

# PENINSULA TOWNSHIP

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## Township Board Regular Meeting February 11, 2025, 7:00 p.m. Township Hall Minutes

1. **Call to Order** by Sanders at 7:00 p.m.

2. **Pledge**

3. **Roll Call**

Present: Sanders, Clark, Milliken, Alexander, Sanger, Chown

Excused absent: Wunsch

4. **Citizen Comments:**

**Woody Smith, 502 5<sup>th</sup> Street, Traverse City:** thanked the township for supporting the Bayshore Marathon and noted its positive impact on youth sports and the community. Requested continued approval of the event, emphasizing its role in promoting athletics and sharing the Peninsula's roads.

**Suzannah Tobin, 502 5<sup>th</sup> Street, Traverse City:** highlighted her long-standing connection to the Bayshore Marathon due to being raised on the Old Mission Peninsula. Noted its positive impact on her upbringing and her children's athletic opportunities. Emphasized the event's role in fostering community and funding youth sports and urged its continuation.

**Dave Murphy, 6943 East Shore:** endorsed Christine Murphy for the parks committee and advocated for Becky Chown's continued involvement as a full board member. Opposed the proposed DNR boat launch change, citing community safety concerns, and urged the board to take an official stance against it. Acknowledged differing community views of the Bayshore Marathon but supports its continuation. Suggested including a question on the upcoming public survey to address concerns. Endorsed Gosling Czubak for the Hemlock Wing contract, citing their experience with complex projects and longstanding partnership with the Conservancy.

**Maureen Ascione, 8181 East Shore Road:** voiced strong opposition on behalf of herself and her husband to the proposed public boat launch exit onto East Shore Road, citing public safety, congestion, and increased traffic concerns. Acknowledged the safety risks on Center Road but argued that the DNR underestimates the dangers of redirecting traffic to East Shore Road, forcing boaters through multiple busy intersections and posing risks to residents, pedestrians, and vehicles. Urged the board to engage with the road commission to address these concerns and advocate against the proposed exit change.

5. **Government Updates:**

**TJ Andrews, County Commissioner:** announced her appointment as vice chair. Emphasized the historic nature of this appointment and what it means for bipartisan leadership and benefits for decision making and public trust. Highlighted new regular study sessions and noted progress on a septic code draft. Noted that the county approved two years of funding for an overnight emergency shelter with conditions for transparency and data reporting to inform long-term solutions. Infrastructure challenges, including deferred maintenance and outdated facilities like the county jail, will remain a priority. Offered to collaborate with the township on county-level matters.

6. **Approve Agenda**

**Sanger moved to approve the agenda as presented with a second by Alexander.**

**Motion passed by consensus**

**7. Conflict of Interest: none**

**8. Consent Agenda:**

1. Invoices (recommend approval)
2. Reports
  - A. Treasurer's Office Cash Summary by Fund
  - B. Fire Department and Fire Department Year-End Report for 2024
3. Minutes from January 13, 2025, Township Board Special Meeting; January 14, 2025, Township Board Regular Meeting; and January 28, 2025, Township Board Special Meeting
4. DNR's Bowers Harbor Boar Launch Improvement Plans
5. Old Mission Peninsula United Methodist Church Signage Request for 2025
6. Fire Department Request for Thermal Camera System
7. March Board of Review Dates
8. Appointments to Parks Committee
9. Fiscal Year 2025-2026 Regular Meeting Dates
10. Correspondence
  - A. Grant Parsons
  - B. Mary Lyon
  - C. Jim Carruthers

**Sanders requested item 4 be moved to Business 4.**

**Chown moved to approve the consent agenda as amended with a second by Milliken**

**Roll call vote:** yes – Clark, Milliken, Alexander, Sanger, Chown, Sanders.

**Motion passed by consensus**

**9. Business:**

1. 2024 Peninsula Fire Department Annual Awards (Gilstorff)

**Department Citation Awards**

- Cobey Taylor – Led fire prevention efforts, public education, and community outreach events, including "Touch a Truck."
- Tyler Strouf – Earned paramedic certification after extensive training and testing.
- Joe Sicoli – Provided CPR training for teachers, residents, and businesses, enhancing community preparedness.
- Lt. Kyle Sarber – Served as shift commander and EMS/fire training officer, ensuring department readiness.
- Lt. Kaleb Adams – Recently promoted, oversees apparatus maintenance and officer training.
- Laura Martin – Completed EMT certification, enhancing the department's medical response.
- Paul Lipke and Kyle Johnson – Experienced paramedics who mentored trainees, contributing to successful certifications.
- Nick Haines – Longest-tenured full-time employee, known for EMT skills and maintaining department equipment.
- Joe Cleminson – Led department hazmat training and updated protocols after attending a specialized conference.

**Life-Saving Awards**

- Joe Sicoli and Grant Blackmer – Recognized for their emergency response to a critical stabbing incident, ensuring the victim's survival.

**Service Awards**

- Lt. Kyle Sarber (15 years) and Harrison Holtom (5 years) – Honored for their dedication and longevity, with Holtom also serving in the National Guard Reserve.

#### **Firefighter of the Year**

- Luke Miller – Recognized for his dedication, training commitment, and service as a paid-on-call firefighter since 2022.

Gilstorff expressed deep appreciation for all firefighters and thanked the board and community for their continued support.

#### 2. Introduction to Proposed Modifications to Land Division Appeals Process; no action expected (Murray)

**Sally Murray, Peninsula Township Assessor:** initiated a discussion on the land division process. Emphasized the complexity of reviews involving multiple staff roles, including the assessor, planner, zoning administrator, and attorney. Noted that current staffing shortages raise concerns about managing the workload. Suggested potential changes such as forming a land division review committee or requiring applicants to work with private attorneys. Noted a high volume of applications early in the year. Stressed the 45-day response deadline. Additionally, sought board input on the land division appeal process, questioning whether appeals should continue going to the township board or return to the Zoning Board of Appeals (ZBA). Underscored the need for stringent oversight of PDR lands, as two current applications involve complex zoning restrictions. Invited the board to consider possible adjustments to improve efficiency and oversight. The board discussed the history and handling of land division appeals, noting that appeals originally went to the township board, then shifted to the ZBA in 2012 before reverting to the township board in the latest ordinance revision. Given the recent appeals and increasing application volume, discussed shifting appeals back to the ZBA for efficiency and expertise in zoning matters.

#### **Key points included:**

- Potential process change: the board debated whether land division appeals should return to the ZBA and agreed to engage ZBA members in discussions. The township board would retain final authority over PDR (Purchase of Development Rights) land appeals.
- Staffing and outsourcing: with staff shortages and a growing workload, board members discussed requiring applicants to use external attorneys for reviews, ensuring applications are complete before legal review to minimize costs. Board emphasized the need to reach out to multiple firms to keep costs reasonable.
- Fees and costs: the current \$1,000 application fee and \$1,000 escrow for legal review may not cover actual costs, particularly for complex PDR land cases. The board acknowledged that attorney fees have risen, and the township absorbs significant internal costs.
- Next steps: Julie Alexander will lead discussions with ZBA members with input from Sally Murray. They will develop recommendations for the board, including potential outsourcing options and cost structures. The matter will be further explored in an upcoming study session.

#### 3. Discussion of Large Event #2025-01, Bayshore Marathon, with Action Expected (Sanders)

The board continued its discussion on permitting the Bayshore Marathon, acknowledging both its historic significance and community benefits as well as concerns about traffic congestion and emergency access.

- **Support for the event:** Several board members, including Chown, Milliken, and Alexander, voiced strong support for continuing the marathon, citing its long-standing tradition, financial contributions to local sports programs, and character-building opportunities for youth. They emphasized the race's positive impact on the community and suggested including a question about its future in an upcoming community survey.
- **Traffic and emergency concerns:** Clark raised concerns about last year's traffic congestion, noting a personal experience where it took two hours to leave the peninsula. Questioned whether emergency

vehicles could respond effectively during the event. Gilstorff acknowledged the challenge but attributed the delays to construction, stating that emergency access was still possible but could be improved.

- **Future considerations:** Sanders suggested evaluating a participant cap to manage growth and mitigate traffic issues. The board also discussed incorporating input from the non-motorized study group and reviewing traffic management strategies.
- **Bayshore response:** event representatives confirmed that participation numbers remain at pre-COVID levels, with no plans to expand. They expressed willingness to provide specific data and work with officials to address concerns.

The board agreed to continue permitting the Bayshore Marathon for 2025 while monitoring potential improvements for traffic and safety logistics. Further discussions will take place in upcoming planning meetings.

**Sanger moved to approve the special event application for the Bayshore Marathon for 2025 with a second by Milliken.**

**Roll call vote:** yes – Milliken, Alexander, Sanger, Chown, Sanders    No – Clark    **Motion passed by majority**

4. Discussion on Drafting a Resolution to Oppose the DNR’s Plans for the East Bay Boat Launch (Sanders)

The board discussed the proposed changes to the boat launch with DNR representative Kasey Cline, focusing on zoning requirements, public opposition, and potential alternatives for managing traffic and safety concerns.

**Legal and zoning considerations:** the board reviewed legal precedents supporting local zoning authority over state projects and questioned whether the DNR should be required to obtain a special use permit. Sanger noted that the boat launch is a legal non-conforming use, meaning any modifications could trigger stricter regulatory controls. Sanders emphasized that the township had not been fully consulted on zoning and stormwater permits.

**Public opposition and process:** the board expressed concerns that a significant portion of residents, particularly those near East Shore Road, strongly oppose the proposed exit change. Chown and Sanders stressed that while formal public comment numbers may seem low, written community feedback overwhelmingly opposes the plan. Murphy, an East Shore Road resident, noted that the local association has deliberately kept opposition calm but could mobilize widespread resistance if needed.

**DNR’s position and next steps:** Cline stated that the DNR has already delayed the project for a year and a half to address township concerns and plans to solicit competitive bids to refine cost estimates. However, she acknowledged that additional public engagement is needed and agreed to revisit the project with township staff. She confirmed that MDOT has rejected an alternative plan to keep both the entry and exit on Center Road but remained open to further discussions.

**Future actions:** the board will initiate discussions with the Planning Commission (PC) to determine if the project should require a special use permit. Additional conversations with MDOT will be pursued to explore traffic management alternatives. The DNR will review engineering options that address safety concerns while minimizing community disruption. The board emphasized the need for careful evaluation before any construction moves forward, with a strong preference for redesigning the exit plan.

Discussion concluded with appreciation for the DNR’s willingness to engage in further dialogue and a commitment to ensuring that any changes align with community interests and zoning regulations.

**Public Comment by Dave Murphy:** opposes the proposed boat launch exit change. Noted strong but deliberately restrained community opposition. Stressed that low public comment numbers reflect an effort to maintain respectful dialogue, not a lack of concern. Highlighted longstanding traffic issues, arguing that the launch was poorly placed even before development increased congestion. While some fishermen support the changes, he urged officials to focus on upgrades rather than major alterations, warning they could worsen traffic problems.

5. Award Contract for Hemlock Wing Work (Chown)

**Chown:** Peninsula Township, in partnership with the Grand Traverse Regional Land Conservancy, is addressing concerns over the health of old-growth hemlocks in Pelizzari Natural Area (PNA). Due to increasing foot traffic compacting the trees' shallow roots, experts recommend constructing an elevated boardwalk to prevent further damage. Gosling Czubak, a specialist in environmentally sensitive trail systems, was hired in 2022 to develop the initial concept plan. The township has since raised \$319,000 for the project in addition to \$50,000 in ARPA funds. While the township frequently works with Gourdie-Fraser for technical projects, Gosling Czubak was selected for their expertise in sustainable trail construction. Their recent work at Pyatt Lake was cited as an example of the quality expected for PNA. The final decision was made after a competitive bid process in which the difference between bids submitted by Gourdie-Fraser and Gosling Czubak was only \$500. The board recognized the community's strong financial support in making the project possible.

**Chown moved to award the contract for the Hemlock Wing work to Gosling Czubak with a second by Clark.**  
**Roll call vote:** yes – Alexander, Sanger, Chown, Sanders, Clark, Milliken **Motion passed by consensus**

6. Proposed Resolution 2018-11-28, Amendment #2, Creating a Parks Committee, with Action Expected (Sanders)

The board reviewed updates to the 2018 resolution that established the township's park committee following the dissolution of the parks commission. They identified language adjustments to clarify the committee's structure and roles.

**Key amendments included:**

- Defining the committee as having seven members, including a chair, vice chair, secretary, and four additional members, one of whom serves as an ex officio township board member.
- Assigning the secretary responsibility for producing meeting agendas, packets, and proofing minutes.

The board confirmed that Becky Chown had already been officially appointed as the ex officio member, ensuring the revised language applies to future appointments as well.

**Clark moved to approve Resolution 2018-11-28, Amendment #2, Creating a Parks Committee with a second by Alexander.**

**Roll call vote:** yes – Sanger, Chown, Sanders, Clark, Milliken, Alexander **Motion passed by consensus**

7. Continued Discussion on Packet Policy with Action Expected (Sanders)

The board discussed updates to the township's packet policy to ensure consistency across all boards, commissions, and committees.

**Key changes include:**

- Standardized submission deadline: all materials, including those from staff, board members, and applicants, must be submitted by noon seven days before a scheduled meeting. Previously, applicants for special use permits had an earlier deadline.
- Limitations on packet additions: the only new materials that will be added after the initial packet release will be correspondence from the public, which must be received by 9:00 a.m. the day before the meeting. Late submissions that could impact decisions such as land use permit materials will not be included to ensure fair review time for all parties.
- Clarification of "correspondence": correspondence refers to non-applicant submissions to prevent last-minute applicant materials from being introduced without proper review.

The board approved these changes, with Chown authorized to amend the policy language accordingly.

**Sanger moved to approve the packet policy dated February 2025 with the corrections suggested with a**

**second by Sanders.**

**Motion passed by consensus**

8. Proposed Resolution 02-11-25 [Resolution 2025-02-11], Peninsula Township Investment Policy, with Action Expected (Sanders)

The board reviewed a draft investment policy initiated by Treasurer Katie Clark and refined by JP Milliken's budget and finance ad hoc committee with significant contributions from Tom Barnhart.

Key points:

- The updated policy closely follows Michigan's Public Act 20 of 1943, ensuring compliance with state investment regulations.
- The main changes clarify investment options, providing more detailed descriptions of where township funds can be placed.
- The ad hoc committee evaluated multiple drafts and ultimately recommended the revised version.

Board members praised the effort, particularly Barnhart's work, and recognized the value of having third-party input through ad hoc committees.

**Milliken moved to approve Resolution 2025-02-11, the Peninsula Township Investment Policy, with a second by Chown.**

**Roll call vote:** yes – Chown, Sanders, Clark, Milliken, Alexander, Sanger

**Motion passed by consensus**

9. Discussion Authorizing the Clerk to Implement Earned Sick Time as Required by Law with Action Expected (Sanger)

The board reviewed the upcoming Michigan Earned Sick Time Act (ESTA), which applies to all employees except independent contractors and federal workers and takes effect next week.

**Key provisions:** employees earn one hour of sick time per 30 hours worked, up to 72 hours annually, with no cash-out option. Employers must retain records for three years.

**Legislative uncertainty:** the House (HB 4002) proposes exempting employers with fewer than 50 employees, while the Senate (SB 15) offers minor revisions. A final version is pending before the February 21 deadline.

**Impact and exemptions:** minimal effect on full-time staff, who already receive six PTO days. Primarily impacts part-time and temporary workers. Trustees, commission members, and fire department employees (until 2027) are exempt.

**Challenges:** election workers may face scheduling issues, as sick time can only be used by not working.

**Compliance plan:** the clerk's office will begin tracking hours, and policy updates will follow once the law is finalized. The board affirmed its commitment to compliance while awaiting legislative clarity.

**Sanger moved to direct the clerk to maintain records and implement changes in sick time policy as required by law with a second by Clark.**

**Motion passed by consensus**

10. Ad Hoc Committee Updates (Milliken, Sanger, Wunsch)

**Finance ad hoc committee (Milliken):** meeting every one to two weeks, focusing on long-term planning by consulting with each department to assess future needs and priorities.

**HR ad hoc committee (Sanger):** shifting focus from ESTA compliance to reviewing all township job descriptions and determining which positions qualify for federal overtime exemptions.

**Special projects ad hoc committee (Sanders):** Isaiah Wunsch continues work on launching the community survey. Drain Commissioner Andy Smits has volunteered to conduct an engineering study of township shorelines and shoreline roads, starting with Bluff Road. The board will confirm approval for Smits to proceed.

**Board indicates agreement.**

**10. Citizen Comments: none**

**11. Board Comments**

Fourth Tuesday meeting and study session (*Sanger, Chown*): discussed scheduling the second meeting of the month at 3:00 p.m. every other month, effective April 1, pending final approval. The February study session will focus on incorporating findings from the Maner Costerisan (MC) report into the board's recent planning session outcomes.

Tax payment deadlines (*Clark*): winter tax payments are due February 14 without penalty. The township office will be open on February 28 for last-minute payments before taxes go delinquent on March 3.

Short-term rental violation policy (*Sanders, Sanger, Chown*): the township does not need ordinance changes but must adopt a violation penalty schedule. The PC will draft the resolution before board approval.

Discussion included whether to establish a violations bureau that would allow the township to issue violation notices and collect fines directly rather than routing cases through the court, which returns only a small portion of the fines. Board members agreed that compliance, rather than fines, should be the priority, but enforcement tools for repeat offenders are needed.

Capital Improvement Plan (CIP) approval process (*Sanders, Chown*): all capital improvement projects, including those from the parks committee, must go through the PC for validation before coming to the board.

New Parks Committee Member (*Clark, Chown*): the board welcomed a new parks committee member, who will be officially sworn in at the clerk's office before the next parks meeting.

## **12. Adjournment**

**Chown moved to adjourn with a second by Sanger.  
Adjourned at 9:19 p.m.**

**Motion approved by consensus**