

# PENINSULA TOWNSHIP

13235 Center Road, Traverse City MI 49686  
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## Township Board Regular Meeting Agenda April 13, 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, Manigold, Chown  
**Absent during Roll Call:** Wunsch and Wahl  
**Absent:** Bickle
4. **Brief Citizen Comments (for agenda items only)**  
**Nancy R. Heller, 3091 Blue Water Rd.:** requested clarification on business item 3 and whether this is a new license; also asked what additional uses and activities would be allowed. Business item 5 refers to a lease for the new ambulance. Is it a lease? Also believes the beginning and ending dates proposed in business item 6 are unfair to businesses and that last year's dates were more appropriate.
5. **Approve Agenda**  
**Moved by Chown to approve the agenda as presented, seconded by Wunsch.**  
**Passed Unan**
6. **Conflict of Interest:** none  
**Manigold:** asked to have item 6 on the consent agenda removed.
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 Fire Department Report for March 2021
    - B. Peninsula Community Library Director's Report for April 2021
    - C. Grand Traverse Sheriff's Office Citation, Accident & Arrest Statistics for March 2021 and First Quarter Totals for January–March 2021
    - D. Peninsula Township Ordinance Officer Report through March 2021
  3. Minutes from March 23, 2021, Township Board Regular Meeting and March 31, 2021, Township Board Special Meeting
  4. Road Name Change Request (recommend approval)
  5. Proposed Increase in Lighthouse Tour Rates for Adults for 2021 Season (recommend approval)
  - ~~6. Information on new proposed road signs and their placement from the Peter Dougherty Society~~
  7. DTE Gas Renewal Project PowerPoint
  8. Contract Renewal for Peninsula Township Sexton Position (same as last several years; recommend approval)

9. Seeking New Member to Serve on the Peninsula Township Planning Commission; Please Send Letter of Interest to Becky Chown at [clerk@peninsulatownship.com](mailto:clerk@peninsulatownship.com) no later than 4:00 p.m. on April 28

10. Correspondence

A. Stephanie Myers

B. Jay Saksewski

C. Laura Johnson

D. Dean Elanges

E. Patricia Pascoe

F. Barb Duchene

G. Cathy and Ross Lillie

H. Julia Alexander

I. Kimberly O'Brien

**Manigold:** just had a special township board meeting, and the town board elected Michele Zebell to the Peninsula Township Parks Committee.

**Chown:** asked that three additional items be added to the consent agenda under correspondence: Kathy and Ross Lily, Julia Alexander, and Kimberly O'Brien.

**Achorn:** requested the March 23, 2021, regular township board meeting minutes be corrected under business item 3 to say "Moved by Sanger to accept the position of the township's legal counsel to send this back to the planning commission and that the applicant not incur additional costs. The additional costs only pertain to the filing fee and not the other applicable fees such as the publication and engineering expenses."

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

**Roll call:**

**Passed Unan**

## 8. Business:

1. Public Hearing Regarding the Proposed DNR Lease at Kelley Park (Manigold)

**Manigold** closed the regularly scheduled board meeting and opened the public hearing for the proposed DNR Lease at Kelley Park.

**Manigold:** gave a brief history of how the lease came to be and the desire by citizens to separate the swimming and boat launch from Haserot and to have the launch site relocated to Kelley Park if an agreement could be reached with the DNR. This is the first phase of that project.

**Neil Lau 18800 Bay St.:** his family has occupied property near Haserot for 96 years and has seen the levels in the waters shift up and down. Feels it is unlikely there will be enough water in Kelley Park to draft a boat.

The water is shallow for at least 100 yards from the shoreline and even then is only to your knees. Does not understand why the launch should be moved. Would let the DNR do what it wants at Kelley Park.

**Manigold:** what is left of the launch at Haserot will be removed to create a swimming only beach, and if we do not proceed, there will not be a boat launch.

**Lau:** does not believe a launch can be installed at Kelley Park unless dredging occurs.

**Nancy R. Heller, 3091 Blue Water Rd.:** stated at the last meeting that the lease favors the DNR. Feels the township can do better. If the lease agreement is signed, if the township violates any of the items within the lease, the DNR will get the property if they so choose. This is an additional expense to the township in regard to maintenance, including garbage removal, bathrooms, mowing, and enforcement. The project design for \$9,000 states they will get grants. She appreciates that and is in favor of a launch site but

the parks already have high needs. Purchasing and leasing land is well intentioned, but there comes a time when it is about the dollars and cents. Will this be a DNR park leased by the township? Will all permitted DNR activities that are allowed at other parks be permitted at Kelley Park?

**Manigold:** the township already leases 514 acres and an additional 137 acres at the park and the operations and maintenance are absorbed by the township. Grants were obtained to add trails to those parks. Many people spoke at the other public meetings regarding this topic and we have been mowing Kelley Park for the past couple of years already. The township agreed to pick up the trash and mow the lawn.

**Heller:** The DNR has been gracious and the lease could be even more gracious and not one sided.

Hearing no further public comment, **Manigold** closed the public hearing, returned to the regularly scheduled board meeting, and opened the topic to the board for discussion.

**Kasey Mahoney, DNR [on the phone]:** we have done sediment reports on this site and the trust fund's intent is to work in partnership with the township. There were issues with Haserot and the swim beach. At the public meeting in 2018, the DNR presented plans for a carry-down launch at Kelley Park. The DNR supports the township and township decisions. This is a public decision. Thanked the board for allowing her to be present.

**Chown:** an additional letter was received for public comment. Read the letter into the record; it will be attached to the minutes.

**Manigold:** the DNR spent 2.2 million dollars to purchase this property. It was to be a subdivision but the lots did not sell. The [Grand Traverse Regional Land] Conservancy purchased the property and the trust fund board approved the purchase price. Ownership transferred from the conservancy to the state. The conservancy named it Kelley Park and not the Old Moorings Place. The lease document shows it as the Old Moorings Place. The property will be leased by Peninsula Township and monitored by the parks committee. We will have township control of the area. Haserot has a deeper port but does not have the support of the people to remain as a launch site.

**Wunsch:** it is necessary to remove the existing boat launch. Some things are less than perfect.

**Manigold:** the rocks from the boat launch at Haserot are encroaching on the adjacent property. Everything there would need to be shifted toward Mr. Lau's property. The beach is heavily used at Haserot. Kelley Park seems to be a logical choice for where to relocate the dock. Dredging has been done in the past. The last storm twisted the dock at Haserot and made it unusable.

**Sanger:** two years ago, we had strong public support that Haserot would be dedicated as a swimming beach. Kelley Park would be used for boating. Asked if the township's legal counsel has reviewed the lease.

**Manigold:** the attorney worked with Laurie Green from the DNR on the lease agreement.

**Chown:** the [Michigan Natural Resources] Trust Fund spent 2.2 million on the property. It's all about increasing access to the bay. Many people live inland and are always seeking access to the water. Dozens of boats moor off the property most summer days. People come ashore to go to the bathroom. This lease will allow us to protect the privacy of neighbors and take care of the park in a low key and unimpactful way. If we turn the lease down, what happens to Kelley Park? Does not see turning down the lease and losing control of the park as a viable option.

**Achorn:** concerned about the cost. Sees the requirements of the various departments throughout the township. Glad there is not a timeline that requires everything to be installed immediately.

**Wahl:** recalls there was a lot of public opinion with overwhelming support for moving the launch to Kelley.

**Moved by Sanger to authorize the supervisor to sign the lease #PRD-L-006-2020, contingent on getting the name cleared up, seconded by Chown.**

**Roll call:**

**Passed Unan**

2. Gourdie-Fraser Proposal for Engineering Services at Kelley Park (Hodges)

**Jennifer Hodges, GFA:** will take into account conversations with the DNR and EGLE and other concerns on the property. The proposed launch is consistent with the guidelines. Will include parking, bathrooms, a carry down, and site design that can be moved forward in applying for grants. The project can be phased. Will create a packet that can be used for grants with conceptual drawings, construction, design, and close out. There is a grant application for April 20, 2021. Will change the date on it to April 2022.

**Manigold:** next step is to apply for grants.

**Chown:** the preliminary drawings will include the boat launch?

**Hodges:** Yes, along with an outline of long-term maintenance costs, bathrooms, and the amenities needed. The timeline on all of this will be dictated by the board. There is a coastal and DNR trust fund grant next year that can be applied for.

**Moved by Wahl to approve the [Gourdie-Fraser] proposal [for engineering services at Kelley Park] and to continue what we have been doing, seconded by Wunsch.**

**Roll call:**

**Passed Unan**

3. Request from Old Mission Brewpub, LLC to Obtain a Class C Liquor License (Manigold)

**Jon Carlson, 2701 Daleview Drive:** the last two years have been challenging. Northern Michigan is doing better than lower portions of the state. Would like to apply for a Class C liquor license, which is a resort license. Will drop their current license if approved. They are planning to dismantle and move the distillery to the Dexter area. Seeking the board's approval for the license.

**Moved by Wunsch to approve Old Mission Brewpub, LLC to Obtain a Class C Liquor License, seconded by Wahl.**

**Roll call:**

**Passed Unan**

4. Update from Parks Committee (Murphy)

**Dave Murphy, 6943 East Shore Rd.:** thanked Rob, Becky, and Marge for their attendance at the last parks meeting. Bob [Wilkinson, the township's contracted maintenance man] has had seven bosses [a reference to the seven parks committee members]. The committee produced a to-do list and gave it to Rob. Want to keep moving forward with the priority items on the list. Matt Cowall from LIAA put together a budget plan for the parks with the possibility of asking for a millage. There are a thousand acres of park lands within the township that operate on the budgeted monies from the general fund. Little has been done at Bowers Harbor Park since replacing the pathway. The playground equipment is in poor condition and needs to be updated. The committee would like to see the equipment improved as it was at Haserot. Mr. Cowall will come back with ideas on how to address these issues. Murphy appreciates having an outside resource. Will not move forward without the public's input. They have transitioned from a commission to a committee.

**Chown:** earlier tonight, we swore in a new parks committee member, Michele Zebell.

5. Review of Ambulance Bids (Gilstorff)

**Fred Gilstorff, Fire Chief:** a few weeks ago, the fire department budget was approved for the 2021–2022 fiscal year. It included the approved cost of a new ambulance. We reviewed this topic for several months before designing a new ambulance that can service the residents of the township. At this time, the cost of the ambulance will be \$258,181.00 with a financing tax-exempt leasing corporation at 2.39% interest. The company we chose met all our specifications and had the shortest delivery time. The new ambulance is projected to be delivered in the fall of 2021. The ambulance needs four-wheel drive capability. This was the lowest bid that meets the needs. The company comes with references and serviceability. To answer Nancy Heller’s question regarding a lease, this operates the same as a loan. It is re-classified but functions the same way. The payments are made over a seven-year period and then the township owns the vehicle. This loan is specifically for municipalities struggling to gain financing.

**Achorn:** asked if the old ambulance will be repainted.

**Gilstorff:** the old ambulance will be rewrapped and will be identical to the new ambulance. They will both be red. The department is very excited that the board is giving them the tools to do their jobs.

**Moved by Chown to accept the fire chief’s recommendations to purchase the ambulance through Emergency Plus/Road Rescue for \$258,181.00, seconded by Sanger.**

**Roll call:** Passed Unan

**Moved by Achorn to accept financing through the tax-exempt leasing corporation for seven years at a rate of 2.39%, seconded by Wunsch.**

**Roll call:** Passed Unan

6. Request from Chateau Chantal and Hawthorne Vineyards to Allow Tents throughout the Summer Season (Manigold)

**Marie-Chantal Dalese, 527 Second St., and Ann Petty john, General Manger Hawthorne Vineyards:** gave a PowerPoint presentation to the township board. Expects the 2021 operations to be similar to 2020 due to Covid. They are allowed only 50% of their indoor capacity. The proposed resolution by the township only allows tents until the end of August 2021, but the busiest season is in October and November.

**Manigold:** when we decided to move forward with this, we knew we wanted everyone to be successful. Noise is our biggest concern and complaint. The time frame has been limited but can be extended at a later date. We understand that fall business is important.

**Dalese:** this does not address allowing one side to be added to the tents.

**Manigold:** when we did this before, we realized we needed to have more control. We need to be mindful and protect adjacent property owners.

**Dalese:** sun umbrellas should not qualify; asked if outdoor music is allowed. Does not feel 7:00 p.m. should be the latest time pedestrians should be allowed to use the tents. Does not feel the requirement to add outdoor bathroom facilities should apply to her as she has ample interior space.

**Sanger:** social distancing would apply to the bathroom capacity as well. It makes sense to accommodate additional facilities for the outdoor venues.

**Dalese:** we ask that people remain six feet apart. [Chateau Chantal] is a modern building and the bathrooms are built to handle indoor and outdoor capacity.

**Manigold:** we are trying to accommodate the total capacity of the building by allowing additional outdoor covered areas. This is extended not only to the wineries but also the restaurants and

churches. We received complaints last year, and the majority had to do with noise. Trying to eliminate a negative effect on the surrounding property owners.

**Achorn:** have some changes to the language in the resolution.

**Board discussion of the changes.**

**Moved by Wunsch to approve the resolution [to temporarily suspend enforcement of the Peninsula Township Zoning Ordinance with regard to temporary structures and their use], as amended, seconded by Sanger.**

**Roll call:**

**Passed Unan**

7. Legal Update on Township Matters (Meihn)

**Greg Meihn:** the board has already addressed the issues and update on the resolution. Had no new information regarding the litigation.

**9. Citizen Comments:** none

**10. Board Comments**

**Sanger:** concerned that the noise ordinance needs to be updated; has received several complaints about construction noise. There are no measurements regarding what volume is allowed within the current ordinance.

**Manigold:** the residents pay a lot of money in taxes and can be bothered by the constant noise so they call in with complaints.

**11. Adjournment:**

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

**Passed Unan**

Final adjournment: 8:31 p.m.