

# PENINSULA TOWNSHIP

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**Township Board Regular Meeting**

**Township Hall**

**July 9, 2019**

**7:00 p.m.**

**Meeting Minutes**

1. **Call to Order:** 7:00 p.m. by Manigold
2. **Pledge**
3. **Roll Call:** Sanger, Wahl, Bickle, Manigold, Chown, Wunsch  
Excused: Achorn
4. **Brief Citizen Comments (for items not on the agenda):**  
**Jason Gillman, Chair, Grand Traverse County Road Commission Board:** Explained that he is here to give a summary of projects and actions the county road commission board has taken recently. The board has completed the east-west corridor study and has decided to move forward to pursue the Hammond-Hartman crossing/connector. Second, all stoplights have been approved for optimization and upgrading. This is a step towards controlling congestion in town. Finally, there are several small projects going on, including a quick seal project with Peninsula Township. One last item the road commission is working on is picking up roads from MDOT, including the eighteen miles of M-37, which is beneficial from an economic standpoint. Unless Act Fifty-One changes, it will benefit the county road commission and Peninsula Township. The road has to be optimized, and, if that happens, MDOT would no longer be involved, and the road commission would be responsible for the road.  
**Manigold:** is there a possibility this could include future paved shoulders for bicyclists?  
**Gillman:** is in favor of this for bicyclists. Also, paved shoulders extend the life of the road.  
**Brad Lyman, 18420 Center Road:** commented on the outdated land use ordinance from 1972 that he discovered when he wanted to put solar panels on his property. Solar panels can be put on a roof if it faces south, which will not work in his case. Contacted the township, and the supervisor asked the attorney for an opinion to see if he (Lyman) could apply for a variance or special use permit, but this is not allowed. At this point, waiting for a comprehensive revision. Suggested splitting off issues and passing amendments on solar energy as opposed to waiting. He urged the township board to include in the ordinance an administrative process for addressing issues that are not included (such as solar energy).
5. **Approve Agenda:**  
**Moved by Chown to approve agenda, seconded by Wunsch. pass unan**
6. **Conflict of Interest:** none  
**Manigold:** commented on the use of a new recording system for the meetings.

7. **Consent Agenda:** any member of the board, staff, or the public may ask that any item on the consent agenda be removed and placed elsewhere on the agenda for full discussion.

1. Invoices (recommend approval)
2. Reports
  - A. Peninsula Township Ordinance Enforcement Officer's report through May
  - B. Peninsula community Library's June report
  - C. Treasurer's June report
  - D. Peninsula Township Fire Department's June report
  - E. Peninsula Township Engineer's Report dated July 3, 2019
3. Sign requests from Old Mission Peninsula United Methodist Church
4. Request to approve contract for the evaluation of the township's current fire stations
5. Correspondence
  - A. Julie Clark, Executive Director, TAER Trails
  - B. Board of Directors, Mission Point Lighthouse Friends
  - C. Loren and Nancy Wolf
6. Minutes from May 30, 2019, special township board meeting, and June 11, 2019, regular township board meeting
7. Request to solicit RFPs for 2019 PDR monitoring contract
8. Proposed contract with blight ordinance facilitator (recommend approval)

**Mark Naldolski:** asked about the cost of the blight ordinance facilitator, Networks Northwest

**Manigold:** The township will not facilitate the blight ordinance; Networks Northwest will work with the steering committee. The first step is to hire Networks Northwest. An independent group will work with them.

**Bickle:** Twelve people are on the citizens' steering committee. It would be most beneficial to call one or two meetings before Networks North has the first meeting with the committee and talk about key directives before Networks Northwest comes in.

**Moved by Bickle to accept consent agenda, seconded by Wahl.**

**Roll call:**

**pass unan**

8. **Business**

1. Review updated requirements and terms of purchase of land for fire station three (Manigold)

**Manigold:** We discovered that our land division is more stringent and works by front footage on the road and depth of the road. The township could not apply for a land division on two acres as designed and would have to go to the ZBA. We asked Jennifer to look into a reconfiguration to fit the ordinance and she was successful. The township brought the idea to Switzers. It is closer to their road, but they are willing to do that. There is a letter and the new legal description for the property in the packet.

**Engineer Jennifer Hodges, Gourdie-Fraser and Associates:** In the packet is an e-mail showing the dimensions. State law requires a one to four ratio. It is more restrictive and would require going through the ZBA to achieve the two acres. We can make this change work. The property owner is in agreement. At this point, the preliminary certificate of survey and the septic report from the county health department have been provided. We will be able to finish the survey and get it to staff to work with Sally [Akerley] to finalize the land division.

**Manigold:** We had approved the purchase at two acres; now we have to approve the purchase at 2.35 acres.

**Hodges:** it is 2.35. This information has been shared with the fire chief.

**Wunsch:** asked to be recused from the vote as he has hired Barb Switzer as a bookkeeper.

**Moved by Wahl to remove Wunsch from the board, seconded by Bickle.**

**pass unan**

**Chown:** how many trees will come down and need to be replanted on the north side of the property line?

**Hodges:** the majority of the trees to be removed are on the eastern side of the property; will follow up with the quantity. A site concept with a SUP application to the planning commission and ultimately the township board will illustrate the tree removal.

**Wahl:** clarified that the original price was \$18,000.00 and this one is also \$18,000.00 per acre; Manigold misspoke when he said \$18,500.00; clarified it is the same price as the original per acre price.

**Manigold:** I misspoke. Instead of \$36,000.00, it will be \$42,300.00.

**Sanger:** it is \$42,300.00, which is 2.35 multiplied by \$18,000.00 is \$42,300.00.

**Moved by Sanger to authorize the supervisor to purchase from the Switzer family 2.35 acres at \$18,000.00, for a total expenditure of \$42,300.00, supported by Bickle.**

**Roll call:**

**pass unan**

**Manigold:** the township will be the applicant for the land division and the SUP permit to be put in front of the planning commission.

**Hodges:** The checklist and engagement tool will be followed and is in the packet. It shows steps and maintains consistency for the process.

**Motion by Wahl to have Wunsch return to the board, seconded by Bickle.**

**Pass unan**

2. Public hearing on Peninsula Township Prohibition of Marihuana Establishments Ordinance, Ordinance #54

**Manigold closed regular meeting and opened public hearing.**

**Christina Deeren:** This is an ordinance for medical and recreational marijuana establishments, the prohibition of marihuana establishments. The state of Michigan has required that townships opt in or out by November 2019. The

consensus is to opt out until Michigan laws are made on recreational marihuana; the township will opt out of any establishments. This does not stop people from growing for medicinal or recreational purposes on an individual basis. There will be no dispensaries or trafficking of the product.

**Randy Hall, 2610 Twin Eagles Drive:** the state statute has four or five categories of activity; you mentioned two or three of them. What about general cultivation? Is growing prohibited in a commercial setting?

**Deeren:** growing is prohibited in a commercial setting.

**Manigold closed public hearing and opened regular meeting.**

**Manigold:** it has been brought to my attention that we need in the future to address in a processing facility the odor of the product.

**Wunsch:** two years ago, it was suggested that the township opt out until we have a clearer idea of what the state statutes address. Not concerned about recreational marihuana; concerned about agri-tourism and zoning issues to see what the state enacts for laws when townships opt in.

**Chown:** or what happens if they fail to opt out.

**Sanger:** has a technical correction; under section five of the ordinance, it says "code enforcement officer"; it should be the "ordinance enforcement officer."

**Motion by Wunsch to approve the ordinance language as amended by Sanger, the Prohibition of Marihuana Establishments Ordinance #54, seconded by Bickle.**

**Roll call:** Pass unan

**Manigold requested a five-minute recess.**

3. (POTENTIAL CLOSED SESSION)

Potential closed session pursuant to MCL 15.268(e) to discuss personnel evaluation of Lighthouse Manager Ginger Schultz. Ms. Schultz has the right to request the meeting occur in closed session

**Motion by Wahl to table item three until participant is present, seconded by Bickle.** Pass unan

9. **Citizen Comments:** none

10. **Board Comments:**

**Manigold:** We did receive the evaluation of the PDR monitoring. We would like to get Dave and Isaiah and get the group back together to do a recommendation.

**Wahl:** there is a ZBA meeting August 20, 2019, for three applications right now.

11. **Adjournment:**

**Moved by Wahl to adjourn, seconded by Bickle.** Pass unan

Adjournment 7:30 p.m.