

**Town Board Meeting  
February 21, 2018,  
9:00 am  
Study Session  
Meeting Minutes**

**1. Call to Order** by Manigold at 9:00 a.m.

**2. Pledge**

**3. Roll Call** Present: Manigold, Bickle, Achorn, Wunsch, Sanders, Whal.

Absent: Westphal

Also present: Gordon Hayward, Planning and Zoning and Christina Deeren, Zoning Administrator, Jennifer Hodges, GFA, Monnie Peters, Nancy Heller

**4. Approve Agenda**

Motion to approve the agenda as presented by Sanders, with a second by Bickle.

**Passed Unam**

**5. Conflict of Interest** None

**6. Business:**

- a. Review Land Use Permit Process (Jennifer Hodges from GFA to present flow chart).
- b. Review Escrow Ordinance

**A. Review Land Use Permit Process**

This is an open forum of dialog with Township Board, staff and PC members.

**Hodges;** Began with an explanation of the flow charts that she had created for the process of completing and following a land use application along with a check list for the applicant and staff. (findings of fact and land use permit process – Used Vineyard Ridge Chart as an example – status and milestone chart).

Open conversation on the flow chart and the usability of the chart.

**Manigold;** Stated that water and sewer come before the Town Board for approval and questioned if the Board still wanted to see the Condominium Documents and By-Laws as well as historically the Condo Documents and By-Laws are reviewed and approved by the Township Attorney.

Consensus was that the Board Members would still like to review the Condo Documents and By-Laws.

**Manigold;** Suggested that we put this information on the website so that it would be easily accessible to the public.

Wunsch made a Motion to adopt the Peninsula Township Overflow Zoning Flow Chart that will be subject to change to be added to website seconded by Bickle.

**Passed Unam**

## **B. Review Escrow Ordinance**

**Bickle;** Wanted to go over a process to begin to streamline and simplify the process of the escrow as the current procedure is stalling the Treasurer's Office from going after the Developers to get a replenished request for funds to the escrow accounts. The current language of the Ordinance states that the Planning Commission must make the request of the applicant for the funds to be increased. Creates delay as the Planning Commission only meets once a month. Would like this changed so that the Planner or Zoning Administrator may ask for the funding to be increased as bills come in for services provided for these applicants that require an escrow.

**Manigold;** We have to wait to put this on the agenda for the PC. The goal would be to have the Planner or Zoning Administrator request the additional funding as invoices are generated and then they could go to the applicant for increases in the escrow vs. going through the PC. The funds then would come in through the Planner's Office then onto Susan for depositing and then the Treasurer's Office would be notified of the increases to the escrows.

**Achorn;** The Township Board has the ability to do this right now as it states any Commission or Board in the Zoning Ordinance 190. We do not have to wait for the Planning Commission but we can increase this right now.

**Bickle;** Marge is referencing Ordinance 190. Asked staff if this is still an active ordinance.

**Hayward;** Yes, it is still active.

**Achorn;** So today we can say that we need X amount of dollars from the Developers but we need to refine this more so that we do not have to wait for a meeting for these to be requested to be increased.

**Wunsch;** The Planning Commission should begin to take action to being this process of changing this procedure. The fee schedule and cost should be set by staff.

**Achorn;** I think that the staff should also be able do request this as this is what has been holding us up for years on not replenishing these escrows in a timely manner. Staff has immediate knowledge of the invoicing that is coming in. Currently dealing with this issue with the Library. Wanting this to bypass the Planning Commission and the time delay and giving staff the ability to request the funding so that the process moves through the Treasurer's Office with more efficiency.

**Peters;** Spoke with Brian and Gordon regarding this and she questioned if this should not be a Police Power verses Zoning Ordinance. Need to find out from the Attorney which procedure is better as this is about getting money and doesn't see why this would be a Zoning Ordinance.

**Manigold;** We do need to go through our fees as we do have increases that we are not collecting. Example used was land division and the cost associated with these reviews. Not

certain if this should be a Police Power issue. It would make more sense to have the Planner or Zoning Administrator to request the money once the escrow drops below a certain dollar or percentage of what the projected cost from the Engineering proposals of the cost.

**Manigold;** We need to come out of this with a motion to direct the Planning Commission or to create a Police Power to rectify the issues that we are facing so that we can track it. Right now we are spending ½ a day to find documents. So we do need to find another way to do business so that the funds are being collected that are relevant to the invoices being paid out by the Treasurer's Office.

**Bickle;** Engineering and staff review the applications and then determine the necessary funding needed for an escrow. The communication is sent to the Supervisor and Treasurer's Office so that everyone is informed.

**Achorn;** This also needs to go the Clerk's Office so they are also informed as to how to code these bills coming in from GFA.

**Hayward;** Explains the process of how the Planning Department comes up with the initial request for funding and then takes that information to the Treasurer's Office for a T&A number which then becomes the identification for that particular Developers escrow. We either have a T&A number if it is an escrow or if it is a fee.

Fee schedules were discussed along with the issues of collecting and requesting escrows in an open forum between staff, Board and PC. Fee schedules and structures will be discussed at a later time as this is another area where we are needing review of the cost associated with the invoices that are coming in.

Motion by Maingold to direct staff to review the fee schedule process before the next meeting for possible increases to cover expenses second by Sanders.

**Passed Unam**

**Manigold;** Where does escrow process start? With the Planner with Engineering coming in on X amount of dollars to be sent to the Office Manger to the Treasurer. Planning Department will estimate the escrow fees.

**Hodges;** Stated that some of this should be handled under the fee schedule instead of escrows. Escrow numbers are on each one of the invoices that come into the Township.

**Manigold;** We will look at changing the fee schedule to reflect the changes that need to be made. Let's write down what we envision.

**Achorn;** Explains the direction that the process needs to move in to keep consistency between all of the departments with the accounting aspects of receipting the monies taken in so that each department is using the same form and numbering system with each new escrow being created.

Discussion on changing the language to the current Escrow Ordinance and what should be added, deleted and changed in the current ordinance to make the process more simple and effective. Suggested to add the specific language of: **Direct cost incurred by the Township that relates to the project at hand.**

Requires taking this to the Planning Commission to make the changes in the language and have this amendment change made. Look into getting confirmation from the Township Attorney to get these changes implemented.

Moved by Bickle to direct the Planning Commission to modify the language that redirects the process for escrow for development and funding second by Wunsch.

**Passed Unam**

Manigold; Requested to extend Gordon's contract another two weeks with the absence of Brian VanDenBrand.

Moved by Wahl to extend Gordon's contract until the 31<sup>st</sup> in the absence of the Planner second by Wunsch.

**Passed Unam**

Motion to dismiss by Wunsch and seconded by Wahl

Dismissed at 10:10 am