

**FRUITLAND TOWNSHIP
WORK SESSION
JULY 13, 2020 MINUTES**

PRESENT: Trustee Hampel, Trustee Bard, Trustee Holman, Treasurer Pachman, Trustee Cisneros, Clerk Rillema and Supervisor Jeske

ALSO PRESENT: Attorney Kevin Even and (6) six interested parties

CALL TO ORDER: Supervisor Jeske called the July 13, 2020 Work Session of the Township of Fruitland Board to order at 10:00 AM at the township hall and led the pledge of allegiance.

AGENDA: Motion by Trustee Holman, second by Trustee Cisneros, **ADOPTED** to amend the July 13, 2020 work session by adding under New Business – Foreclosed Property and P&R Master Plan.
Upon Voice Vote: 7 AYES - motion carried

PUBLIC COMMENT: There was no public comment.

ANNOUNCEMENTS/COMMUNICATIONS: White Lake Community Library Director Virginia DeMumbrum and Township Representative Brenda Pawl were in attendance and provided the financial statements for the library for the year ending December 31, 2019 which will be placed on file. Both spoke about library usage and provided a fact sheet on the upcoming ballot proposal in August.

UNFINISHED BUSINESS:

1. Lakeshore Parking Lot Maintenance Estimates – Supervisor Jeske secured quotes from Lakeshore Parking Lot Maintenance for the Fruitland Township Hall parking lot for sealcoating and repainting of lines in the amount of \$2,178.00 and for the White River Light Station for repainting of lines in parking lot in the amount of \$250.00. A quote in the amount of \$392.56 from Bush Concrete for six replacement bumpers blocks at the WRLS was also received. All items were included in the 2020-21 budget.
2. Parks & Recreation Parks Dedication – Attorney Even prepared the resolution for dedicating Duck Lake Road Park, Marcus Park and Nestrom Park to the Parks & Recreation Commission per the surveys completed by Westshore Engineering. A comment by Attorney Even regarding P&R acting as a Township Recreation Board was explained by MCL 41.26a which states: A township park commission shall have authority to **acquire, maintain, manage, and control** township parks and places of recreation, including bathing beaches, and shall have authority, in the name of the township, to condemn land for those purposes, in accordance with the condemnation laws of this state. MCL 41.426a also gives the power to a township board to authorize a township park commission to act as the township recreation board provided by Act No. 156 of the Public Acts of 1917, being sections 123.51 to 123.54 of the Michigan Compiled Laws. Attorney Even didn't know if the township board ever authorized the park commission to act as the township recreation board. If that has never happened then the park commission has no such authority. The powers of a township to act as a recreation board include the power to operate a system of public recreation and playgrounds; acquire, equip and maintain land, buildings or other recreational facilities; employ a superintendent of recreation and assistants; vote and expend funds for the operation of such system.
3. Draft Nature Preservation Ordinance – Attorney Even prepared a draft Nature Preservation Ordinance which needs additional language in many areas. The board tasked Clerk Rillema to re-

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ignite the Duck Creek Natural Area subcommittee for their input. The Parks & Recreation Commission wrote a letter dated June 10, 2020 requesting the Board present any potential plans for Duck Lake Road Park. The board took no action as the Duck Creek Natural Area does not include the Duck Lake Road Park in its proposed Phase enhancements. Trustee Hampel handed out a background of the Friends of Fruitland Township Trails vision.

4. Draft Firearms Ordinance – Attorney Even prepared a draft Firearms Ordinance which stemmed from the June 8 work session. Discussion about enforcement of such an ordinance and concern on placing more restrictions on resident’s property was expressed by several board members. Continued discussion would take place at the regular meeting.

NEW BUSINESS –

1. Lakewood Property Offer – Robert & Cheri Hentschel – Supervisor Jeske received an email from Mr. and Mrs. Hentschel with an offer to purchase Lakewood Lots – 61-06-404-066-0001-00, 61-06-404-066-0013-00, 61-06-404-065-0047-00, 61-06-404-065-0007-00, 61-06-404-065-0031-00 and 61-06-404-065-0028-00 at a cost of \$4,000.00 – approximately 1.609 acres. Consensus of the board was to approve with the purchaser responsible for all costs involved (survey, closing costs, filing costs).
2. First Quarter 2020-21 Budget Amendments – Clerk Rillema prepared the listing of first quarter budget amendments.
3. Solid Waste Disposal Proposals – Supervisor Jeske received quotes from current vendor MCK and Republic Services for waste hauling from our transfer station. Republic Services was the lower quote but the board tasked Supervisor Jeske to follow up about potential fuel recovery charges from Republic Services.
4. Parks & Recreation Budget Reallocations – A request from the Parks & Recreation Commission to reallocate funds was received to enhance the proposed playground equipment. Their request included moving \$250.00 for cistern improvement (lumber on hand was used to complete), \$700.00 for tennis court repair (vendor did repairs at no cost), \$3,000.00 from Sports-n-Shorts (cancelled COVID-19), \$5,000.00 from disc golf equipment sale, \$5,838.00 from fund 160 for 2019-20 rollover (not available as it was already budgeted toward play equipment purchase), \$50.00 from interest (hasn’t been earned yet) and \$900 from Township Park Pavilion Rental Fee (only have taken in \$300.00 this current year).

Motion by Trustee Holman, second by Clerk Rillema, **ADOPTED**, to unsuspend for comments by P&R Commissioner Murray to discuss playground equipment options.

Upon Voice Vote: 7 AYES - motion carried

Commissioner Murray shared with the board several options and quotes for playground equipment that the P&R Commission was considering. Conversations amongst Commissioner Murray and Board members regarding cost and community build program was discussed.

Motion by Clerk Rillema, second by Trustee Hampel, **ADOPTED**, to suspend open floor comments.

Upon Voice Vote: 7 AYES - motion carried

Consensus of the board was to okay the reallocation of the \$250.00, \$700.00 and \$3,000.00. Those three items will be added to the first quarter 2020-21 budget amendments. Trustee Bard inquired about why once an amount is okayed for P&R why we have to have budget amendments. Both

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Attorney Even and Clerk Rillema explained the township park commission shall submit to the township board a detailed budget **covering the cost of maintenance** of the township parks and places of recreation of the township for the current year

5. Draft Article R21 – P&R Revised Ordinance – Amendments and or changes are being recommended by the Parks & Recreation to Article R21 – Nestrom Road Park, Marcus Park and Duck Lake Road Park Ordinance. The board reviewed and discussed the amendments and struck those that they felt were unenforceable.
6. Trail Approval – Phase I and Entrance Sign – Duck Lake Natural Area – A request from the Friends of the Fruitland Trails to start Phase I – trail cleanup on the Duck Lake Natural Area was received along with placement of the Entrance Sign – Duck Lake Natural Area.

Motion by Trustee Holman, second by Trustee Cisneros, **ADOPTED**, to unsuspend for open floor comments from audience member Dave Rice.

Upon Voice Vote: 7 AYES - motion carried

Dave Rice of the Friends of the Fruitland Trails explained Phase I that would have involved mostly just removing brush with some small removal of branches/limbs from the existing trails that have been marked out on township property under the jurisdiction of the township board. The sign will be placed near the trail entrance off the parking lot once completed.

Motion by Trustee Hampel, second by Clerk Rillema, **ADOPTED**, to suspend from open floor comments.

Upon Voice Vote: 7 AYES - motion carried

Consensus of the board is to okay Phase I and allow entrance sign once the parking lot is completed to the east of the maintenance barn.

7. Foreclosed Property – Treasurer Pachman received the 2020 Foreclosure listing of 2017 and prior up for auction. At this time the board is not interested in obtaining any additional property.
8. Master Plan – Parks & Recreation Commission – Supervisor Jeske handed out the draft Master Plan of the Parks & Recreation Commission and tasked the board to review and be ready for discussion at the August work session.

BOARD COMMENTS/DISCUSSION: Clerk Rillema updated the board on the status of vouchers obtained by our senior residents. The program is successful and continued streamlining is taking place internally to streamline the order and pickup process. Clerk Rillema also shared the status of issued absentee ballots. Trustee Holman shared the survey that the Planning Commission is preparing for a township-wide mailing. They asked for our input on question #26 – What road improvements would you prefer to see happen first? The board changed the wording to: What recreational improvements would you like to see happen? Trustee Holman also stated that the officers of the Planning Commission were voted as: Chairman Roesler, Vice Chairman Warner and Secretary John Gloster. Supervisor Jeske stated that a music video production was going to take place by American Idol contestant Francisco Martin the week of July 27th at the White Lake Drive road end. She also stated that Michigan Adventure was going to be reopening July 16th for the waterpark only. Supervisor Jeske also stated that now that Buzz's Lakeside Inn has been sold the agreement between the MCRC and LSI for road encroachment would be dissolved and additional parking should become available on the east side of Scenic Drive near the road end. She has been in communication with Attorney Even and MRCR Engineer Paul Bouwman. Clerk Rillema also questioned an item in the P&R Commission minutes about payment for removal of cement pads at Nestrom Park with

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donation payment going to the company removing. Attorney Even stated that a volunteer waiver should be signed before removal is performed. She also inquired about the potential for the basketball net and frame being placed at Nestrom Park instead of selling.

Motion by Trustee Bard, second by Trustee Holman, ***ADOPTED***, to adjourn the July 13, 2020 Work Session at 11:55 AM.

Upon Voice Vote: 7 AYES - motion carried

Respectfully Submitted,

Karolyn Rillema, Clerk
Township of Fruitland