

**Regular Town Board Meeting
July 24, 2018, 7:00 pm
Peninsula Town Hall
Minutes**

1. **Call to Order** by Manigold at 7:00pm
2. **Pledge**
3. **Roll Call** Present: Manigold, Westphal, Bickle, Achorn, Sanger, Wahl, Wunsch
4. **Citizen Comments for items not on the agenda** None
5. **Approve Agenda** Bickle moved to accept the agenda; Wunsch seconded **Passed unam**
6. **Conflict of Interest** None
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. *Meeting Minutes Approval—July 10, 2018 Regular TB meeting 7pm.* The minutes were accepted contingent upon a few topographic corrects and the addition of a single sentence by Manigold relating to the McChesney Burger Bar request.
 2. *Reports and announcements (as provided in packet)*
 - A. *Officers*
 1. *Clerk's Report* The Clerk requested permission to read her report as placed in the packet involving: current absentee voter response for the upcoming election by precinct; the verification of petitions leading to the Park Commission resolution (Item #8.2 below); the announcement of Fall Citizen Planner workshops for the public, board and commission members by MSU Extension; a Housing Summit conference on October 22, and the announcement of a \$25,000 grant for townships under the Michigan Regional Prosperity Initiative: Community Growth Grant Program.
 - B. *Staff* The Sheriff's report for June 2018, as found in the packet.
 3. *Correspondence* A letter from Cindy Ruzak outlining the dangerous intersection at M-37 and Carroll Road due to poor site distance factors caused by vegetation in the road right-of-way. A second letter by Debra Horner, UM Center for Local, State, and Urban Policy on findings of a recent survey of government officials.
 4. *Edit list of Invoices (recommend approval)* Achorn questioned the invoice to the Internal Revenue Service for \$621.11. Approval of the reoccurring invoices, contingent upon Achorn's examination of that invoice, was given by the Board.
8. **Business**
1. **Approve Maple Terrace water hook-up contingent upon approval of the DPW and Township Engineer.** Manigold discussed the current situation with Elmer's, who was supposed to hook up the main line to houses on Maple Terrace as early as November 2017. This has not been done to date. He was going to ask the Town Board to approve DPW and Gordie Fraser moving forward with the hook-up, because Elmer's was not responding to correspondence on the matter. He received a letter from Elmer's at 4:29 pm today indicating that they will be on the job this week to complete the hookup. Therefore, he asked the Board to remove this item from the agenda. (The correspondence Manigold discussed from Elmer's is attached to these

minutes). Achorn moved to table this item on the agenda to next Town Board meeting on August 14; Westphal seconded. **Passed unam**

2. Approve ballot wording of the local proposal affecting the Park Commission. The Clerk reported that 578 valid signatures were received by petition for placing a ballot resolution on the dissolution of the Park Commission to a vote of the Township electors; based on last year's BATA referendum, 481 signatures were required. The actual resolution furnished by the Township Attorney Greg Meihn is part of the packet for this evening's meeting. Wunsch moved to approve the resolution outlining the language to be placed on the ballot to the electors, regarding the dissolution of the elected Park Commission; Bickle seconded. Roll call. **Passed unam**

3. Closed session to discuss litigation with Attorney Meihn. Wahl moved to have the Town Board go into closed session; Wunsch seconded. **Passed unam**

(CLOSED SESSION)

Closed session pursuant to MCL 15.268(e) for discussion with Attorney Meihn representing the Township in matters relating to litigation relating to Special Use permits.

(OPEN SESSION)

Bickle moved that the Town Board go into open session after the briefing by the Attorney; Wunsch seconded it. **Passed unam**

Manigold recused himself from the discussion Bowers Harbor Vineyard and its compliance with its current Special Use Permits and Building Construction Code requirements due to a conflict of interest. Wunsch moved that Manigold leave the Board; Westphal seconded. The Board accepted his removal with a vote of 6-0, and he left his seat for a place in the audience.

Sanger made the following motion:

"To impose a moratorium, starting July 24 and ending at midnight on August 25, 2018, on enforcement of Zoning and SUP violations of Bowers Harbor Vineyard (BHV) use of its pavilion facility for "Dining in the Vines" dinner events. This moratorium is contingent upon compliance with the following conditions:

1. Certificate of Occupancy will be issued for the pavilion by applicable entities from Grand Traverse County within this period.
2. BHV is in full compliance with all other requirements of SUP 32, as amended in 2010.
3. Activities at BHV, wherein wine tasting is not the primary function, will not be held during the moratorium period.
4. Functions of wine tasting and Dining in the Vines are to be separate functions and will not be held concurrently.

At the end of the moratorium period, the Township Board will assess the progress of the aforementioned conditions and will make a decision on the continuation of the moratorium along with any appropriate actions at that time.

If any violations should arise at any time during the moratorium period, then the Township Board will convene at the earliest permissible day and time to review the violations and decide the next steps regarding the moratorium and/or actions to be taken at that time as necessitated by any such non-compliance or violations.”

It was seconded by Bickle. Roll Call vote. Achorn-yes; Wunsch-yes; Sanger-yes; Wahl-no; Bickle-yes; Westphal-yes

Passed 5-1

9. Citizen Comments

David Murphy, 6942 East Shore Drive, thanked the Town Board for the support on the park Commission resolution. He pointed out that the effort was undertaken by approximately 30 people who were strong supporters of the park system. He wanted to assure the residents that this petition was not a reflection on any individual in the current Park Commission, but rather, was undertaken to allow greater flexibility and more efficient decision-making relating to the parks.

10. Board Comments None

11. Adjournment

Wunsch moved to adjourn the meeting; Wahl seconded the motion.

Passed unam