

# PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686

[www.peninsulatownship.com](http://www.peninsulatownship.com)

## Township Board Regular Meeting Minutes

March 9, 2021, 7:00 p.m.

### Township Hall

1. **Call to Order** by Supervisor Manigold at 7:00 p.m.
2. **Pledge**
3. **Roll Call:** Achorn, Wunsch, Sanger, Bickle, Manigold, and Chown  
**Absent:** Wahl
4. **Brief Citizen Comments (for agenda items only)**  
**Mark Nadolski, Protect the Peninsula (PTP):** read the attached letter into the record and asked that it be included in the minutes.
5. **Approve Agenda**  
**Manigold:** requested business items 7 and 8 be switched.

**Moved by Wunsch to approve the agenda as amended, seconded by Bickle.**

**Roll call:** Passed Unan

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. Invoices (recommend approval)
  2. Reports
    - A. Grand Traverse Sheriff's Office Citation, Accident, & Arrest Statistics for February 2021
    - B. Peninsula Township Fire Department for February 2021
    - ~~C. Treasurer's Report for the Township Board for February 2021~~
    - D. Peninsula Community Library for March 2021
    - E. Peninsula Township Ordinance Enforcement Officer for February 2021
  3. Minutes from February 9, 2021, Township Board Regular Meeting
  4. Revised Peninsula Township Fee Schedule
  5. Correspondence
    - A. Steve Trippe
    - B. Mark Santucci and Greg Meihn
    - C. Lori Brickman
    - D. James H. Grove
    - E. Dave Murphy
    - F. Barb Wunsch
    - G. Kathy Doelker
    - H. Fred Doelker
    - I. Todd Wilson
  6. To remove Gordon Hayward from the Peninsula Township Zoning Board of Appeals
  7. Clarification regarding hacking, phishing, and subscription bombing

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8. New email addresses for Peninsula Township Fire Chief Fred Gilstorff and Deputy Clerk Robin Noval
9. Net Metering Information from Consumers Power
10. Request to Amend a Recently Approved Road Name
11. Revised Findings of Facts and Conclusions for SUP #138, the proposed development called Lavender on Old Mission Peninsula

**Bickle:** requested that the treasurer's report be removed from the consent agenda and incorporated into business item 8.

**Wunsch moved to approve the consent agenda as amended, seconded by Bickle.**

**Roll call:** Passed Unan

**8. Business:**

1. First Public Hearing for Fire Special Assessment District for Fiscal Year 2021–2022

**Manigold closed the regularly scheduled meeting and opened the public hearing for the fire special assessment district for fiscal year 2021–2022.**

**Gilstorff:** thanked the board for allowing time to bring the budget forward. This is [my] fourth year working for the township. Outlined some of the goals [he] has accomplished to date: increased staff from 11 to 29. Started building fire station three in September. This week will receive the certificate of occupancy. Added a second ambulance, improved emergency response times, and increased training. The budget reflects the increased cost of station three and the additional staff. Twelve full-time employees have been added since last year. Went over the differences in budgets from 2020 to 2021. Seeking approval for a new ambulance to replace the current ambulance, which is 21 years old. Showed a map with the peninsula divided into three districts. Talked about how EMS runs are executed and paramedics are split between stations. With two reliable ambulances, will be able to make runs more quickly. The ambulances need newer technology. Developed a committee to determine the needs of the new ambulance. Improvements will decrease injuries to staff and create a smoother ride for aging residents. Won't have to purchase another ambulance for 15 to 20 years. Will regraph the current ambulance to extend its life and make it look good. The new ambulance will cost approximately \$265,000.00, which is itemized in the capital outlay section of the budget.

**Manigold closed the public hearing, as no questions were asked by the public, and returned to the regularly scheduled board meeting.**

**Gilstorff:** donations were received from the public, including a very generous donation from Golden Fowler, which provided all the furniture for the new station.

**Bickle:** Mike Mahn is the owner of Golden Fowler.

**Achorn:** asked when the new ambulance will be delivered.

**Gilstorff:** six to eight months. Station three was to be completed two months ago but the lack of materials slowed things down.

**No action was taken by the township board as this is the first of two public hearings.**

2. American Waste bid for garbage services in Peninsula Township (Manigold)

**Manigold:** received a request from Republic for a two-week extension if they wished to pursue

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submitting a bid, which we granted, but they decided to wait til next time. The only bid we received was from American Waste; they have been the township hauler for the past 10 years.

**Mark Bevelhymer, American Waste:** we froze prices for the past 10 years. The bid shows the original prices and the increase for fuel and wages. Will have the same services. The recycling center will be open three times a week with the transfer station and composting services still available for the residents.

**Manigold:** years ago, the township decided to go to one hauler verses multiple haulers, which helped reduce the number of trucks on the roads. American Waste takes compost, metal, and construction materials and the garbage from the parks, fire station(s) ,and township hall at no additional cost. They quickly address any issues that occur.

**Moved by Wunsch to approve the bid for garbage services from American Waste, seconded by Sanger.**

**Roll call:** Passed Unan

**Mark Nadolski:** repairs need to be made to the transfer station as the pavement is in poor condition.

3. Revised Peninsula Township Zoning Ordinance Amendment #200 (solar) (Mielnik)

**Manigold:** this item was tabled from the last meeting so changes could be added.

**Moved by Wunsch to remove this item from the table, seconded by Sanger.**

Passed Unan

**Mielnik:** went over the changes made since the last meeting, which have been approved by legal counsel.

**Achorn:** emphasized that solar is not the primary use of the property but an accessory use.

**Sanger:** pleased to see net metering language added; this is a clearer definition and makes it clearer from an enforcement point.

**Moved by Chown to approve the Peninsula Township Zoning Ordinance Amendment #200 for solar, seconded by Sanger.**

**Roll call:** Passed Unan

4. Proposal from Gourdie-Fraser & Association (GFA) for Engineering Services at Kelley Park (Hodges)

**Manigold:** the DNR is pursuing leasing the township the property at Kelley Park; EGLE has determined a portion of this area is a wetland.

**Jennifer Hodges, GFA:** gave a timeline of events that have occurred regarding this project. In December 2019 the launch at Haserot was no longer usable. A waterways grant was applied for and received. The public asked to have the launch moved from Haserot to Kelley Park. The parks committee completed the improvements at Haserot for the improved playground equipment. In February 2020, proposals to work on an agreement to place the dock launch at Kelley Park were re-addressed with the DNR. Recently Rob, Don Aktinson of the parks committee, and [I] met to discuss details. The question came up of purchasing Kelley Park versus leasing it from the state, but the price is too high. A new waterways grant is due April 1. Asked if the board would like her to continue with the application even though the township is still working on the lease agreement.

**Manigold:** Achorn and Bickle think it's risky without a signed lease agreement in place.

**Bickle:** proposal is solid. April 1 deadline for the grant needs to be rushed.

**Hodges:** we can apply again next year.

**Manigold:** suggested we table the item until the next regular board meeting.

**Moved by Wunsch to table this issue until the next regular board meeting, seconded by Sanger.**

**Roll call:**

**Passed Unan**

5. Update from Peninsula Township Parks Committee (Skurski)

**Skurski:** provided an update on the parks. The committee will now meet the fourth Wednesday of the month. At its last meeting, the committee created a maintenance list with priorities. Interested in hiring LIAA to create a comprehensive plan for the parks. May 1 is beach clean-up day with the Bay Keeper with no cost to the township. This will be a concentrated clean-up at lighthouse park. Requested that the committee be allowed to purchase signs that educate people about leashing dogs and cleaning up after them for \$380.00. The committee has reviewed the cost of the pavilions and would like to increase the price. Residents would still receive a discount. Reviewing a five-year plan with a deep dive and reassessment of the parks with new cost estimates similar to BHP. Invites the township board to their next meeting with Matt Cowell from LIAA to discuss putting together a plan to help manage the parks. The parks committee currently run the parks on \$100,000.00 per year. Need changes in the ordinance and to deal with increasing parking issues with construction equipment. Eric Drier has resigned from his position on the committee. [I] will assume his duties. Two additional terms will be ending and those individuals need to be contacted to see if they would like to remain members. Some duties within the committee have shifted. The committee would like the township board to participate in an evaluation.

**Bickle:** the clerk and I had a difficult meeting with the parks committee. Needed to look at a strict budget for 2021 as the township is in various legal challenges. Encourage working with LIAA to create a plan for future funding and a visual for the public to understand.

**Skurski:** we are creating an operational and spending plan to make projections that are useful. Having a flat budget makes it difficult to make any changes or additions to the parks.

**Mielnik:** suggested using Bang the Table for public engagement and to advertise public involvement in the planning.

**Bickle:** agrees the parks are in need of a significant financial boost.

**Sanger:** some playground equipment needs to be updated and replaced; asked if old equipment should be tagged.

**Skurski:** the old merry-go-round and a couple of other items were tagged but no safety issues were addressed.

**Hodges:** concept drawings were created for the last two grants that were applied for.

**Chown:** asked Hodges to send the information to [Chown] to be used in developing the new plan for the parks.

**No action was taken by the township board.**

6. Request to Raise Rates for Burial Plots at Township-Owned Cemeteries (Chown, Achorn, and Wilkinson)

**Chown:** the Peninsula Township Cemetery Committee recommends that we raise rates to purchase cemetery plots to align with prices in adjacent townships and cemeteries. This increase would be more significant for non-residents than residents. Thanked the committee, which met remotely and in person. These increases will help the township care for these memorial parks appropriately, in the spirit of the people who live and die here. Rate changes will go into effect April 1.

**Moved by Bickle to approve the proposed rate changes for burial plots at township-owned cemeteries, seconded by Wunsch.**

**Roll call:**

**Passed Unan**

7. Legal update on various township matters (Meihn)

**Meihn:** federal court scheduled Judge Maloney's request to go into mediation on the winery lawsuit. The mediator was Joseph Quandt. Rob and Becky represented the township with the remaining township board members available by phone. No one was called after four hours of meeting as no consensus or agreement was reached. As of today, we will move forward with discovery due by the plaintiff. Depositions of all the wineries will be required. We will file our motion for a summary of judgement for the courts to determine that the case should be dismissed. Protect the Peninsula (PTP) filed a motion for intervention as they should be involved. We desire public input as we move forward. Intervention should be decided by the judge in the next two weeks. PTP will take independent action if needed. Communicated with the insurance carriers. Will seek reimbursement of fees. Will provide a full update at the next monthly board meeting.

**No action was taken by the township board.**

8. Financial Impact of Recent Lawsuits to Peninsula Township and Residents (Bickle)

**Bickle:** provided a global view of financial information and passed out a pie chart (see attached). The township receives two percent of the total received monies based off the current millage. This millage was established in 1974 and has remained the same for the past 47 years. In 1974 there was a smaller population of residents. The population has since grown but the revenue stream has remained the same. The cash report outlines the cable and tower funds, which currently contain \$1,700,000. These two funds generate about \$250,000.00 a year. Budgets are being prepared by the treasurer and clerk's offices, which have been meeting to implement best practices. The impact of the various lawsuits means expenditures will be above and beyond the budgeted numbers. The board has approved \$30,000 to pay Foley Mansfield for legal services in the winery lawsuit. To date we have spent \$29,000.00. We need to continue to cover expenses until the insurance carriers begin to. Request an additional \$30,000.00 for Foley Mansfield and to pay the portion of the township's bill for Joseph Quandt's mediation services. Until an amicable and mutual resolution can be made, the legal representation could cost upwards to a half million dollars. The township has done a good job of managing finances under the current operating budget.

**Moved by Wunsch to approve an additional \$30,000.00 to hire Foley Mansfield to fight the winery lawsuit, seconded by Chown.**

**Roll call:** Passed Unan

**Moved by Wunsch to approve \$2,400.00 to be paid to Joseph Quandt to cover the cost of the township's/ resident's portion of the lawsuit mediation, seconded by Bickle.**

**Roll call:** Passed Unan

**Sanger:** clarified that this is only half of the cost of the mediation, the township's portion.

9. **Citizen Comments:** none

10. **Board Comments**

**Manigold:** spoke briefly about possibly adding a deputy and about budgets and thanked Mike Skurski for working with the Bay Keeper to clean up the shoreline.

**Chown:** has received complaints from residents about the difficulty of staying informed. Suggests that residents attend or watch meetings on StreamSpot and read minutes and packets. These are on the

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website, and residents can also ask to be placed on a list to have these materials sent via email.

**Adjournment**

**Moved by Wunsch to adjourn, seconded by Sanger.**

**Roll call:**

**Passed Unan**

Final adjournment: 8:23 p.m.