Street Safety Issue

Ron Novak said the engineer from the Leelanau County Road Commission said there is not enough traffic that goes through Cedar to have 25 mile per hour speed throughout the town.

10. New Business

A. Flaska Rezoning/Robinson Rezoning

The Planning Commission at their October 6, 2020 meeting approved the Flaska rezoning request for 35 acres located on M-72 and Solon Road from Agriculture/Conservation to Business 1 by a 6-1 vote. They did not approve the Robinson rezoning request for 20 acres located on M-72 and Lautner Road from Agriculture/Conservation to Business 2 by a 1-6 vote. Steve Yoder said the Planning Commission has been working on the M-72 Corridor with the two projects in mind; Flaska and Robinson. The Planning Commission has treated these two properties the same until they agreed to separate the two properties at their October meeting. Steve does not believe that was the best

option. Steve also added the Planning Commission has done a thorough review on the Robinson property but not the Flaska property.

Joan Gauthier questioned on whether these requests need to go before the Leelanau County Planning Commission before the township board makes a decision. Steve said they have already been through them.

Shirley Mikowski asked if both properties had gone through the Leelanau County Planning Commission. Steve explained the Robinson property has gone through the complete vetting process, but the Flaska property has not.

Joan said they are both zoned Agriculture/Conservation and are both considered farm land and asked why the property owners sold their property. Jim explained that the Robinson property was owned by Theodore Lautner and his sons Glen and Sylvester had a dairy operation. They could not make it any more on the farm, so they had to go work in town. Joan said Mr. Robinson is requesting to have 20 acres of the 40 acres rezoned to Business 2, and noted that there is all of this development directly across the road and thinks it is sad that Long Lake Township went that route. Joan noted that Mr. Robinson is requesting a Special Land Use, and Steve said that will still have to go before the Planning Commission for approval. She also noted that solar panels and utility transformers are allowed in the Agriculture/Conservation Zoning.

Mr. Jim Burkhart sold the property to Corey Flaska because he could no longer farm his property. Mr. Flaska is asking to rezone 35 acres, and has not disclosed any plans for the property.

Joan did not like the comment made by Mr. Fierberg at the September Planning Commission meeting that the downtown in Cedar should be the business district. Doug Fierberg said the highest value of real estate is in the center of the village, and our highest value of real estate in Cedar because of no sewer is committed to the lowest use possible; recycling site, ballfields and a park. It should be noted that the ballfield area is surrounded by swamp land.

Joan said the township needs more revenue, more housing, but does not want to see development that we do not appreciate. Joan asked how she can make a decision without seeing any plans.

Steve Yoder recommended that the Flaska property go back to the Planning Commission because it has not been fully vetted as the Robinson property has. The Flaska property got thrown in because that is what they were working on and now the two properties were separated and they should not have.

Shirley Mikowski looked at both projects and questioned who will really benefit from these properties, but was reminded that the board is not to approve a specific use.

Jim Lautner said that area is either going to go to houses or businesses you cannot make a living farming anymore.

Steve Yoder said at the Public Forum it was noted most people do not want the commercial look. No one denied that it wasn't going to expand, but wants to keep the natural look. Joan thought that before anything is put in it has to go to the Zoning Administrator and it does and also has to go before the Planning Commission for approval.

Ron Novak asked Steve Yoder if it is the job of the township board to approve or deny the request and not to approve specific uses? Steve said that was correct.

Ron Novak read parts of a memo sent by Tim Cypher/Zoning Administrator in October: *"Therefore, in my professional opinion, the proposed Flaska and Robinson amendments are very similar in nature. The exceptions being the residential component of the Flaska parcel, and the differences of the B1 and B2 zoning districts however, because of the underlying similarities, both should be treated the same. Meaning, both should either be approved, or denied."*

Doug Fierberg commented that there was a Planning Commission meeting where 80 people showed up and gave their opinion, and now it seems like it doesn't even matter.

Steve said the Planning Commission should never have separated the two properties. Steve said he should ask Tim Cypher/ZA if the properties could be grouped together for the township board to approve or deny the requests.

Joan noted that there would have to be some type of service road if this were approved. Jim Lautner said MDOT will determine that.

Ron Novak offered options: that we bundle the two properties together and approve or deny them both, or with the recommendation to approve the one property and deny the other. Ron would like to put it on an election ballot, but Jim said that cannot be done; that is why you have a township board and a Planning Commission.

Joan does want the township to look nice. She noted that Grumpy's is right there, and there several lots next to them, and the Flaska property is right across the road. The same on Lautner Road, there are businesses on the one side, so Robinson property would not be spot zoning. The Zoning Administrator makes sure it is screened properly. There is no other area in the township to have businesses.

Jim Lautner said a business needs to be located where they can be seen and get off and on a good road. Three months of the year they have to be on a Class A road to get to.

Joan talked about the Cedar District and there a plans to put a café into the bank building, Bunting's had to move two houses to put in a gas station and Pleva's building may be sold. Kasben's building is full of asbestos and would cost a fortune to put anything in that building. Corey Flaska said he has property across the road from the hall that is zoned Business 1 that will be developed into housing. So there is not much available in Cedar. Ron said Cedar is surrounded by a swamp, but a sewer system would not be economical. Jim said businesses are going to end up on the M-72 Corridor just like Long Lake Township because they need to be on a main highway.

Motion by Ron Novak and seconded by Joan Gauthier to approve with the recommendation of the Zoning Administrator to amend the Solon Township Zoning ordinance/map for Property Tax ID# 45-010-034-006-30 located on the NW corner of M-72 and Lautner Road 20 Acres (Parcels C and D) of the 40.7 Acres from Agriculture/Conservation (A/C) to Business-2 (B-2) and Property Tax ID# 45-010-034-008-60 located on M-72 and Solon Road 35 Acres from Agriculture/Conservation (A/C) to Business 1 (B-1), Solon Township, Leelanau County, Michigan.

Steve Yoder cannot support the request of the Flaska property because it has not been properly vetted, and has concerns about the Robinson property of not being properly screened. Ron Novak gave a definition of screening and reminded Steve we are not here to approve or deny the request on a specific use. Steve said again the Flaska property has not been properly vetted, where the Robinson property has been completely vetted.

Upon a roll call vote; Novak-yea, Yoder-nay, Lautner-yea, Gauthier-yea, Mikowski-yea. Motion carried 4 "yeas", 1 "nays".

B. County Assessor/Board of Review

Jim Lautner explained that it is now required to have a County Designated Assessor, and the county recommended Laurie Spencer, Leelanau County Equalization Director. Each township has to take action on that recommendation by resolution. Moved by Jim Lautner and supported by Steve Yoder to adopt Resolution No. 2020-11-12 that the Solon Township Board wishes to enter into the Leelanau County Local Agreement for the purpose of designating Laurie Spencer, Leelanau County Equalization Director, to serve as the County's Designated Assessor, authorizing the Township Supervisor to sign the Interlocal Agreement Upon a roll call vote; Novak-yea, Yoder-yea, Lautner-yea, Gauthier-yea, Mikowski-yea 5 "yeas", 0 "nays". Resolution dully adopted.

C. Snowplowing

Shirley Mikowski asked the board if she could just contact the company, Schaub Outdoor, that has been contracted to do the snowplowing for the past several years, or place an ad. The board agreed to have Shirley contact Schaub Outdoor to continue snowplowing the recycle site and the township hall. They would also like them to shovel in front of the porta jon. Motion by Jim Lautner and seconded by Joan Gauthier to have the clerk contact Schaub Outdoor Services for the snowplowing of the township hall and recycling site for 2020-2021. Motion carried 5-0.

D. Property Use Agreement/Cedar Chamber of Commerce

Lisa Rossi Brett shared that the Cedar Chamber of Commerce will be hosting Light Up Cedar on November 27, 2020 from 5:00 P.M. – 7:00 P.M. There is a section of Sullivan Street they are requesting to close off to be used to park Santa and his carriage. A letter has been received from the Fire Chief. Lisa has contacted the Sheriff's Department, but Jim Lautner said they will need permission from the Leelanau County Road Commission as well. Lisa will take care of that and forward it to the clerk. Motion by Shirley Mikowski and seconded by Joan Gauthier to approve the Property Use Agreement for the Cedar Chamber of Commerce to close off the West corner of East Sullivan Street on Friday, November 27, 2020 from 5:00 P.M. - 7:00 P.M. Motion carried 5-0.

11. Public Comment

Doug Fierberg bought his property aware of the zoning. Mr. Fierberg was there as Tim Cypher/ZA guided the Planning Commission through the entire process over the past twenty-six months, and the Planning Commission denied it unanimously. He stated it took the board twenty minutes to undo what the Planning Commission did. Mr. Fierberg said he played by the rules for the past twenty-six months, and now he will be sitting across from the board.

Charlene Verschaeve brought up about the river bank and the large rock that was placed there, and how it has flooded recently over there several times. She checked into laws about recycling, and there is no law dumping trash inadvertently. She also talked about children being afraid of going to school because of shooting drills. Finally she said there are laws and penalties for not wearing masks.

Corey Flaska offered his services if the township's snowplow service does not work out.

Ron Novak shared that his term is up and it was his pleasure to serve as Trustee for the past nine years. In that time, he played a big part in three streetscape projects. Ron is very community minded and asked to be reappointed to the Parks Committee next month.

Jim Lautner thanked Ron for his service and that he would be reappointed to the Parks Committee. He said you never get off of the committee unless you ask.

12. Announcements

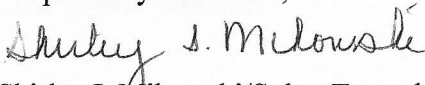
There was none.

13. Adjournment

Motion by Joan Gauthier and seconded by Shirley Mikowski to adjourn the meeting. Motion carried 5-0.

The meeting was adjourned at 9:23 P.M.

Respectfully submitted,


Shirley I. Mikowski/Solon Township Clerk

SOLON TOWNSHIP ZA'S MONTHLY PERMIT SUMMARY

PERIOD: OCTOBER 2020

DATE	PERMIT #	NAME	USE	RECEIPT CK.#	AMOUNT
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THERE WERE NO LAND USE PERMITS ISSUED IN THE MONTH OF OCTOBER

I ALSO MET AND INSPECTED M & E SERVICE TODAY AND CONFIRMED COMPLIANCE WITH THE MEDIATION AGREEMENT.

TOTAL \$ -

SIGNED:

Timothy A. Cypher

DATE: 11/6/2020

TIMOTHY A. CYPHER
SOLON TOWNSHIP ZONING ADMINISTRATOR
231-360-2557
TIM@ALLPERMITS.COM

Solon Township
Township Board Resolution
Resolution No. 2020-11-12

WHEREAS, the Solon Township Board wishes to enter into the Leelanau County Interlocal Agreement for County Designated Assessor under the Urban Cooperation Act, MCL 124.501 et seq., as amended, and the General Property Tax Act, as amended by MCL 211.10g, for the purpose of designating Laurie Spencer, Equalization Director, to serve as the County's Designated Assessor, authorizing the Township Supervisor to sign the Interlocal Agreement.

WHEREAS, as required by MCL 211.10g(4), every County shall have a Designated Assessor on file with the State Tax Commission as of December 31, 2020.

NOW, THEREFORE, BE IT RESOLVED that the Solon Township Supervisor is authorized to submit this Interlocal Agreement on behalf of Solon Township, Leelanau County on this day of November 12, 2020.

The foregoing resolution offered by Board Member Jim Lautner
Second offered by Board Member Steve Yoder

Upon roll call vote, the following voted: Novak-yea
Yoder -yea
Lautner-yea
Gauthier-yea
Mikowski-yea

Yeas – 5
Nays – 0

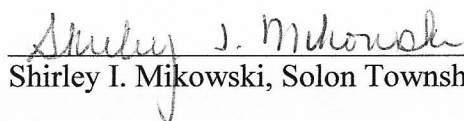
The Supervisor, James C. Lautner declared the resolution dully adopted.



James C. Lautner, Solon Township Supervisor

CERTIFICATE

I, Shirley I. Mikowski the duly elected and acting Clerk of Solon Township, hereby certify that the foregoing resolution was adopted by the Township Board of said Township at the Regular meeting of said Board held on November 12, 2020, at which meeting a quorum was present, by a unanimous vote of said members as hereinbefore set forth; that said resolution was ordered to take immediate effect.



Shirley I. Mikowski, Solon Township Clerk

November 9, 2020

Solon Township Board and Directors

13048 S Cedar Rd

Cedar, MI 49621

To Whom it May Concern,

The Cedar Chamber of Commerce has been supporting Solon Township by helping maintain township property including mowing of lawns, and paying for public portable restroom facilities for many years. Due to the COVID 19 virus and the cancelling of The Polka Fest and other opportunities for fund raising to continue to support Cedar , and the surrounding community, the Chamber is unable to continue to support these public services.

The Chamber, if able to continue our fundraising abilities in the year 2021, we will keep Solon Township and its Park and Public needs in consideration for a yearly grant as our finances are able to support.

Our costs for our last fiscal year for lawn maintenance paid by the chamber totaled: \$1560.00

Our costs for additional public portable restrooms paid by the chamber totaled: \$1612.50.

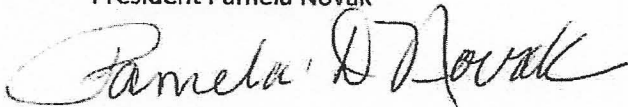
Total costs of \$3172.50

We look forward to continuing to work with you in the future as our budget allows.

Thank you for your kind consideration,

Cedar Chamber of Commerce

President Pamela Novak

A handwritten signature in cursive script that reads "Pamela D. Novak". The signature is written in black ink and is positioned below the typed name of the sender.