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**Bear Creek Township Board Meeting
March 2, 2022**

Called to order at 7:00 p.m.

Roll Call: Keiser, Hoffman, Golding, Radatovich

Absent: Urman

Others Present: Al Welsheimer, Mark Hurley, Mike Bailey, Andrea Jacobs, Russel LaBeau, Johnathan Scheel, Creston Scheel, Elizabeth Kennedy, Mitch Brown, Carlin Smith, Dana Herman, Sheldon Buckmaster, Karla Buckmaster, Ethel Larson

Pledge of Allegiance

Approval of Minutes: Regular meeting of Feb 2, 2022, Special meetings of Feb 7 and 17, 2022.

Motion by Hoffman to approve the minutes as presented. 2nd by Golding.

Passed

Request from the Floor/Discussion:

Johnathan Scheel is a candidate running for state representative for the 107th district. He introduced himself and shared his history.

Carlin Smith introduced Andrea Jacobs, the new housing director serving Emmet County.

Karla Buckmaster noted that Emmet County has released a survey in regards to their \$6.4 million of ARPA funding. She feels the survey is faulty, as someone can take the survey as many times as they like, for any township they like, even if they do not live there. She feels some groups will abuse this and submit the survey many times for their cause. She spoke with the county about this and they feel content with the way the survey is now.

Approval of the Agenda

Unfinished Business

Roads

Keiser noted that he has not received our road estimates yet, but expects to receive them by the end of this month. Keiser will be meeting Brian Gutowski and the engineer for a site walk on Bellmer Rd on March 11th. Frost laws will go into effect next week and will last approximately 6 weeks.

Library Report

Golding gave a library report. The library approved the minutes and financials for January. The Friends of the Library had a minister speak on the history of the presbyterian church. There will be a used book sale this week. The director shared the township meeting dates if any board members wanted to attend. Val Meyerson will be going to each township to share the goals of the new year. The library board also discussed the possibility of a student trustee.

Division Road Ending

Keiser explained that the survey is not yet complete for the east side of the road.

Click Road Property

Keiser shared that we are currently working to get a design from the architect for this project. Last fall we put in trees and we will need to keep them watered. He shared a proposal from Dave Hoffman for \$2,880 to install a drip line to our trees that we planted last year. Last fall, we purchased two 250 gallon tanks to water the trees this summer. The proposal from Hoffman's includes 2 pumps to hook into the drip lines. In addition, we have reached an agreement with Great Lakes Energy for a temporary easement so we can get power out to the property for the spring. We will need to hire an electrician.

Motion by Hoffman to approve the proposal from Dave Hoffman for \$2,880 to install dripline and water pumps at the Click Rd property. 2nd by Radatovich.

Passed

Liquor License- Tribal Property

Mike Bailey explained that they are putting in a Buffalo Wild Wings and Detroit Style Pizza on the corner of Lears and 131. There will be two bars with one liquor license. Keiser noted that the township sent a letter to the liquor commission regarding this application, requesting that our liquor inspector may be allowed to inspect this property. In speaking with the tribe, they are okay with this condition.

Resolution by Golding that the application from PetoskeyOpCo, LLC for the following license: MCL 436.1531 (2), to be located at 1965 Waabizhiish Dr, Petoskey, MI 49770, is recommended for approval by the Michigan Liquor Control Commission, subject to the township's right to conduct periodic inspections of the licensed establishments. 2nd by Hoffman.

Roll Call: Golding, Hoffman, Keiser, Radatovich

Yes: Golding, Hoffman, Keiser, Radatovich

Absent: Urman

Passed

New Business

2022/2023 Budget- Adopt

Keiser shared that we will need to adopt the proposed 22/23 budget.

Motion by Radatovich to adopt the 2022/23 budget, which goes into effect April 1, 2022. 2nd by Golding.

Roll Call: Hoffman, Keiser, Radatovich, Golding

Yes: Hoffman, Keiser, Radatovich, Golding

Absent: Urman

Passed

Audit Proposal- Adam Caron

Keiser shared the proposal from Rasmussen Teller Caron to complete our audit for the next three years. The proposal includes the fire dept audit, which is split with Resort Twp. The proposal is as follows: Year end March 31, 2022 for a cost of \$17,600, year end March 31, 2023 for a cost of \$18,100, and year end March 31, 2024 for a cost of \$18,900.

Motion by Golding to approve the proposal from Rasmussen Teller Caron to complete the Bear Creek Township audit for year end March 31, 2022, 2023, and 2024 for the amounts of \$17,600, \$18,100, and \$18,900 respectively. 2nd by Radatovich.

Passed

Liquor License Request- M-119 Hwy

Keiser shared a new liquor license request for an existing restaurant located in the Clock Tower Plaza. Elizabeth Kennedy from Sazon Latin Cuisine noted that they are requesting a tavern license. They will be open seven days a week.

Resolution by Radatovich that the application from Leonard Rios Torres- KLS Foods Service LLC for the following license: MCL 436.1531 (3)- Tavern, to be located at 2264 Harbor-Petoskey Rd, Petoskey, MI 49770, is recommended for approval by the Michigan Liquor Control Commission. 2nd by Hoffman.

Roll Call: Keiser, Radatovich, Golding, Hoffman

Yes: Keiser, Radatovich, Golding, Hoffman

Absent: Urman

Passed

Spring Clean Up Vouchers

Keiser shared the letters and vouchers that will be going out at the end of March. We have been providing these vouchers for several years not and the price per voucher is the same as last year.

Motion by Radatovich to approve the spring clean up vouchers. 2nd by Golding.

Passed

Sewer Extension- Atkins Rd

Keiser noted that we have a potential housing development going in on Atkins Rd that is going to require a sewer extension. We currently have capacity at the plant, but a study will need to be completed to make sure that there is room in the pipes between Atkins Rd and the plant. In discussing with the city, it makes sense for the city and township to pay for this study, as it will involve more developments than just this one. The city's engineering firm, HRC, gave an estimate to do this for \$49,000, to be broken down as: \$31,250 to be paid by the city and \$17,750 to be paid by the township.

Motion by Hoffman to pay \$17,750 for a sewer study to be completed by HRC for the City of Petoskey and Bear Creek Township. 2nd by Golding.

Passed

Sewer Lift Station #2- Upgrade

Keiser noted that lift station #2 is located on Hiawatha Trl and is a main lift station for the north service area. We have a few options as proposed to us by Gosling Czubak to upgrade this station.

Mark Hurley from Gosling Czubak explained that he designed station #2 in 2009. It was designed to pump to the old Petoskey plant, and a few years later, they put in a force main to send it to Harbor Springs. When it was originally designed, it was intended to pump 320 gallons/minute. After the force main was installed, it now pumps 500 gallons/minute. Over the years, this station has had pumping issues due to infiltration and inflow (there is a tributary that drains to it). There are times when the authority has to come out and help pump this station while it is pumping. Based on their testing, Gosling Czubak is proposing two options to upgrade this station. Option one is to upgrade the motors, drive and control panel, but to leave the current pumps in place. That solution was estimated to cost approximately \$130,000 this fall, but the cost is estimated to be up 30%. The second option is to put in bigger pumps and motors, then to upgrade the control panel. However, because station one and two are on the same force main, if we were to pursue this option, we would also have to upgrade station one, which is currently pumping just fine. The recommendation of Gosling Czubak is to do option one, which will serve the township's needs, as long as we also address infiltration and inflow.

Keiser explained that this is an important upgrade, as the Manthei development will run through here as well as Hearthside Grove. He wants to address the infiltration and inflow, as we are paying for water to be treated that does not need to be. He asked how long it would take to address the priority #1 issues. Hurley noted that we could start on the priority #1 issues this summer. Many of the pipes can be relined. Keiser asked if we can get a new estimate for option one. Hurley will talk to a few contractors to get an estimate, and will also start preparing a plan to work on our infiltration issues.

Motion by Hoffman to request that Gosling Czubak pursue a quote to upgrade lift station two with option number one. 2nd by Golding.

Passed

Cleaning Contract- Parks

Radatovich explained that we received three quotes to clean our township parks. The first is from Cleaning Lady 49770, the second is from Gray's Cleaning Service, and the third is from The Happy Northerner Cleaning Service.

Motion by Radatovich to contract with Gray's Cleaning Service to clean the township parks. 2nd by Golding.

Passed

Planning/Zoning Report

Radatovich shared that the Planning Commission heard several cases this month. The first case, for O'Reilly Auto Parts, was postponed by the applicant and was not discussed. The second case, for Top of MI Trails Council, was approved. The third case, for Alexander Petoskey, LLC was approved. The site plan shows 9ft parking spaces and the Planning Commission recommended 9ft, 9.5ft and 10ft parking spaces. Keiser recommended that we take the 9ft out of the proposal, and request 9.5 and 10ft spaces. Tom Urman, trustee, is not present, but left his comments via email: he is not in favor of the proposed setbacks or three-story buildings. Hoffman does not want 9.5 or 9ft parking spaces, only 10ft. The fourth case, for Manthei Development Corp, was withdrawn.

Motion by Radatovich to approve the Planning Commission report, with the added condition that no 9ft parking spaces be allowed in the Alexander Petoskey, LLC project. 2nd by Golding.

Yes: Keiser, Radatovich, Golding

No: Hoffman

Absent: Urman

Passed

Fire Department Report- Report by Welsheimer

Welsheimer noted there were 3 EMS and 16 fire calls. They completed an ice rescue training in cooperation with the coast guard and it was very successful. There were 140 people who participated and it simulated a 40 victim plane crash. The dive team was involved and the helicopter pulled 2 people out as a demonstration. Additionally, the fire department started implementing fire inspections and pre-plans. So far, they have had a very positive response.

Parks and Recreation Report

There was no parks and recreation meeting this month.

Correspondence

Keiser noted that the only correspondence was the normal MTA information.

Clerk's Business/Bills- Report by Radatovich

Radatovich reported bills in the amount of \$198,590.32.

Motion by Radatovich to pay the bills in the amount of \$198,590.32. 2nd by Golding.

Passed

Radatovich noted that we have four budget amendments to make; one to the building department for \$3350, one to the fire fund for \$44,700, one to the library fund for \$11,000, and one to the sewer fund for \$9975.

Motion by Radatovich to amend the building dept budget in the amount of \$3,350, the fire fund budget for \$44,700, the library budget for \$11,000, and the sewer budget for \$9,975. 2nd by Golding.

Passed

Radatovich explained that we need to approve our employee wage adjustments for 22/23. The wage adjustments that we discussed at our budget meetings were as follows: Secretary: \$21/hr, Deputy Clerk: \$21/hr, Election Workers: \$17/hr, Deputy Treasurer: \$17/hr, Electrical Inspector: \$39/hr and \$39/inspection, Building Inspector: \$60,950 annually, Sewer Meter Reader: \$400/quarter, Blight Officer: \$20/hr, Liquor: \$3,500 annually, Assistant Secretary (Sally): \$18/hr, Per Diems: \$65 Board and Committee Members, \$75 Planning Commission Members, \$85 Chairpersons, \$100 Planning Commission Chairperson and \$110 Emmet County Zoning Administrator (Tammy), Fire Chief: \$80,000, Deputy Fire Chief: \$10,000, Firemen: \$19/hr

Motion by Radatovich to approve the presented wage increases: Secretary: \$21/hr, Deputy Clerk: \$21/hr, Election Workers: \$17/hr, Deputy Treasurer: \$17/hr, Electrical Inspector: \$39/hr and \$39/inspection, Building Inspector: \$60,950 annually, Sewer Meter Reader: \$400/quarter, Blight Officer: \$20/hr, Liquor: \$3,500 annually, Assistant Secretary (Sally): \$18/hr, Per Diems: \$65 Board and Committee Members, \$75 Planning Commission Members, \$85 Chairpersons, \$100 Planning Commission Chairperson and \$110 Emmet County Zoning Administrator (Tammy), Fire Chief: \$80,000, Deputy Fire Chief: \$10,000, Firemen: \$19/hr. These wage increases will go into effect April 1, 2022. Note: The Fire Chief, Deputy Fire Chief, and Firemen wage increases are on condition that the Resort Twp Board agrees to these wage increases. 2nd by Golding.

Passed

Radatovich noted that preparations for the May 3, 2022 election have begun. Absentee ballot applications have been sent out.

Treasurer's Report- Report by Golding

The Treasurer's Report shows a balance of \$10,070,145.83 as of 2/28/22. Tax collection ended on February 28, 2022 and Golding will balance with the county tomorrow.

Building Department Report

Golding gave out building dept reports through 2/28/22. Building department revenue is up this year.

Sewer Business/Bills

Keiser shared a sewer service permit application for 1922 Harbor-Petoskey Rd for 1 REU.

Motion by Radatovich to approve a sewer service permit application for 1922 Harbor-Petoskey Rd for 1 REU. 2nd by Golding. **Passed**

Keiser reported bills for the township sewer in the amount of \$69,289.44.

Motion by Keiser to pay the township sewer bills in the amount of \$69,289.44. 2nd by Radatovich. **Passed**

Request from the Floor/Discussion:

Johnathan Scheel suggested that the township use some ARPA funding to put in a sidewalk along Division and E Mitchell.

The board took a recess from 8:27-8:34.

Closed Session- Pending Litigation

Motion by Hoffman that the township board go into closed session to consult with its attorneys regarding trial or settlement strategy in connection with pending litigation in the Michigan Court of Claims involving the Marijuana Regulatory Agency (MRA), as discussion in open session would have a detrimental financial effect on the litigation or settlement position of the township [MCL 15.268 (e)] 2nd by Radatovich.

Roll Call: Hoffman, Keiser, Radatovich, Golding

Yes: Hoffman, Keiser, Radatovich, Golding

Absent: Urman

Time: 8:35

Passed

Motion by Radatovich to come out of closed session. 2nd by Hoffman.

Roll Call: Keiser, Radatovich, Golding, Hoffman

Yes: Keiser, Radatovich, Golding, Hoffman

Absent: Urman

Time: 8:56

Passed

Motion by Hoffman to authorize the township board to enter into an agreement with Fraser Consulting, LLC, to assist with concerns about proposed legislation relating to pending litigation against the Michigan Marijuana Regulatory Agency (MRA), and to authorize and direct the supervisor to sign the agreement on the township's behalf. 2nd by Radatovich. **Passed**

Other Business: None

Adjournment: 9:00p.m.

Respectfully submitted,

Emma Radatovich

Emma Radatovich, Bear Creek Township Clerk