

**Regular Meeting of the Township Board
Tuesday, November 14, 2023
Cleveland Township**

Supervisor, Tim Stein, called the meeting to order at 7:00 pm. Present on roll call were Jan Nowak, Todd Nowak, Tim Stein, Tanelle Budd, Angie Diotte, and Tracy Olsen. Public attendance.

Motion by Jan Nowak and seconded by Angie Diotte to approve October 10, 2023 Minutes, with adjustments to Treasure’s report and Election Public Accuracy Testing Date. Ayes: 5, Nays: 0. Motion carried.

Public Comment on Agenda- Joe VanderMeulen: Letter provided to the board distributed, main objective is to delay site plan approval for the new parking lot until the board can regulate the changes along Wheel Rd, the “mountain bike trail. Asking the board to hold off on approval until regulations are in place.

Mary Eliowitz resident on Wheeler Rd: Moved to the county 25 years ago the past two years have changed. They landscaped our property for wildlife by planting trees and scrubs and created a pond, which means she have a certified habitat. In the past two years, wildlife has dwindled. The noise, the odor, and dust pollution has increased since the Leelanau Conservancy has created a “mountain bike trail”. They bulldozed many trees and foliage to create this trail and parking lot. Many animals have perished in the dead zone, increased road kill. Wondering why is another lot necessary when the one in place is already so destructive? Wants the board to think about protecting us, the people, over this corporation.

Supervisor’s Report – Notice received from County Commissioner, that Spectrum, has been awarded the ROBIN Grant to cover districts 6 & 7 for broadband expansion in Cleveland Twp. Some of the work is underway now, should be completed by end of 2024.

Clerk Report – Tanelle Budd: Discuss video surveillance installation later on the agenda.

Informing the board that a PO BOX will be established at Maple City for all Clerk and election mail. This will provide a standard address for AV ballots and metered letters to be reimbursed by the State of Michigan.

Clerk computer system is in need of an upgrade. We'll need to reach out to local vendors for quotes, current system has a bunch of issues and worried the health of the computer is on its way out. This will also include upgraded monitor(s); current clerk uses personal home monitors since the one that came with the desktop was insufficient.

Resolution for Cemetery Grave Transfer: Received a Cemetery Affidavit from Joan & Joseph Otte, requesting a transfer of a grave from Charles Olsen's purchases back in 1904, to their name. Joan Otte is a Mason, whom was an Olsen and is requesting to be buried in the family lot, N Block 19, Lot 4, Grave 3, that is currently abandoned/vacant. They do not have a deed or inheritance estate documents. They have filled out the requested affidavit that relinquishes the township from responsibility of the single grave. Requesting a resolution to approve the transfer of one empty grave to Joseph & Joan Otte.

Motion by Tim Stein and seconded by Jan Nowak to approve the Resolution to Acknowledge Cemetery Plot Township with attached affidavit for Joseph & Joan Otte, N Block 19, Lots 4, Grave 3.

Roll Call-

Ayes: Jan Nowak, Todd Nowak, Tim Stein, Tanelle Budd, Angie Diotte

Nays: 0.

Motion carried.

Treasurer's Report – Angie: October 30th, 2023

Revenue	\$ 2,502.86
Disbursements	\$ -90,722.06
Bank Balance	\$ 487,246.17

Motion by Tanelle Budd and seconded by Todd Nowak to approve October 2023, Treasurer's Report. Ayes: 5, Nays: 0. Motion carried

Planning Commission Report –Todd Nowak: Public hearing on Palmer Woods site plan, the rest will be discussed later on tonight's agenda.

Zoning Administrator's Report – Tanelle for Scott Sheehan: Additional storage unit for Sisters Storage LLC, application requires site plan review and will be sent to PC.

In addition, busy month, with deck installation, pole bar with addition to house, new home, addition to garage, new foundation on historic barn (National Park Services), new driveway, and new build that requires site plan review by PC due to wetlands.

Still working on the new online application process and zoning administrator state Certification program offered by MSU, Scott will be attending classes in December.

Zoning Board of Appeals Report –Jan Nowak - NONE

Maintenance Report – Tim Stein: Spike in electric bill caught by the Clerk, went to the cemetery pump building and there is a leaky pipe so the pump was running. Spoke to the maintenance worker responsible for opening and closing down the seasonal water and will get it fixed.

Assessor Report – BOR is slated for the second Tuesday after the first Monday in December, only convene if business needs to be done, so far no applications have been presented.

Other members – none

Old Business –

Review/Update Cedar Area Fire and Rescue- John Imbolden: October achieved ALS license. Annual budget approved by three of the townships, waiting on Solon.

New Business –

- a.) **Review Proposed Short Term Rental Ordinance Recommended by Cleveland Township Planning Commission- Tim Stein:** asking the board to consider and decide if Cleveland Township should move forward in considering a Short Term Rental Ordinance. Currently presented to the board is a draft of the ordinance in it's infancy, correspondence, and minutes from the Planning Commission public hearing and regular meeting. This is not a motion to approve the ordinance, it's a motion to approve moving forward with more research into the entire Short Term Rental Ordinance, including fees, policing, fines, applications, and legal wording.

Motion by Tanelle Budd and seconded Todd Nowak to approve Proposed Short Term Rental Ordinance Process/Action Steps for Cleveland Township. Ayes: 5, Nays: 0. Motion Carried.

b.) Consideration of Recommendation for Approval of Site Plan for North Palmer Woods Parking Area Re: Leelanau Land Conservancy- Tim Stein:

Reference to email received from the Cleveland Township Planning Commission recommending the approval of the site plan based on the public hearing and subsequent vote from November 1, 2023.

Todd Nowak: Letters sent from the Public Hearing, the public is not excited about the secondary access point to the trail. Of the majority of the public that was in attendance, there was maybe two positive speakers and the rest opposed. After the public hearing the PC board went through the 4.16 site plan review checklist from the Zoning Administrator, and based on the checklist, Leelanau Conservancy qualifies for approval.

Tim Stein: Declared he has read all subsequent emails and letters and listened to comments from the audience. This is an allowable use in the Agricultural District, it meets the requirements of the Zoning rules, the Conservancy and PC have agreed upon the language for a definition of a “Park”, which is in writing. We have a precedence set with parking at the Swanson Reserve and Pats Preserve on Lime Lake. Due to all the factors can’t find a reason not to approve the site plan based on PC recommendation for approval.

Tanelle Budd: Clarifying the overflow parking lot is designated to hit the other side of the trail and allows for only 10 parking spots as oppose to currently parking on the side of the road.

Jan Nowak: Stated that being out there and seeing where the two locations are and the distances between the two head points, the parking lot seems safer for the public, than having people park on that road. If people are coming up (M)22 then they are coming up the road only a few miles, where there are no houses on that section on Wheeler Rd. The impact seems to be less with a parking lot at that end and safer.

Tim Stein: With no further discussion requested to make a motion to approve the site plan for Leelanau Land Conservancy.

Motion by Tim Stein and seconded Todd Nowak to approve Site Plan for North Palmer Woods Parking Areas. Ayes: 4 Nays: 0 Abstention: 1. Motion Carried

- c.) **Video Surveillance: Tim Stein-** Has been discussed at a few previous meetings after Proposition 2. We are required to have a safe drop box, and beginning December 14th, townships will have to implement security monitoring systems that would insure coverage of the drop box for 75 days prior to each election and on election day to monitor the activity of the Absent Voter drop box. The township will be required to install a system at the Northwest corner of the building to monitor our AV drop box. Originally we thought the drop box would have to be replaced by a state mandated drop box, but upon research of the requirements our current drop box meets the criteria.

Received quote for a video monitoring system, from a firm out of Suttons Bays, called ARMORE IT Solution. According to their proposal they could put in one camera with the right eye, hard wired into our wireless system in the back, for a total of \$3,587, which doesn't include the monitor. This has the capability for 24 hr 365 day retention. Cedar Rod and gun club has one so we'll look into what type they have and get more quotes. We'll retouch on this with a recommendation at the December meeting.

- d.) **Review Request for Utilizing Cleveland Township Hall for Community Yoga Program- Amy White, Leap of Faith Wellness LLC:** Board came to an agreement that we would need to make sure Amy had proper insurance coverage that indemnifies Cleveland Township. If she is not doing this as a non-profit, and is going to be charging for the classes, it is agreed upon that the township would create a new contract for \$20.00 weekly charge, which would allow Amy two Yoga sessions, one Monday evening and one Wednesday morning. Angie will speak to Amy and if there is agreement for the charge, the Clerk will look into the type of insurance coverage Amy will need to provide us along with a signed contract. We can make a motion at the December meeting if she would like to move forward with a contract.

Payment of Bills: Little Traverse Lake Rd payment was a large bill to be paid.

Motion by Jan Nowak and seconded Angie Diotte to approve the payment of bills for November 14, 2023. Ayes: 5, Nays: 0. Motion Carried.

Correspondence – Tanelle: FOIA Request recently completed.

Public forum – Joe VanderMeulen: Stated he is convinced the Planning Commission made an error on the site plan approval. He believes the Master Plan is clear saying that this use, tourist use in Ag district, would only be allowed if there were no adverse affect on neighbors and nature. He states it's part of our Master Plan and part of judging the site plans on that as well. He also thinks the board is missing things and this is an error. He has talked with an attorney and he believes he is correct and very disappointed that we (the board) didn't delay the axillary parking lot. He states the parking lot isn't necessary, people park on Wheeler Rd and are going to continue to do so. He believes they have a lot more traffic that is going on that is unregulated by the township, and we would like the township involved and to take ownership on the expanding and growing menace that is taking place in the township.

Tim Stein: Stated he paid close attention to the Master Plan Joe.

Tom Nelson- Leelanau Conservancy: Thanked us for the parking lot approval. Generally sorry this has been such a contentious issue. With the number of Conservancies, they have had probably 20 plus parking lots and never had a negative response like this. In order to save the woods, there is a lot that needs to happen. They had to raise \$8 million dollars-ish from donations that were very small to very large. There was an obligation to provide meaningful public access to the woods that keeps people safe and not in the roadway. They continue to work very closely, and be good neighbors to the neighborhood. They stated they have already conceded, and removed two other satellite parking areas on the 1100-acre property. As for this satellite parking area it's 4.5 miles from the southern parking area, which means people would have a round trip hike of 9 miles, which doesn't include access to other parts of the woods. They deemed an axillary parking lot, that fits 10 cars to keep people safe, prudent.

Gwenne Allgaier: Thanked us for paving Little Traverse Lake Rd, they did a great job. Thanked us for moving forward with the ST ordinance, believes it's so important to protect our neighborhood, and really appreciate that action. As far as broadband, when the point contract was approved, the County did that without Cleveland, Empire, Glen Arbor and part of Kasson because Spectrum has rural development opportunity funding. Broadband didn't bid on that, as a gentleman's agreement, so they have been fighting,

waiting, praying, and going to meetings. Mr. Stein wrote a letter for a grant, which helped. Now that we have the ROBIN grant we know they are going to stay and can start up next spring, should conclude by the end of 2024.

Wheeler Road Resident: Stated, due to the development of the bike trail, the road in the spring is horrible. They grade it and then the dust blooms are 20ft high, every April. They never put any type of dust control on the road until well after May and into June. It's the same every year and now with more people coming, and not from M22, they come from School Lake and speed. He has tried to contact the county, the township folks, and never hear anything back. He don't understand why we can't have dust control as soon as the snow melts or some plan to pave that road. Stated there is a huge increase in traffic, and can't have any windows open, everything is covered in dust. Want to know is there something we can do? The county says to talk to the township.

Tim Stein: It's not just a Cleveland Townships road; it's only half our road. We would pave if we could, but it's not our road. It's split with Glen Arbor Township. We are aware, but it's a Leelanau County Road Commission issue. We're certainly aware of the problem

Motion by Todd Nowak and seconded by Tanelle Budd to adjourn meeting at 8:04 pm. Ayes: 5, Nays: 0. Motion carried.

Tanelle Budd, Clerk

Approved by Tim Stein, Supervisor