

**Peninsula Township Town Board**  
**2<sup>nd</sup> Regular Meeting 9:00 A.M.**  
**May 23, 2016**

Meeting called to order at 9:00 A.M.

Present: **Avery; Byron; Hoffman; Correia-Chair; Weatherholt; Witkop; Rosi.** Also present were *Michelle Reardon*, Director of Planning and Zoning, *Peter Wendling*, Peninsula Township Attorney and *Mary Ann Abbott*, Recording Secretary  
Absent: None

**Approve Agenda**

**Hoffman** would like second part of Business #8 and Business #9 be removed from Agenda. Byron would like Business #9 removed until Town Board could get together with other three Boards to review. Also Byron would like to have any Business items that have to do with approval of expenditures moved to 7:00 P.M. Regular meeting so more of the public could attend

**MOTION: Witkop/Weatherholt** to approve amended agenda with the removal of Business Items # 8,9,11 & 12.

Discussion by Board on original purpose of second meeting with the consensus of the board that the second meeting of the month should now be held on the fourth Tuesday at 7:00 P.M.

**Vote on the above Motion:** **MOTION PASSES 6/1 Weatherholt**

**Brief Citizen Comments – for items not on the Agenda**

*Nancy R. Heller, 3091 Blue Water Road* concerned about Business item #11 Removal of Tree in Bohemian Cemetery being removed from the agenda as citizens may not be able to access their family cemetery sites for Memorial Day.

**MOTION: Byron/Witkop** move that Business Item #11 be placed back on the agenda.  
**PASSED UNAN**

*Joanne Westphal, 12414 Center* voiced concern about the current planning process with McKenna and the updating of the Zoning Ordinance. She feels that McKenna has gone beyond, does not have close ties to the outdated Master Plan and is using Mater Plan that has not been updated since 2002.

*Reardon* the Master Plan is from 2011 and the Township is right on track with the five-year review. McKenna is referring to the current Master Plan. Public Hearings will be held on these updates and all discussions are at public meetings

**Conflict of Interest**

None

**Business**

1. Soul Squeeze Cellars, LLC - Small Wine Maker License

*Reardon* presented an overview of the request for approval of the application for new Small Wine Maker License. Discussion continued on the role of the Township Board in the approval of such applications.

**MOTION: Weatherholt/Byron** to approve Soul Squeeze Cellars application request.  
Applicant Luke Pickleman addressed the Board with his purpose in applying for this License.  
**Avery** needs to recuse himself as Soul Squeeze Cellars has a mutual client with Aurora Cellars.

**Roll Call Vote: Avery-abstain; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**MOTION PASSES 6/0 (AVERY abstain)**

2. Tabone Vineyard, LLC – Small Wine Maker License

*Reardon* presented an overview of the request for the approval of the application for a small wine maker. *Reardon* states that there is currently an application in process for a Farm Processing Facility and tasting room that is a use by right or commonly called a 139 winery. There is a variance for building involves approval by the ZBA. Further Board discussion over

concerns that applicants may apply for a Use by Right Winery now and end up with a Chateau. Mario Tabone, Sr. the father of the applicant is present to answer any questions for the Board.

**MOTION: Weatherholt/Witkop** to approve application of Tabone Vineyard, LLC small winemaker application.

**Roll Call Vote: Avery-yes; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**PASSED UNAN**

### 3.Road Name Change – Cedar Ave to Tucker Point

Sally Akerley, Peninsula Township Assessor presents the overview of the request for a Resolution renaming Cedar Ave. in the Plat entitled NE-AH-TA-WANTA to Tucker Point. There is a courtesy email indicating that the Ne-Ah-Ta-Wanta Association has approved the name change.. The County does not have a problem with the re-name of road to Tucker Point.

**MOTION: Byron/ Rosi** to rename Cedar Ave. in the Plat entitled Ne-Ah-Ta-Wanta to Tucker Point.

**Roll Call Vote: Avery-yes; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**PASSED UNAN**

### 4.Road Name Request – Freshwater Ct

Sally Akerley, Peninsula Township Assessor presents the overview of the request for road name Freshwater Court.

**MOTION: Byron/Witkop** to approve the road name request to Freshwater Court.

**Roll Call Vote: Avery-yes; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**PASSED UNAN**

### 5.Kroupa Road End – Bartone Request

*Reardon* presented overview of request of Sharon Bartone request that the Kroupa Road end south of her property be abandoned. Chief Rittenhouse, Peninsula Fire Department, has reviewed this road and road end. Neighbors have signed support for this. Staff suggestion is that 150 feet of this road is not abandoned. This abandonment issue is on the agenda for the County Road Commission meeting and the decisions of Peninsula Township will be looked at. **Hoffman** is opposed to closing off the road end. **Weatherholt** says the Board is missing the point which is that road ends are for public and emergency access

**MOTION: Byron/Rosi** that request for Kroupa Road End abandonment be denied.

**PASSED UNAN**

### 6.AT&T Proposal -Discussion

**Weatherholt** gave overview of proposal from AT&T who would like a commitment for a 30-year lease agreement with five-year extensions at the end of the current lease that ends in 2018. There are two leases: one for antenna and one for the building, which total \$2700.00 per month. Board concerns were that rental increases should be tied to inflation; the useful life of lattice tower; building improvement and lease. *Wendling* offered to talk to other municipalities to see what they are doing with their towers. Consensus of the Board is to gather information and readdress this contract.

### 7.SAD Draft Agreement

*Wendling* opens discussion and indicates that Karrie Zeits and Jim Cook from the Road Commission are here to address any questions. *Wendling* says that the draft agreement calls for utilizing a formula that is contained in the Michigan administrative code for Drain district assessments. The Road Commission has suggested that a mathematical formula would be contained in the agreement. What the Township needs to know is the final cost of implementing this district. Then the Township can tie in the figures to determine what each property would be assessed. Also if the Road Commission determines that repairs need to be made then *Wendling* would like that final decision to be made by Township engineer. Brian Boals, Gourdie Fraser explained how the formula is determined for the Road Commission's request to be charged a 50% special assessment of the county road benefit and determined under OAR 280.2. The rational method was used to determine storm water. *Wendling* says it is important that the Board has that information and that they are comfortable with the figures. *Wendling* says that once we have the figures from the engineer then you can calculate and go forward with the public hearing. Also decisions need to be determined if a revolving fund will be used and what amount the Township will contribute to this Drainage Assessment. Karrie Zeits, Road Commission Attorney says that the amount of 20% to the county at large and the Road Commission will pay

50% of that. They are willing to pay what they will normally pay. *Wendling* can add to the contract that the normal maintenance of the Drain Commission will not interfere with the operation of the drain.

~~8. Amend Meeting Times/Review Policies and Procedures~~ - removed from agenda

~~9. Review Code of Ethics~~ - removed from agenda for time that multiple boards can review

10. Approve Payment of Water and Sewer Bonds

**MOTION: Hoffman/Witkop** to approve the Bonds of \$29,316.98, \$4,984.35 and \$9,765.00.

**Roll Call Vote: Avery-yes; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**PASSED UNAN**

11. Accept Bid for Removal of Tree in Bohemian Cemetery

**Hoffman** presented three bids on tree removal at the Bohemian Cemetery. She indicated that an arborist and a forester were both contacted for opinions on what to be done about these trees.

**MOTION: Weatherholt/Byron** to approve removal of trees in the Bohemian Cemetery by Helsel's not to exceed \$3000.00.

**Roll Call Vote: Avery-yes; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**PASSED UNAN**

~~12. Approval of DPW Budget Items~~ - removed from agenda and to be moved to another date

**Correia** Please keep this packet. This packet shows what is our portion of some of these bills. Peninsula Sewers are 2.5% of the DPW budget. Peninsula Water is 3.7%. We are a small user. Keep that in mind and we will have for next meeting.

13. School Board Resolution

**Hoffman, Byron** and **Rosi** met to review School Board Resolution. **Hoffman** presented the revised Resolution. Page 3 of the Resolution lists a new item that refers to the issue of a new administration building.

**MOTION: Hoffman/Witkop** to pass the School Board Resolution.

**Roll Call Vote: Avery-yes; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**PASSED UNAN**

14. Emergency Services Billing Discussion

**Weatherholt** states that Peninsula Township is in the middle of union negotiations. We have been instructed to not make any employment changes or changes to the operation of the Fire Department. This item has to do with billing of the EMS side. **Weatherholt** and Acting Chief **Rittenhouse** met with **FireRecoveryUSA**. Currently **Northflight** is doing the billing. This proposal changes the way EMS billing is handled. **Weatherholt** indicated that a 30-day notice needs to be given to **Northflight** billing to make this change to a new billing company. Chief **Rittenhouse** stated that the way ALS calls are handled will not be changed and that this is a three-year contract with **FireRecoveryUSA**. *Wendling* will review the contract and get back to Township.

**MOTION: Avery/Witkop** to support changing from **Northflight** Billing to **FireRescue USA** pending approval of contract by the Township Attorney.

**Roll Call Vote: Avery-yes; Byron-no; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**MOTION PASSES 6/1 Byron**

### Citizen Comments

*Nikki Sobkowski, 18367 Mission Road* would like to thank board for the resolution but schools can not use operating funds for capital improvement. She suggests that last item on resolution be changed. **Hoffman** will work on rewording and bring back during Board Comments.

*Amy Lyman, 18420 Center Road* would like the Town Board to exclude Eastern Elementary from the statement about the Administration Building.

*Brad Bickle, 11328 Center Road* has three items to share 1). AT& T as the ordinances are under review that there be a provision so that there is an amendment to any agreement. Amendment is in favor of AT&T. That there is an option to review every 5 years add that this amendment supersedes any items in that original lease so that we are not potentially exposed. 2). Fire & Rescue contract. Clarification needed under item #17 and 3). As a resident my full support of the Fire Department and I encourage my residents to visit the fire department. Chief Rittenhouse will show you the schedule. Our residents need to visit and show their support for our Fire Team. One last thought: The person doing the AT&T contract is a consultant. It may be worth consideration of this Board to hire their own consultant

Joann Westphal, 12414 Center Road wanted to take a moment and say she did misspeak about the master Plan. *Reardon* was right it was based on 2011 Master Plan. Westphal said there are two-year trend reports and Capital Improvement plans every two years. Ordinance language should be crystal clear and should reflect intent of Master Plan and be supported by good science. When Township hired McKenna her understanding was that we were trying to clarify language that was not easily understood or conflicted with other articles. Westphal then read some language examples from the Ordinance draft. The Zoning Ordinance has become more complex. **Byron** says that we have already given that feedback and perhaps *Westphal* could not be at that meeting. The corrections may not have been presented yet but it is still being reviewed. *Westphal* says the point is that she is encouraging Board to look at Ordinance to make sure that this is what we intended with the Master Plan; how can we make it easier for citizen's to understand what the rules are and how can the Township enforce the ordinance. Less is more in terms of Ordinance Language.

### **Board Comments**

**Hoffman** would like to say that the Peninsula Township Board has always been in full support of the Fire Department.

**Hoffman** also informed Board that on June 11<sup>th</sup> the Clerk's meeting will be discussing the taping of meeting and listening to a presentation and give us some numbers. She will be bringing information back to the Town Board.

**Avery** The Board needs to respond to letters received and Record Eagle articles to let people know that some of these things are just not true. But some of it is harmful and we need to respond to it as a Board.

**Avery** also says that in regards to the tablets, having the ability to be able to go down to an index and hypertext would be helpful.

**Hoffman** rewrote the School Board Resolution final item to read: Whereas the TCAPS board has approved a large sum of money to build a new administration building. Whereas TCAPS renovated Old Mission School without future planning to have funds available to operate it.

**MOTION: Avery/Byron** to approve School Board Resolution as amended.

**Roll Call Vote: Avery-yes; Byron-yes; Hoffman-yes; Correia-yes; Weatherholt-yes; Witkop-yes; Rosi-yes**  
**PASSED UNAN**

**Weatherholt** are we changing second meeting. Consensus is that it will be the Fourth Tuesday of the month at 7:00 P.M.

**MOTION: Hoffman/Byron** to adjourn at 12:02 P.M.

Respectfully submitted by Mary Ann Abbott, Recording Secretary.