

The regular monthly meeting of the Manistee Township Board was held on Thursday December 13, 2018 at 7:00 P.M., at the Manistee Township Hall. Board members present were Supervisor Dennis Bjorkquist, Trustee Guy Finout, Trustee John Dontz, Treasurer Connie Jankwietz, and Clerk Dianne Taylor. Also present were Fire Chief Chuck Barron, Captain Sam Koscinski, Deputy Clerk Karen Clouse, Township Attorney Richard Wilson, Charlie Schoedel, Rick Clouse, Duane Anderson, and Barry Lind with PEG. County Commissioner Jeff Dontz was absent.

Supervisor Dennis Bjorkquist called the meeting to order. All attending stood and recited the pledge to the United States flag.

Minutes of the November 8, 2018 Manistee Township Board meeting were provided. Trustee John Dontz made the motion to approve the minutes as presented, seconded by Treasurer Jankwietz. All in favor; motion carried.

Treasurer Jankwietz gave the Treasurer's report for the month of November 2018. The receipts were \$57,272.53; expenditures were \$36,689.79, leaving a balance of \$182,975.38 in the General Fund as of November 2018. Treasurer's report was placed on file.

Approved minutes from the November 1, 2018 Planning Commission meeting were presented to the Board and placed on file,

Manistee Township Zoning Board of Appeals did not meet.

There were no public comments at this time.

Trustee Finout, as Zoning Administrator, reported on the activity in the Zoning office for November. There were two (2) new complaints; an accessory building erected without the proper permits pulled was addressed with a letter, and a junk complaint on Parkdale Avenue was also addressed with a letter. There were two (2) land use permits issued and thirteen (13) requests for construction permits. The Planning Commission received three (3) applications to fill the open seat on the Commission created by the retirement of John Zielinski. The Planning Commission recommended two (2) applicants, Richard Edmondson and Charlie Schoedel, to the Township Board for approval. The Planning Commission's recommendation on Recreational Marijuana to the Township Board is to create a moratorium. The Planning Commission had a lengthy discussion on the Court of Appeals short-term rental decision and the definition of "family" in a single family dwelling.

Trustee Finout made the motion to appoint Richard Edmondson to the Planning Commission to fill the unexpired term vacated by John Zielinski; seconded by Treasurer Jankwietz. All voted in favor; motion carried. Supervisor Bjorkquist expressed thanks to the all of the applicants.

Fire Chief Barron reported five (5) meetings and/or training sessions were held; nine (9) medical runs; three (3) fire runs. Overall, all apparatus are in good working order. The Department is currently working on the 2019 Training schedule to coordinate with Eastlake and the City of Manistee. Treasurer Jankwietz made the motion to accept Dave Cook as a probationary firefighter; seconded by Clerk Taylor. All voted in favor; motion carried. Trustee Dontz made the motion to accept Ben Mott as a probationary firefighter; seconded by Trustee Finout. All voted in favor; motion carried. There are currently 27 firefighters on the roster. Supervisor Bjorkquist expressed his thanks to all firefighters for their hard work.

Supervisor Bjorkquist, as Liquor Inspector, stated Heathlands Golf Course and Insta-Launch Campground are closed for the season.

Township Attorney Richard Wilson presented the Board with a lengthy overview on what the Township needs to know about the passing of Proposal One (1) legalizing the use of recreational marijuana as of December 6, 2018. The Township has the option to “opt in or opt out”; opting in would allow recreational marijuana establishment(s) within the Township which would bring financial benefits to the Township. The Township also has the right to set limits on how many establishments would be allowed. The State of Michigan has twelve (12) months before it has to start accepting applications for marijuana establishments.

Trustee Finout, as Zoning Administrator presented the Construction Permit Application Fee Resolution No. 2018-10. Trustee Dontz made the motion to adopt the Construction Permit Application Fee Resolution; seconded by Treasurer Jankwietz. In a roll call vote, the following voted aye: Trustee Dontz, Trustee Finout, Treasurer Jankwietz, Clerk Taylor and Supervisor Bjorkquist. The following voted nay: none. Supervisor Bjorkquist declared the motion carried.

MANISTEE TOWNSHIP

MANISTEE COUNTY

Resolution 2018-10

**RESOLUTION OF MANISTEE TOWNSHIP BOARD ESTABLISHING RATES FOR BUILDING
AND CONSTRUCTION TRADE PERMITS AND RESCINDING ALL RESOLUTIONS IN
CONFLICT HEREWITH**

WHEREAS, Manistee Township adopted Ordinance No. 2017-01 on August 31, 2017, assuming responsibility as the enforcing agency under the Michigan Stille-Derossett-Hale Single State Construction Code Act, being Public Act 230 of the Public Acts of 1972, as amended; and

WHEREAS, the Township has entered into an agreement with Associated Government Services, Inc., (“AGS”) dated November 11, 2017 for purposes of performing the administrative and enforcement functions of the Township Building and Code Enforcement Department (“Department”); and

WHEREAS, AGS. charges the Township for such administrative services, which charges the Department has previous passed onto the permit holder without markup; and

WHEREAS, the Department and the Township Building Official have certain costs and expenses in operating the Department that are not presently reimbursed by permit holders resulting in a deficit in the enterprise fund for the Department;

NOW THEREFORE, on the motion of Dontz, seconded by Jankwietz, the Township Board hereby establishes the following application fees for building and construction trade permits issued by the Department, all of which are in addition to the charges incurred from AGS:

1. For all building permits, the application fee shall be 7% of the amount billed to the Township by AGS for such permit, but in no event less than \$25.00.
2. The application fee for all construction trade permits (electrical, mechanical and plumbing), \$30.00 per permit.

BE IT FURTHER RESOLVED that no permits shall be issued until all fees for such permits have been paid and received by the Department.

BE IT FURTHER RESOLVED that all resolutions of the Township Board in conflict herewith are hereby rescinded to the extent of the conflict.

THOSE VOTING IN FAVOR: Dontz, Finout, Jankwietz, Taylor, Bjorkquist

THOSE VOTING AGAINST: None

THOSE ABSENT OR ABSTAINING: None

RESOLUTION DECLARED PASSED.

Dianne Taylor

Manistee Township Clerk

CERTIFICATION

The undersigned Clerk of Manistee Township hereby certifies that the foregoing is a true and accurate copy of the Resolution adopted by the Manistee Township Board of Trustees at a regular meeting held on the 13th day of December, 2018, which meeting was duly noticed and called in accordance with Act267 of the Public Acts of 1976, as amended.

Dianne Taylor

Manistee Township Clerk

An updated 2019 monthly calendar was presented to the Board. Trustee Dontz made the motion to accept the 2019 monthly meeting calendar as presented; seconded by Trustee Finout. All voted in favor; motion carried.

Road work considerations for 2019 were discussed in detail. After meeting with the Manistee County Road Commission, Supervisor Bjorkquist stated work on North Milarch Road is not an option for 2019 because there is too much engineering work to be done. Supervisor Bjorkquist requested recommendations on other roads that need improvement.

Supervisor Bjorkquist requested the Board's support to submit another request for grant funds to the Health Department of Northwest Michigan for monies to be used in repairing the tennis/pickle ball courts. The Township applied for and was awarded a grant last summer but was not able to use the funds before the grant expired. Because this grant application is a repeat of a prior application, the board members deemed it to be authorized by Resolution 2018-02 approved on February 8, 2018.

Supervisor Bjorkquist and Fire Chief Barron presented the board members with information on a possible Municipal Fire Authority involving Manistee Township, City of Manistee, and Filer Township. City of Manistee Director of Public Safety, Tim Kozal has offered to complete a Request For Proposal (RFP) to define what a Fire Authority might have to offer. The Board offered their support for an RFP to be completed.

Supervisor Bjorkquist presented Resolution No. 2018-11 reaffirming the previous adoption of a Sanitary Sewage Disposal Agreement for Manistee Township. Treasurer Jankwietz made the motion to adopt Resolution No. 2018-11, seconded by Trustee Dontz. In a roll call vote, the following voted aye: Finout, Jankwietz, Taylor, Dontz and Bjorkquist. The following voted nay: none. Supervisor Bjorkquist declared the motion adopted.

MANISTEE TOWNSHIP

Resolution No. 2018-11

A Resolution reaffirming the previous adoption of a Sanitary Sewage Disposal Agreement for Manistee Township.

At a regular meeting of the Manistee Township Board held in the Township Hall located at 410 Holden St., Manistee, Michigan, 49660 on December 13, 2018 at 7:00 p.m.

PRESENT: Bjorkquist, Jankwietz, Taylor, Dontz, and Finout

ABSENT: None

The following resolution was made by Jankwietz and seconded by Dontz, to-wit:

Recitals

WHEREAS on September 10, 2014 the Little River Band of Ottawa Indians, by and through Larry Romanelli, Tribal Ogema, signed an Agreement with Manistee Township for sanitary sewage disposal entered into under the authority of the Urban Cooperation Act of 1967, as amended; and

WHEREAS Manistee Township signed the Agreement by and through their current Supervisor, Dennis Bjorkquist who was acting at the time the Agreement was signed as Supervisor for then elected Supervisor John Anderson; and

WHEREAS John Dontz who was and remains a Trustee of Manistee Township signed the Agreement instead of the Township Clerk, because that office was vacant; and

WHEREAS a representative of the Governor's office had also signed the Agreement, but failed to date it; and

WHEREAS Manistee Township has operated under the Agreement since September 10, 2014 and agrees to continue to do so and therefore ratifies Dennis Bjorkquist's and John Dontz's signatures and the Township's contractual obligations under the Agreement.

Resolution

NOW THEREFORE, BE IT RESOLVED that Manistee Township reaffirms its agreement with the Little River Band of Ottawa Indians for the Sanitary Sewage Disposal Agreement on the effective date of September 10, 2014.

IT IS FURTHER RESOLVED that the township will continue to honor the Agreement and comply with the same, as stated in the Agreement under the Urban Cooperation Act of 1967, as amended, and any successor Acts until this Agreement is amended or dissolved under its terms.

IT IS FURTHER RESOLVED that the Agreement is attached to this Resolution and incorporated by reference in this Resolution.

YES: Finout, Jankwietz, Taylor, Dontz, Bjorkquist

NO: None

RESOLUTION DECLARED ADOPTED.

MANISTEE TOWNSHIP

By: _____
Dennis Bjorkquist, Supervisor

I, the undersigned, the Clerk of Manistee Township, Michigan, do hereby certify that the foregoing is a true and complete copy of certain proceedings taken by the Manistee Township Board at its regular meeting held on December 13, 2018 relative to adoption of the resolution therein set forth; that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be made available as required by said Act.

Dianne Taylor, Clerk

Motion to approve the bills for November as presented and December as received was made by Trustee Dontz; Trustee Finout seconded. All in favor; motion carried.

Manistee County MTA Meeting – will be held Wednesday, March 27, 2019 at 7:00 P.M. at Brown Township Hall, 8233 Coates Highway, Manistee.

Manistee Zoning Board of Appeals will meet Tuesday, January 8, 2019 at 7:00 P.M. at the Manistee Township Hall, *if there is an appeal.*

Manistee Township Planning Commission – Wednesday, January 2, 2019 at 7:00 P.M. at the Manistee Township Hall.

Next regular meeting of the Manistee Township Board will be held on Tuesday, January 8, 2019 at 7:00 P.M. at the Manistee Township Hall, 410 Holden Street.

The Township Hall will be closed on Monday, December 24, 2018 and Monday, December 31, 2018.

In public comment, Township resident Richard Wilson addressed the issue of short term rentals becoming a nuisance in his neighborhood, as well as many others within the Township. He requested that Zoning Administrator Finout and the Planning Commission re-visit a short term rental ordinance and/or a permit system for rentals.

There being no further business or public comment to come before the board, it was moved by Trustee Dontz, seconded by Treasurer Jankwietz to adjourn the meeting at 8:25 P.M. All in favor; motion carried.

Respectfully submitted,

Dianne Taylor
Manistee Township Clerk