

The regular monthly meeting of the Manistee Township Board was held on Thursday, May 11, 2006, at 7:30 P.M., at the Manistee Township Hall. Board members present were John W. Anderson, Dennis R. Bjorkquist, John M Dontz, Connie L Smith, and M. Rebecca Dinsen. Also present were Charles Gregg, Clara Kraus Saari, Keith Brown of PEG, Leal Gibbs, Frank Greco, Jim Henderson, Tamara Buswinka, Karen Bruchan of the Manistee County Foundation, and Fire Chief John Dunlap.

The meeting was called to order by Supervisor John W. Anderson with the pledge to the United States flag.

The minutes of the April 13 Regular, and April 19 Special Manistee Township Board meetings were provided. It was moved by Bjorkquist, seconded by Dontz to approve the minutes as provided. All voting in favor. Motion carried.

Treasurer Smith gave the Financial report for the month of April. It was moved by Dontz seconded by Dinsen to accept the Treasurers report as presented. All voting in favor. Motion carried.

The minutes of the May 4, 2006 Manistee Township Planning Commission meeting were presented to each board member, and tabled until the next meeting. The minutes were received the afternoon of the meeting, and had not been reviewed.

Correspondence was received from various sources and given to each board member to read and initial.

Correspondence was received from the Jeff Mikula & Howard Vaas families regarding the property adjacent to the Spencer's on Suida Road. Board members received copies. In the absence of Zoning Administrator Rob Marble the matter was not discussed.

Leal Gibbs asked about the outdoor wood burning ordinance. He was offered assistance, and a copy of the ordinance.

Karen Bruchan of the Manistee County Foundation and Envision Manistee County spoke to those in attendance. The one year process of gathering information in public meetings has come to an end. A proposed plan has been devised for future development and needs of those who participated in the envisioning process. Now comes the time of applying for grants to facilitate the implementation of the envisioning goals. The Foundation has applied for grants from the DEQ, Kellogg Foundation, DTE, and others. Future projects include county wide broadband, small town design, an arts institute, and others. Each board member was given a packet with additional information. Envision Manistee County will be an asset to all local units of government.

The Manistee Township Fire Department held four training sessions, and responded to eight fire/medical runs during the month of April, 2006. Chief Dunlap has applied for a DNR grant to purchase a replacement pump for the fire department. Ladder testing was completed successfully on the April 19, 2006. The disposition of the old brush truck was

discussed.

Liquor Inspector Bjorkquist stated there have been significant changes to the liquor licensees during the past month. All are now open for business, with the weather improving.

The Little River Revenue Sharing Board will meet in September, at the Manistee County Road Commission building, to review the grant applications. Specific dates and deadlines will be available for our next meeting.

It was moved by Dinsen, seconded by Dontz to ask Jim Sievert to grade and gravel the area around the recycling, paper, and leaf dumpsters, at a cost not to exceed \$650.00. All voting in favor. Motion carried.

Tamara Buswinka explained the proposal for development of a recreation plan for Manistee Township. The proposal would include gathering information on the resources and areas already developed, a public hearing for input into the proposed plan, development of goals for a five year period, integration with the Manistee Township Master Plan, and the state mandated portions of a Recreation Plan. It was moved by Bjorkquist, seconded by Dinsen to sign the Recreation Plan Contract with Tamara Buswinka at a cost not to exceed \$5,500.00. Dinsen, Dontz, Smith, Bjorkquist, and Anderson voting in favor. Motion carried. Work on the plan will begin immediately, with completion anticipated by fall.

A proposal was received from Scheppelmann Electric on lighting for the parking lot. Instead of adding another pole and fixture at a cost of \$4,500.00, Sheppleman suggested to retain the poles and wiring, but replace the existing fixtures with new fixtures that can be adjusted for the angle and area needing light. The proposal would also rewire the front photocell over the Manistee Township lettering, and install a photocell on the patio light. The total cost would be \$3,636.00. No other bid was received. It was moved by Dontz, seconded by Bjorkquist to accept the offer of Scheppelmann Electric at a cost of \$3,636.00. Smith, Dontz, Dinsen, Bjorkquist and Anderson voting in favor. Motion carried.

Dinsen gave a brief report on the School Election. Manistee Township had 176 voters, and used the Accu Vote for the sixth year. Many Manistee county units tried the Accu Vote for the first time with this School Election.

All board members have visited the Public Access signs on Lakeshore Road, and feel they are acceptable, with many placed within inches of trees. They do not feel they need to be replaced with break away signs.

The Manistee Township Planning Commission developed and approved the following Sign Ordinance. The Manistee County Planning Commission approved the Sign Ordinance, and recommends the approval by the Manistee Township board. It was moved by Dontz, seconded by Bjorkquist to approve and adopt the Manistee Township

Sign Ordinance. Dinsen, Smith, Anderson, Bjorkquist and Dontz voting in favor. Motion carried.

NOTICE OF ORDINANCE AMENDMENT

TO WHOM IT MAY CONCERN:

Pursuant to the provisions of Act 184 of the Public Acts of 1943, as amended, notice is hereby given that the Township Board of the Township of Manistee, Manistee County, has adopted an Ordinance amending, in part, the Manistee Township Zoning Ordinance. The full text of the Ordinance amending the Manistee Township Zoning Ordinance is set forth in its entirety following this notice.

Notice is further hereby given that the effective date of the amendment to the Manistee Township Zoning Ordinance is 12:01 o'clock a.m. on the day following its publication as required by law. Copies of the Manistee Township Zoning Ordinance, as amended, are available for purchase or inspection at the office of the Township Clerk, Manistee Township Hall, 410 Holden Street, Manistee, Michigan; Manistee County Planning Department, Courthouse Building 415 Third Street, Manistee, Michigan; and the offices of Gockerman, Wilson, Saylor & Hesslin, P.C., Attorneys at Law, 414 Water Street, Manistee, Michigan; Monday through Friday, during regular business hours.

The amendment to the Manistee Township Zoning Ordinance was adopted by the Township Board of the Township of Manistee, Manistee County, Michigan, by authority of Act 184 of the Public Acts of 1943, as amended, at a regular meeting thereof, duly called and held on the 11th day of May, 2006, at 7:30 p.m., and ordered to be published in the manner prescribed by law.

Dated: May 15, 2006 /s/ M. Rebecca Dinsen
Manistee Township Clerk

CERTIFICATION

I, M. Rebecca Dinsen, Clerk of Manistee Township, Manistee County, Michigan, do hereby certify that the following is a true and correct copy of the amendment to the Manistee Township Zoning Ordinance as adopted by the Manistee Township Board at a regular meeting held on the 11th day of May, 2006.

/s/ M. Rebecca Dinsen
Manistee Township Clerk

AN ORDINANCE TO AMEND THE MANISTEE TOWNSHIP
PERMANENT ZONING ORDINANCE OF 1986, AS AMENDED,
BY AMENDING THE REGULATIONS GOVERNING COMMERCIAL, REAL ESTATE,
POLITICAL AND OTHER SIGNS, ON AND OFF PREMISES, AND BY REPEALING ALL

ORDINANCES IN CONFLICT HEREWITH

THE TOWNSHIP OF MANISTEE, MANISTEE COUNTY, ORDAINS:

Section 1. Article 10, Section 1060, Advertising Signs of the Manistee Township Permanent Zoning Ordinance of 1986, as amended, (the "Ordinance"), is hereby amended to read, in its entirety, as follows:

Section 1060 Sign Regulations

A. Location

No sign or outdoor advertising structure shall be erected at any location where by reason of its position, size, shape or color, it may interfere with or obstruct the view of, or be confused with any authorized traffic sign, signal, or device so as to interfere with, mislead, or confuse traffic, or the public. No sign shall be placed in any road intersection (in a triangle forty feet each direction from the corner).

B. Premises Signs (no permit needed)

In any zone, signs for advertising on-site sale of products derived from the land or premises upon which the sign is located, or sale of the premises shall be allowed without a permit provided the sign meets the following criteria:

1. Its size shall not exceed nine (9) square feet.
2. A minimum setback shall be at the edge of any road right of way.
3. It does not interfere with public safety.
4. It must be at least fifteen (15') feet from side lot lines
5. No part of the sign shall be more than ten (10') feet high.
6. No illuminated signs shall be permitted.
7. Is temporary in nature, no longer than sixty (60) days.

C. Attached Signs (no permit needed)

In Commercial or Industrial Zone districts, signs that are flush with and permanently attached to the commercial structure shall be permitted without a permit.

D. Off Premises Signs (requires permit)

1. Advertising signs, billboards, advertising displays, outdoor displays and other advertising media may be permitted within a front yard area in the Industrial I-1, Restricted Commercial CR-1, Commercial C-1, and Multiple Use M-1, Land Use Districts, provided that they comply with the following conditions:

- a. The advertising sign or display complies with statutes and regulations of the State of

Michigan.

b. The advertising sign or display shall not be more than two hundred fifty (250) square feet in area and dimensions not greater than ten (10') feet in height and twenty-five (25') feet in width. Such signs or displays shall not be erected within five hundred (500') feet of any dwelling existing at the time said sign or display is erected or moved to such location, provided such dwelling is used exclusively for residential purposes and, should a dwelling be erected at any time within the five hundred (500') feet limitation, the permit shall be revoked and the owner of the sign, or his authorized agent, shall be notified of the revocation and such signs shall then be removed at the owners expense, within ninety (90) days.

c. The advertising sign or display, except directional signs within one hundred (100') feet of intersections, shall not be erected within three hundred (300') feet of an existing sign or display.

d. The advertising sign or display shall not be less than fifty (50') feet from the highway right-of-way line measured by a line perpendicular to the highway right-of-way line.

E. Other Signs (requires permit)

1. A home occupation sign in a residential district, of a size not more than four (4) square feet, and sign may not be illuminated.

2. Any other signs, advertising structures, billboards (non-accessory signs), etc., other than those permitted heretofore require a permit from the Zoning Administrator.

F. Permit Application

1. Application for a sign permit shall be made in writing to the Zoning Administrator and deposited at the Township Hall.

2. Permit fees, as established by the Township Board, must accompany the application.

3. The Zoning Administrator may either issue or deny a permit. If the permit is denied, the applicant may appeal the decision of the Zoning Administrator, through the appeal process.

4. Permits may be revoked if the sign has deteriorated or is dilapidated.

G. Permit Criteria for Issuance

1. The sign must be in a commercial, industrial, or multiple use zoned area.

2. Where the speed limit is forty miles per hour (40 mph) or less, the maximum sign size is eighty (80) square feet with a maximum height of twenty (20) feet.

3. Where the speed limit is more than forty miles per hour (40 mph), the maximum sign size is one hundred twenty (120) square feet, with a maximum sign height of twenty-five (25) feet.

4. A minimum setback shall be at the edge of any road right-of-way and fifteen (15') feet from any side lot line.

5. No sign or part of a sign shall extend into any road right of way.

6. Signs may be illuminated; however, such illumination shall be concentrated upon the surface of the sign and the sign shall be so located and arranged as to avoid glare or reflection onto any portion of any adjacent highway, or the path of oncoming vehicles, or onto any adjacent premises.

7. In no event shall any sign have flashing or intermittent lights, nor shall the lights or sign be permitted to rotate or oscillate.

8. Scrolling or trailing electronic variable message signs are allowed.

9. No sign shall be placed in such a manner as to obstruct the view of another sign or business.

10. All on-premise signs shall advocate only facilities, products, or services located at the site of the sign.

H. Obsolete Signs

It is unlawful to maintain for more than one hundred twenty (120) days any sign which has become obsolete because of discontinuance or removal of a business, service, or activity which it advertises. The fact that an obsolete sign is nonconforming shall not be construed as modifying any of the requirements of this section.

I. Special Event Signs (requires a permit)

Signs with an approval permit denoting special events of interest of a public or quasi-public nature (i.e., a horse show) shall not exceed eighty (80) square feet in area. Such signs shall be removed within ten (10) days after the event.

J. Private Sales Signs (no permit required)

Garage, yard, basement or other similar private sales shall be governed by other provisions of this Ordinance.

K. Site Plan Signs (requires a permit)

In the case of a plat or other similar development, or a commercial or industrial site plan approval or other special use request, a sign, if any, shall be considered as part of the application process and its location, size and setbacks should be included on the application and site plan.

L. Real Estate Signs (no permit required)

Real estate “for sale” signs shall be removed within five (5) days after the close of sale or issuance of a building occupancy permit.

M. Political Signs (no permit required)

Signs which support or oppose a candidate for public office or a ballot proposal, provided:

1. The candidate for public office or ballot proposal is included on the official ballot for the next upcoming general or special election, including primary elections.
2. Meet all the requirements of Section 24.02 On Premises Signs (no permit needed), except time limitations as in 24.13.c.
3. All such signs are removed within thirty (30) days of the election at which time the candidate for public office or ballot proposal is finally determined.

N. Sign condition – All Signs

All signs and appurtenances thereto shall be kept in good repair and in proper state of preservation with all display surfaces neatly painted or posted at all times.

Section 2. All ordinances or parts of ordinances inconsistent or in conflict herewith are hereby repealed to the extent of the conflict.

Section 3. This ordinance shall become effective on the day following its adoption and publication as required by law.

Those voting in favor: Bjorkquist, Smith, Dinsen, Dontz, Anderson

Those voting against: None

Those absent or abstaining: None

ORDINANCE DECLARED PASSED.

/s/ M. Rebecca Dinsen CMC

M. Rebecca Dinsen CMC
Manistee Township Clerk

I, M. Rebecca Dinsen CMC, Clerk of the Township of Manistee, Manistee County, Michigan, do hereby CERTIFY that the foregoing is a true and correct copy of the Ordinance adopted by the Township Board at a regular meeting held on the 11th day of May, 2006.

/s/ M. Rebecca Dinsen, CMC
M. Rebecca Dinsen, CMC
Manistee Township Clerk

Custom Sheet Metal has offered a bid of \$1,800.00 to replace the Manistee Township Hall middle furnace that heats the entrance and bathrooms. The other two original furnaces have been replaced. No other bid was received. It was moved by Dontz, seconded by Bjorkquist to replace the middle furnace with the \$1,800.00 unit, as long as it is compatible with the air conditioning. Smith Bjorkquist, Dinsen, Dontz, and Anderson voting in favor. Motion carried.

The Planning Commission Seminar on the new Enabling Act will be held in Traverse City on May 18, 2006. Dontz & Saari will attend if no one else can attend.

The Manistee Township Trash Day will be held on Saturday, May 13, 2006, from 8:30 AM until 1:00 PM. Ads have been placed in the newspaper, a news article has been in the paper, there has been an article on the radio, and there are postings of the ad. Volunteers are still needed for that morning.

A letter was received from MDOT on the proposed reconstruction on US 31 north, which is scheduled for 2007. There will be a Public Hearing on May 17, 2006 from 3:00 PM to 6:00 PM, at the MCRC building. The surface will be milled, the roadway resurfaced, and safety improvements made, between M-22 and Coates Highway on US 31. Board members are encouraged to attend.

A Port-a-John needs to be placed at the outlet. The board indicated they want a contract that will hold the township harmless in case a unit is destroyed. It was moved by Dontz, seconded by Smith to place Port-A-John at the Bar Lake Outlet, stating the township will assume no responsibility for replacement. The unit needs to be in place before Memorial Day, and removed by October 30, 2006. All voting in favor. Motion carried.

The current bills for the month of May were presented.

It was moved by Bjorkquist, seconded by Dontz to pay the bills as they are received for the month of May. All voting in favor. Motion carried.

The Manistee County Chapter of the Michigan Townships Association will meet at the Bear Lake United Methodist Church, on Wednesday, May 24, 2006, at 6:30 P.M. for their Annual Dinner Meeting. All board members are encouraged to attend.

The next regular monthly meeting of the Manistee Township Planning Commission will be held on Thursday, June 1, 2006 at 7:00 P.M. the Manistee Township Hall, 410 Holden Street.

The next regular monthly meeting of the Manistee Township Board will be held on the second Thursday June 8, 2006, at 7:30 P.M. at the Manistee Township Hall, 410 Holden Street.

There being no further business to come before the board, it was moved by Dontz seconded by Dinsen to adjourn the meeting at 8:50 P.M. All voting in favor. Motion carried.

Respectfully submitted,

M. Rebecca Dinsen, CMC
Manistee Township Clerk