

Bear Creek Township Board Meeting November 4, 2020

- I. Called to order at 7:00 p.m.
- II. **Roll Call**
- a. Golding, Hoffman, Nowland, Keiser, Kendziorski
 - b. Others Present: Al Welsheimer, Mitch Brown, Val Meyerson, Jane Mackenzie, Kyle Lieberman, Amy Gray, Bud Gray, David Coveyou, Will Coveyou, Rebecca Mancini, Carlin Smith, Jack Suffolk, Ellie Hoch
- III. **Pledge of Allegiance**
- IV. **Approval of Minutes**
- a. Minutes from two meetings: Regular BCT Board Meeting on October 7, 2020 and Closed Session on October 7, 2020.
 - i. Don Nowland would like to correct “J Rank” to “J Ranck” in the minutes.
 - ii. **Motion** by Nowland to approve the minutes as corrected, 2nd by Hoffman. **Unanimous**
- V. **Request from the Floor/Discussion**
- VI. **Approval of the Agenda**
- a. **Motion** by Hoffman to approve agenda as presented. 2nd by Nowland. **Passed**
- VII. **Unfinished Business**
- a. **Howard Rd- Sewer Extension**
 - i. Keiser reported that for the most part, the Howard Rd Sewer Extension is done; overall there were six change orders added (plus deductions from the engineer’s estimate on quantities used). The final cost was \$229.43 less than the original quote. Keiser also noted that he will be sending a bill to the tribe for their portion of Lears Rd in the amount of \$15,958.75. Consumers Energy still has not moved the power pole.
 - ii. **Motion** by Hoffman to pay the remaining amount to MDC Contracting for the Howard Rd Sewer Extension. 2nd by Kendziorski. **Passed**
 - b. **Roads**
 - i. Keiser reported that all of the local road projects for 2020 have been completed except for Country Club Rd, which we postponed. The Atkins Rd fix from last year has not been completed. We still owe around \$30,000, and it will probably be carried over another year. Keiser has started to look at next year’s roads, one of which is Mindel Rd. Mindel Rd is a gravel road that has had problems with washouts and is very narrow. Brian Gutowski feels we should contract with an engineering firm to design this road. KPM Engineering gave us a quote for this project for \$5,253 and would like to get approval so he can start designing the road. Keiser also noted that the timing of the light at Division and Mitchell still needs to be corrected. When the highway project is complete, they will work on retiming the light.
 - ii. **Motion** by Kendziorski to pay KPM Engineering \$5,253 to design Mindel Rd. 2nd by Hoffman. **Passed**
 - c. **Library Report- Report by Golding**
 - i. Golding noted that the library meeting went as normal.
 - ii. Hoffman remarked that he read the latest newsletter and thought it was well done. He feels the previous newsletter started off well and went amiss. He also asked if the virus has added additional cleaning work for the library.
 - iii. Val Meyerson noted that she appreciated the letter that the township sent regarding the last newsletter. She will be more mindful in the future when writing newsletters. She explained that one of the goals with the program was to open a communication pathway in the community to start discussion. The Community Reads program is a traditional library program that many libraries have, as it is a place to talk about issues in a safe setting. This has been a very successful program so far and it went well with most of the community. In regards to COVID, Meyerson said that the library has been cleaned regularly and they are bringing fresh air into the building. They have been slower inside, as they are open less hours and are doing more curbside. This gives the staff more time to do cleaning. They are also quarantining incoming items.
 - d. **Spring Lake Park**
 - i. Keiser reported that the park has been closed for the season.
 - e. **Jones Landing Park**
 - i. Keiser reported that the park has been closed for the season. The shower tower project is in progress. The parks were extremely busy this year.
 - f. **Blight- Existing Cases**
 - i. Keiser reported that there are no new cases. Keiser has been working with the Salvation Army to help with the blight case on Cedar Valley Rd (the total loss trailer fire). The gentleman had no insurance and

this would be a way to help get this cleaned up. The Salvation Army and St. Vincent DePaul Society are going to pay to clean up this site; it should be done by the end of the week.

g. Division Road Access

- i. Keiser reported no update. He is waiting to hear back from Bay View.

h. US 31 Service Road

- i. Keiser reported that he had a meeting with the Petoskey Area Transportation Committee this morning. They feel that we need to expand this project to include Division Rd. Keiser noted that the committee brought up some possible safety/planning money that may be available for a project such as this.

VIII. New Business

a. Maple Village Apt. Ordinance Amendment

- i. Keiser explained that the Maple Village Apartments are located behind the Friendship Center. The first phase included 48 units and the second phase included 49 units. A PILT is a “payment in lieu of taxes”. The first phase was a 19 year agreement made with the township. Jane Mackenzie, from Northern Homes Alliance, is asking that the township consider extending the ordinance for phase one out to 35 years, which is what the state allows. The second phase was built in 2004. In that PILT, it is already a 35 year agreement, which allows for 5% for the first 16 years, then the remaining 19 years goes up to 10%. Mackenzie is asking that the second phase remain at 5% for the last 19 years.
- ii. Jane Mackenzie, from Northern Homes Alliance, thanked the board for approving this ordinance 15 years ago. They have been very successful with these apartments, and feels they have been good stewards of the tax benefits that were given to them, as they have been able to charge a lower rent to these individuals (even lower than other affordable housing complexes). They currently have 11 apartments (2-3 bedrooms) that are rented out for less than \$500/month, an additional 18 for less than \$700/month, and all 97 apartments are all less than \$800/month. There are many elderly and disabled people, as well as people who work lower-earning jobs, who benefit from these apartments. They have continued to keep rent low year after year, and continue to improve the property for residents. They are a non-profit, so have been able to get grants to make a playground. They also added a dog park and community gardens. She noted that the only way they can charge lower rents is due to the PILTs and the longer term mortgage. They have income and rent restrictions in place, so these will remain affordable apartments for the long term. Since they have built these apartments, most of the grant monies for building low-income housing has all gone to urban areas.
- iii. Keiser remarked that these apartments seem to be well maintained. These service both elderly and young families getting started.
- iv. Mackenzie explained that they also have an account set aside for larger repairs. There are repairs they do in between renters, but there is also a fund for larger repairs, such as a new roof or furnaces, so that when the time comes, there will be money set aside.
- v. Nowland supports this, as we have a need for housing.
- vi. Kendziorski agrees.
- vii. Keiser asked Mackenzie to propose language for the amendments. Joel Wurster will review it.

b. Bay View Country Club Tax Appeal

- i. Last week, Keiser received a tax appeal from the Country Club. They appealed a few years ago and we settled on a fair value, but they are back again. Keiser would like to hire Andrea from Mika Meyers to handle this case.
- ii. **Motion** by Kendziorski to hire Mika Meyers to represent Bear Creek Township in the Bay View Country Club tax appeal case. 2nd by Nowland. **Passed**

c. Encore Financial Group Renewal

- i. Golding reported that we need to renew our financial contract with Darwin from Encore. His yearly fee is \$1,200.
- ii. **Motion** by Kendziorski to renew our financial contract with Darwin from Encore for \$1,200. 2nd by Golding. **Passed**

d. Election Update

- i. Kendziorski reported that the election went very smoothly. Bear Creek Township had a total of 4260 votes cast (of 5762 registered voters), which reflects the fact that 74% of our voters voted. Out of the 4260 votes cast, 2807 votes were cast via an absentee ballot (which is 66% of the ballots cast). The other 34% was split between the two precincts. Kendziorski thanked everyone for their support. Democracy truly is a team effort and she and Coats (deputy) could not have done it without all the help they received.
- ii. Hoffman asked if any challengers were present. Kendziorski confirmed that there were some.

e. Sally’s Retirement

- i. Keiser noted that Sally's last day is tomorrow (Thursday) and would like to remind everyone of her luncheon to celebrate her retirement.

f. **Oath of Office**

- i. Keiser reported that every four years, the elected officials (and their deputies) must take the oath of office. The term starts on November 20, 2020 at 12pm. Keiser suggested taking the oath on November 17, 2020 at 3:30pm.
- ii. Keiser thanked Don Nowland for his 8 years of service as a trustee. Nowland is going to stay on as a sewer meter reader/meter inspections.

g. **Click Road Property**

- i. Keiser explained that we are moving along with our due diligence with the health department permit. Our application has been submitted and we are waiting for a date to dig holes for the inspection. Keiser suggested Drost dig the holes while the health department inspects and then he can bury them right away.

h. **Budget Amendment**

- i. Keiser noted that we need to amend the budget to account for the purchase of the Foster property.
- ii. **Motion** by Kendziorski to amend the budget in the amount of \$45,000 for the purchase of the Foster property. 2nd by Golding. **Passed**

i. **Greg Road Abandonment**

- i. Keiser explained that the concept of abandoning Greg Rd has come about due to one of the current Planning Commission cases. Up until this point, we have had very little public response, but today, Keiser received many emails regarding this abandonment. Keiser explained that these appeals should go to the road commission, because this is their decision to make. However, he is in favor of waiting to see what will happen with the Planning Commission case before deciding about this road.
- ii. Hoffman noted that the road commission should make this decision.
- iii. Nowland agreed that MDOT or the county should be the ones to make this decision.
- iv. Golding feels the road commission would know best.
- v. Amy and Bud Gray asked about the planning and zoning meeting tomorrow night.
 - 1. Keiser explained that tomorrow night, the county planning commission will review the case. Because the township Planning Commission tabled it, it is likely that they county will as well (however, they don't have to). He encouraged the Grays to attend the county meeting.

j. **Security Cameras**

- i. Kendziorski explained that Common Angle quoted us for \$7,477.24 for a security camera system (for 7 cameras, 2 of which would be for the fire hall). The cameras were not able to be installed by the election, so it may be better to wait to put these in next year's budget. These cameras would benefit the township for security purposes, and our insurance rates will also go down. These cameras would be visual only (no audio).
- ii. Hoffman noted that there could be benefits to this. Keiser supported putting this in next year's budget.
- iii. The board agreed to add this to next year's budget.

k. **Designated Assessor**

- i. Keiser explained that a few years ago, the state started an auditing process of the assessment administration across the state. They have found that many local units are not keeping up with the new technology and assessment offices weren't being supported with qualified assessors and staff. One of the changes that was implemented was to have the county hire a designated assessor in case there was a problem in one of the units. It requires the county to do so by 12/31/2020. At this time, this would not be needed for Bear Creek, but we still need to be a part of it. If there was a problem, the township would be charged for the correction of the roll at a cost of about \$95,000. If a re-appraisal would be needed, the cost would be about \$305,000.
- ii. **Motion** by Nowland to authorize the supervisor to sign the Emmet County Interlocal Agreement for County Designated Assessor. 2nd by Hoffman. **Passed**

IX. **Planning/Zoning Report- Report by Kendziorski**

- a. Kendziorski reported on five cases from the Planning Commission this month. The first case was Chase Bank for a Preliminary PUD Amendment at 1580 Anderson Rd. The proposal was to put a drive-thru ATM in the furthest parking lot in front of the Marshalls/Goodwill area. The Planning Commission approved this case. The second case was John Ledig from Home Depot for Final PUD and Site Plan Review at 1700 Anderson Rd. This proposal was for outdoor display and storage. This case was approved.
 - i. David Coveyou noted his concerns about this second case. He feels there is a safety issue, with pallets running three deep along the display area in the front of the store. He is not in favor of the amount of material that is being stored.

- ii. Welsheimer noted that the front is strictly under the canopy area. The fire lane is not used for any storage. The products to be stored in the front would be things such as woodchips and potting soil. He suggested marking the 15ft lines.
- iii. Kendziorski clarified that the Planning Commission did not approve storage to the north of the building. Rather, they approved that the square footage proposed to the north of the building could move to the rear.
- iv. Keiser explained that most of the storage will be under the covered roof in the front.
- v. Kendziorski checked the Planning Commission minutes for clarification: Ledig clarified that there would be 10ft of storage in the front of the building and 15ft to the rear (out from the building). She explained that storage is not going to go in front of the canopy, but out from the sides of the canopy.
- b. Kendziorski reported that the third case was Ironwood Construction for a Special Use Permit and Site Plan Review at 2420 Harbor-Petoskey Rd. The proposal was to put an electronics business along M-119. This case was postponed.
 - i. Keiser shared that he looked through old access easements, and there is an easement for the existing access already.
- c. David Coveyou reported the fourth case: David Coveyou for a Special Use Permit for a Campground Facility and Site Plan Review at 4160 US-31. The proposal was to put a campground and events area on this property. This case was postponed. Coveyou explained that they would like to put farm stays on the land they are not farming. This would be a different kind of camping, which would feature raised platforms with yurts as well as cabins. There would be 25 total units and there would be no RVs. Coveyou noted that MDOT and the Road Commission both suggested closing Greg Rd.
- d. Keiser explained that the most challenging part of the project is traffic and funneling through the farm. People will be coming in where people are parking and walking up to the barn.
 - i. Coveyou noted that last spring, they put in a walking trail from the parking lot.
- e. The fifth case was a text amendment for the Emmet County Planning Commission. These text amendments would change the submittal deadlines. This case was approved.
- f. **Motion** by Golding to accept the Planning Commission Report, with the clarification that the outdoor display in the front of Home Depot could only extend from the building 10ft. 2nd by Hoffman. **Passed**

X. Fire Department Report- Report by Welsheimer

- a. Welsheimer reported 9 fire calls and 4 EMS calls. They did a control burn on a house that went very well and did public education at Concord for Halloween. They installed smoke detectors and carbon monoxide detectors in 6 homes and received a donation of 200 smoke alarms to give to individuals in need.

XI. Parks and Recreation Report- Report by Nowland

- a. The Parks and Recreation Committee did not meet this month. The dock was removed at Jones Landing.

XII. Correspondence

- a. Keiser reported MTA Correspondence.

XIII. Clerk's Business/Bills- Report by Kendziorski

- a. Kendziorski reported bills in the amount of \$129,507.08.
 - i. **Motion** by Kendziorski to pay the bills in the amount of \$129,507.08. 2nd by Golding. **Passed**

XIV. Treasurer's Report- Report by Golding

- a. The Treasurer's Report shows a balance of \$6,900,470.50 as of 10/31/20.

XV. Building Department Report- Report by Golding

- a. Golding noted that the building department has been extremely busy.
- b. Keiser told the board that Bill Steffel, the building inspector, has decided to retire in the spring. Keiser does not have this in writing yet. After the first of the year, we will start to look at the position, update the job description, and look for a replacement.

XVI. Sewer Business/Bills

- a. Keiser explained that we wound down the sewer authority. We also need to approve a sewer permit application. We can approve up to 3 per month. This application is out at Hearthside. Hearthside has been paying .5 REUs since it was developed. This started as a mobile home park, but does not carry a mobile home license anymore. They have built larger homes and pergolas, pavilions, garages, etc. Hearthside has also amended their documentation so you can stay there year round. They will need to request a zoning change and apply for a PUD.
- b. **Motion** by Golding to approve a .5 REU for Hearthside Getaway LLC for parcel 01-16-25-105-103. 2nd by Hoffman.
 - i. Roll Call: Golding, Hoffman, Kendziorski, Keiser, Nowland
 - 1. Yes- Golding, Hoffman, Kendziorski, Keiser
 - 2. Abstained from Voting- Nowland

Passed

- c. Keiser reported the sewer authority bills in the amount of \$78,784.85.
 - i. **Motion** by Kendziorski to pay the sewer authority bills in the amount of \$78,784.85. 2nd by Golding. **Passed**
- d. Keiser reported the township sewer bills in the amount of \$124,612.03.
 - i. **Motion** by Kendziorski to approve the township sewer bills in the amount of \$124,612.03. 2nd by Golding. **Passed**
- e. Keiser noted that he worked with our insurance company last week and the cost savings on our insurance will be \$7,000/year. We will also save money by not having two audits.

XVII. **Request from the Floor/Discussion**

XVIII. **Other Business**

- a. Liquor Application:
 - i. Keiser explained that he received a liquor application for the Petoskey Fieldhouse. This is an indoor soccer training facility that has applied for a Class C Liquor license to have a turfside lounge. Rebecca Mancini, Jeff Suffolk and Kyle Lieberman are all part owners (along with their spouses) and are all present at the meeting.
 - ii. Kyle Lieberman noted that they have retrofitted this facility into a sports facility. They opened the building back up to its larger footprint. This business meets a need for young families and children in the winter months. His hope in applying for this liquor license is to have a turfside lounge with beverages for adults. This would be a place that families could come, where the kids play and the adults sit and visit and enjoy a beverage. This would be user friendly, and the lounge would be placed where you can see kids playing at all times. The Fieldhouse already has 100 monthly members and they are seeing enormous support from the community. They have a letter of support from Lee Chatfield and the Petoskey Chamber of Commerce.
 - iii. Keiser noted that this would be a change of use, because it would be changing to a bar/restaurant use. This would impact zoning, building, etc.
 - iv. Golding noted that she spoke with Suffolk today and received some pictures to see the change. They do have a demo and a building permit. These are active permits.
 - 1. Lieberman explained that they haven't really added anything structurally, because it was intended to be an open facility. The mechanicals and bathrooms have not been touched since they moved in.
 - v. Keiser noted that a Class C license, if approved, would stay with that building forever. So if another business were to move in there, it would be possible that that could become a full bar and restaurant.
 - 1. Lieberman noted that a Resort Class C license was the one that was suggested to them. There is a portion in a Class C license that fits this type of use.
 - vi. Hoffman remarked that the letters of support seemed to be similar. He asked how this would help families and children (as was stated in the letter).
 - 1. Lieberman explained that Chatfield submitted his letter first, followed by the Chamber of Commerce. This concept would help families because it would be an event for the whole family. Instead of going bowling together, or an activity like that, this would be another gathering place.
 - 2. Mancini remarked that this also helps keep costs down for families. They want to be able to include as many families as possible, and selling beverages would allow them to offer memberships at a low rate.
 - vii. Keiser mentioned that The Fieldhouse may have to commit to a certain amount of liquor inventory, or restrictions on seating.
 - 1. Lieberman noted this would be limited supply bistro seating.
 - viii. Nowland asked if there would be liquor involved.
 - 1. Keiser explained that this would be a full license.
 - 2. Mancini explained that this would also benefit adult only parties, such as an office Christmas gathering. They currently host birthday parties and have a private room for people to rent out.
 - 3. Lieberman noted that when approached about fundraisers, the first thing people typically ask is: do you serve alcohol?
 - ix. Nowland asked if, for a private party, all alcohol would have to be purchased through The Fieldhouse?
 - 1. Lieberman explained it probably would be, unless it was catered.
 - x. Suffolk remarked that they opened a community center mid-pandemic, and they are thankful for the support of the board thus far.
- b. Election Hazard Pay:

- i. Kendziorski asked if the board would consider paying election workers hazard pay. She suggested either \$75, which was the hazard pay agreed to for the August election, or \$100, since the Petoskey area has seen a spike in COVID cases recently.
- ii. Keiser noted that we have lost some election workers due to COVID; he would be in support.
- iii. **Motion** by Golding to pay each election worker \$100 hazard pay for the November 3, 2020 election. 2nd by Kendziorski. **Passed**

XIX. **Adjournment:** 9:00p.m.

Respectfully submitted,

Emma Kendziorski

Emma Kendziorski, Bear Creek Township Clerk