

Lee Township
Regular Meeting Minutes
September 12, 2022

The Regular Meeting of the Lee Township Board was called to order at 7:30 pm at the Lee Township Hall located at 877 56th Street, Pullman, Michigan.

Members Present: Trustee Galdikas, Clerk Friel, Supervisor Owen, Trustee Hatfield, Treasurer Lowery.

Amendments: None.

Board Comments: Supervisor Owen thanked everyone for their attendance. He spoke of the September 11, 2001 tragedy's anniversary passing, asking that everyone honor the Nation and Never Forget. He made an update regarding the logs that were brought up at a past meeting, on 55th Street, stating that the land belongs to the DNR, and the logs have been sold. That they are working on getting them removed, which they have 2 years to do. They were asked to move them back from the road or remove them sooner than the allotted timeframe. He also gave an update on Paul DeWeerd, informing that he has been declared in total remission.

Treasurer Lowery reminded everyone that September 14 is the last day to pay taxes with no penalty. She stated that there will be no extension, and the fee is 1% interest per month, past the deadline.

Citizens Comment: Kris Lapoint spoke for her neighbors by the dam, with concerns of the dim lighting above the dam, asking that it be replaced for safety reasons.

Charlotte Goodell brought up concerns with the Special Event Ordinance, stating that she believes it violates the First Amendment. She had concerns regarding the availability and posting in the newspaper. She stated that she has concerns with Lisa's ability to vote on such ordinances, stating she believes it is a conflict of interest based on her owning an event space.

Angel Jacobsen spoke regarding section 4 item 4 on the Special Event Ordinance, regarding Private Property/ For Profit not qualifying for exemptions. She also spoke regarding recent overdoses that happened at the Osterhaut Lake Public Access, asking that something be done about the issue.

Guest Speaker: Beautify Pullman presented. BP President, Debbie Laraway gave an update on the Town Square project at the intersection of 56th Street and 109th Avenue in town. She expressed gratitude for all who have volunteered their time to help make the park a reality. She informed that Beautify Pullman owns the property, that it is a private park for the public, and BP will organize all maintenance. She expressed that all funds for the project have come from grants and donations, and has cost the township nothing. She informed that they are currently holding a survey regarding how residents see the park being used. She also informed that Shirley Kay was unable to attend the meeting due to her son being very sick, asking anyone who prays to include Shirley and her family in their prayers.

Marlana Garcia, a BP Director, updated that children were the main thought when planning for the park began, stating that their intention was to provide a safe place for play, and explained the different features at the park, allowing for a fun, safe place for children to enjoy in Pullman.

Kris Lapoint, a BP Director, broke down the different safety features within the park. She stated that the 4 gates will be locked when the park is closed (at dusk), and signs will be posted specifying expectations for use of the park. She informed that parking will be available for 40 vehicles, including spaces along 109th Avenue and a house located behind the park, and overflow parking will be available at PHP. She stated that the designated parking spaces have not been marked yet. She continued that the park is well lit, has 24/7 security cameras and that all structures have been built beyond requirements for ensured safety. She expressed that the park has many wheelchair accessibilities, stating that everything was very well thought out and planned for with care for the community. She answered questions from residents, informing that the planned Oktoberfest event will be held on Saturday, October 1st. She further clarified that Beautify Pullman owns the park privately as a Private Non-Profit Organization, and is completely separate from the Township and Township Board. She detailed that there may be a fee to hold events at the park, but for anyone who is unable to cover the fee, volunteer opportunities would cover the fee as

well. Continuing to answer questions, she informed that there is no drinking water or bathrooms at the park currently, as they were not planned, and that they plan to rent porta-potties for upcoming events. She stated that the water they currently use for plants comes from an adjacent property.

Patricia Conway, BP Treasurer, spoke about the survey they are currently holding, stating that they brought copies to the meeting. She addressed residents' questions, including what could be held at the park regarding the difference in a church gathering and a political gathering, stating that churches are welcome to reserve the park, but political gatherings will not be allowed. Regarding a question asked on use of the park when it is reserved for a rental, she stated that the park will be closed for private events, and the times will be posted. She included that a rental may be for just one area in the park, which would allow other areas to still be available for public use. She answered a question regarding Special Event Ordinance Permit, stating that she was unsure how it would go for people requesting to rent the area for an event hosting more than 100 people, reiterating that Beautify Pullman is not affiliated with the Township Board.

Supervisor Owen stated that the board appreciates the hard work that Beautify Pullman has put into the Town Square, that is looks great, thanking them for their efforts and for the update. He announced that anyone with further questions for Beautify Pullman can contact Debbie Laraway.

Approval of Regular Board Minutes:

A motion was made by Owen and seconded by Lowery to approve the minutes from the regular board meeting dated August 8, 2022. All voted: "Aye." Motion carried.

Approval of Special Board Meeting Minutes None.

Treasurer's report: The treasurer's report was read by Treasurer Lowery.

A motion was made by Galdikas and seconded by Hatfield to receive the Treasurer's report. Roll call vote was taken: Yes –Hatfield, Galdikas, Lowery, Friel, Owen. Motion carried.

Commissioners Report: None.

Deputy Report: Deputy Hoover reported in the absence of Deputy Jackson, that for the month of August there were 170 calls, including 6 breaking and entering, 7 larceny and 2 destruction of property calls. He answered residents' questions, including if anything more could be done to slow traffic at the intersection in town, with the new park opening soon, to which residents were encouraged to contact the Allegan County Road Commission to voice concerns. Supervisor Owen informed that Lee Township does have a full-time deputy who covers 40 hours per week at optimal times. Continuing that the deputy is dedicated to Lee Township, but also answers to calls where he is needed, stating that the deputy is contracted through the Allegan County Sheriff's Department. The Township pays 75% of the salary and fees to dedicate the position to Lee Township, while also allowing for help throughout the County.

A resident voiced concern regarding having been broken into several times, and different officers reporting to their calls. She stated that each time a new officer came, they had no idea that this is a recurring issue, they do not take fingerprints, and do not seem to take their concerns seriously. Deputy Hoover stated that he would be happy to help work out the details with the local officers.

Supervisor Owen called a point of order, asking that the resident bring their concerns with the police department to Allegan County.

Citizen Terry Amos spoke in support for the local Deputies, informing that their recent issue was handled by more than helpful local and state officers who communicated with each other and them during and after the issue. They were grateful for the service.

In response to a question regarding who to call for loose livestock, Deputy Hoover asked that residents call central dispatch on the non- emergency line.

Fire Department/ EMS Report: Assistant Chief Kasinger reported in the Chief's absence, that for the month of August, there were 69 calls, including 1 building fire assist, 2 medical assists, 6 motor vehicle accidents, 3 power lines down, 1 vehicle fire, 2 fire alarms, 2 cancel/disregards and 52 medical calls. EMS training was on equipment location. Fire training was done with different crews working on different training drills, extrication, aerial ladder setup and use, hose lays and hose deployment.

She updated that the jaws of life upgrade on truck 55 will be done at the end of September, allowing deployment of the jaws without having to remove the hydraulic powerpack, while still allow the ability to do so if needed. She continued that the fire truck trade with Fennville has initiated.

She asked that the board approve up to \$800.00 be spent for upcoming Fire Prevention Month, in October, for kids at Pullman School, homeschool kids and Migrant Head Start kids.

Code Official Report: Supervisor Owen reported in the absence of Ben Hustafa, Code Official, for the month of August there were 23 open complaints (14 single family residence [SFR], 9 Blight), 1 new blight complaint logged, 2 initial/warning letters issued for blight, 4 verbal warnings issued (1 SFR, 3 blight), and 0 official citations issued. He included that 2 blight violations were resolved during August.

Assessor's Report: Supervisor Owen reported in the absence of Assessor Kyle Harris, that Kyle continues to answer calls and emails and work on transfers.

Ambulance Reports: Trustee Galdikas had no report, but informed that the next meeting will be held on the 2nd Thursday in October.

Building Inspector's Report: Supervisor Owen reported in the month of August there were 9 electrical permits, 1 plumbing permit, 4 mechanical permits and 7 building permits, bringing in a total of \$882,100.00 in improvements to Lee Township.

Cemetery Report: None. The board is looking for a volunteer to fill the vacancy of Cemetery Chair.

Library Report: Clerk Friel reported based on submission from Debbie Laraway with a thank you to a private donor for a replacement door for the library. Informing that it will be replaced this week with a steel door. She informed that Robert and Nicole DuShane will be heading up a book sale at the Oktoberfest's daytime activities at the Town Square, expressing appreciation for their dedication.

Transfer Station Report: Treasurer Lowery reported that for the month of August, the Transfer Station collected \$1,155.00 and 110 tickets.

Trustee Galdikas reminded that the last Free Dump Days will be held on the upcoming weekend, September 17-18, encouraging everyone to take advantage of the opportunity. She prompted that if the gates are closed at any point, that means that all dumpsters are full. She updated that the annual tire collection event was held the previous weekend getting rid of 1000 tires, and that going forward tires will be accepted for a fee.

Lake Board: Supervisor Owen reported based on submission from Dick Palmby that the recent meeting made great progress, and the next meeting will be held Wednesday, October 5, 2022 at the Township Hall.

Newsletter Report: Trustee Galdikas reported that the next newsletter will come out in November, and if anyone wishes to make a submission to be included in the newsletter, to please contact her.

Holiday Committee Report: Trustee Galdikas updated that the Holiday Social will be held the first Saturday in December, on December 3rd, at the Linking Center. She informed that Consumers Energy will be removing power poles in town, stating that the brackets for banners have been removed, but they were unable to reach the flags with their tractor's lift. She notified the VFW so they can make arrangements for the flags to be removed before the poles come down.

Pullman Pride Report: Trustee Galdikas informed that scholarship information will go to the schools before winter break with a deadline for submission of April 15, 2023.

Road Committee Report: None.

UNFINISHED BUSINESS: None.

NEW BUSINESS:

Lake Board Nominee: Supervisor Owen informed that the Lake Board recommended John Van Gessel, as he is interested and is a lake property owner.

A motion was made by Owen and seconded by Galdikas to approve to appoint John Van Gessel as Lake Board Representative. All voted: "Aye." Motion carried.

Surety Bond/State Application Fee: Supervisor Owen stated that in order for the Transfer Station to hold over 500 tires, the Township needed to secure a Surety Bond, or be fined. He stated that the Surety Bond is needed to continue to accept tires throughout the year, and the cost for the bond would be \$250.00 annually.

A motion was made by Owen and seconded by Lowery to approve the annual fee for the Surety Bond. Roll call vote was taken: Yes –Galdikas, Lowery, Friel, Hatfield, Owen. Motion carried.

Special Event Waiver: Beautify Pullman submitted a request to the board to receive a waiver allowing them to forego the application process for the Special Event Ordinance for their upcoming Oktoberfest event on October 1, 2022. Supervisor Owen stated that as they had indicated in their emailed request, they do not expect more than 100 people to attend, they would not need to apply for an application and therefore a waiver was unnecessary.

Preston Davis read a statement on behalf of BP regarding the waiver request submitted by BP. He asked about the approval/denial process for waiver applications and noted a waiver for a previous BP event. He continued that he feels that the ordinance intentions affect the whole township, and infringes residents' ability to hold celebrations, stating that he believes the ordinance will force BP to charge a fee for events, which they do not wish to do. He asked if any violations had been handed out for any recent events that did not follow the ordinance requirements. He stated that he felt that the ordinance affects what residents can do on private property, and that it is "back door zoning" in our un-zoned community. He finished by pointing out that the ordinance is long and confusing, and that residents do not understand what it states and what a violation would be.

Supervisor Owen responded stating that the ordinance is in place for the safety and welfare of the residents in the township. In response to a question regarding what events have resulted in complaints being called in, he stated that complaints have been sent to him regarding the rodeo and Peace Festival. Charlotte Goodell asked how the board could be affected if she were sued for an issue at an event that was held on her property?

Khris Lapoint stated her concerns on limiting events to 4 events per year, as it is unknown how many people will want to hold events.

Supervisor Owen explained that BP had never explained their intentions of the new park to the board. To which Patty Conway stated that the board had not asked.

Ben Lewis asked if someone were to apply for a permit with the board, does the Supervisor have the final say, to which Supervisor Owen said "no." He asked what a "special event" is. He continued that in the past he had been told the Township Board does not have jurisdiction at private property (referring to a request to have the township set up an office within a unit at Mystic View Apartments), so why can the board now determine what can be held on his property.

Supervisor Owen clarified that the conversation being referenced specified that the Board cannot require Mystic View to clear out an apartment to host an officer. He reiterated that the ordinance is in place for the safety and welfare of the residents. In regards to concerns about the rodeo, he stated that they are a private entity, and are willing to comply with the ordinance.

A representative from the rodeo backed that up stating they have no complaint about the ordinance. They hold the rodeo to make people happy, and want to keep people safe. In response to what their feelings were regarding the insurance requirements, he stated that they have no problem with it.

A Deputy offered that violators of the ordinance would not result in an arrest, but in a citation, with a fee. Kris Lapoint asked why the noise/disorderly violations are not enforced.

To which Supervisor Owen stated citations for noise violations have been served. Clarifying that the Noise Ordinance goes into effect at 10:00 pm. He stated no ordinances have not been implemented or designed for BP in any way, stating that the Special Event Ordinance had been in the works for a long time, well before BP was around.

Patty Conway explained that she feels the wording is vague and unspecific in the ordinance, stating that 100 people is not clear if should be in total throughout the entire event, or at one time. Kris Lapoint stated that BP does wish to receive a waiver for the upcoming Oktoberfest. Trustee Galdikas stated that nobody on the board will be going to count heads at their event, reiterating that if they feel there will be fewer than 100 people at the event, a waiver is not necessary. Supervisor Owen asked about the event, and what it will entail, including if there will be a band? Patty Conway explained that the occasion will be a 2-part event, with daytime activities for kids, and an evening event that is admission by ticket sales only, so they know it will have fewer than 100 people and will have music. Trustee Galdikas simplified that the ordinance and implementation is a work in process, and that the board would like to work together with BP toward their common goals of bettering our community. A waiver was not granted as with fewer than 100 people planned for attendance, the event does not meet the requirements specified under the Special Event Ordinance.

Fire Prevention: Assistant Chief Kasinger requested that the board allow spending of up to \$800.00 for supplies during the upcoming Fire Prevention Month.

A motion was made by Owen and seconded by Galdikas to approve the expenditure not to exceed \$800.00 by the Lee Township Fire Department for Fire Prevention supplies. Yes –Galdikas, Hatfield, Friel, Lowery, Owen. Motion carried.

AMENDMENTS:

Payment of the Bills: Presented by Clerk Friel, including 2 late submission bills, including a bill from the Lake Board, totaling \$8,070.00, and the bill for First Responders' Life EMT bill of \$3,636.98.

A motion was made by Galdikas and seconded by Hatfield to approve the payment of the bills as presented, with 2 additions, for a total of \$83,820.44, as presented by Clerk Friel. Yes –Lowery, Galdikas, Hatfield, Owen, Friel. Motion carried.

Correspondence: None

A motion was made by Owen and seconded by Hatfield to adjourn the meeting. All voted: "Aye." Motion carried.

Meeting adjourned at 8:55 pm.
Minutes submitted by: Heather Friel, Clerk