**Green Lake Township Special Board Meeting**

**Minutes**

**March 5,2024**

**CALL TO ORDER**: Called to order at 5:00 p.m. by Supervisor Radtke.

**ROLL CALL**: Radtke, West, Kramer, Marek, Bieganowski, McDonald. Biondo absent and excused. Also present, Recording Secretary Mary Jo Barck.

Radtke reminded the audience to turn cellphones to vibrate or mute.

**PLEDGE**: Was recited.

**APPROVAL OF AGENDA**:

Radtke asked for a motion to amend the agenda to exclude; ARPA Funds: Road Work Camp Saki & Memorial Park. Radtke is working with Grand Traverse County for alternative financial options. Motion by ~~McDonald~~ Marek, supported by McDonald to approve the agenda with the removal of ARPA Funds: Road Work Camp Saki and Memorial Park. Motion carried unanimously, voice vote, 6-0.

**PUBLIC COMMENT:**

Scot Richards 11802 Fredmar

5:00 p.m. is not a good time for meetings. He has left petitions on the back table.

Tim Kramer 10793 White Pine

Mr. Kramer stated the draft nuisance ordinance here tonight took a lot of time to draft but is not that different than the current ordinance. The junk problems go way back, and he cannot understand how Township officials drive by Scott Griner’s every day and are not bothered by it. Mr. Kramer understands there needs to be give and take but there has been nothing done with the existing ordinance since Rita signed the original junk ordinance on April 27, 2005.

Calvin Wilson 8832 South Road

Mr. Wilson thanked ZA for job done. Power goes to peoples’ heads, and they abuse it. Agrees Farmers should be exempt.

Heather Lee 9649 First Street

Talked to township officials about Griner’s and was told it was grandfathered in. How can you hold businesses and residences accountable if it is grandfathering for everyone? Everyone has a different opinion of junk.

Steve Moore 2120 Gonder Road

Been in the township 48 years, this is a little over the top. Should get a vote by the public. Not enough people know these meetings exist.

**NEW BUSINESS:**

**Nuisance Ordinance.**

Radtke shared with the audience that this ordinance has been under review since September 2023. The current ordinance was drafted in 2005 and includes that the Sheriff or Deputy are enforcement officers – they are not.

Marek noted the proposed ordinance is a boilerplate draft. Two minor changes will serve the township well into the future. Motion by Marek, supported by Kramer to amend Nuisance Ordinance presented. Discussion follows.

Radtke has spoken with the attorney who drafted the proposed ordinance, and it was determined the existing ordinance only needs areas clarification, including who is the enforcement officer.

The definitions are too deep, Radtke added.

Radtke addressed a public comment on grandfathering. A Police Power Ordinance, PPO, does not have a grandfathering clause. Under the Right to Farm Act, agricultural use is exempt. Bieganowski said junk is not part of Right to Farm. Radtke disagrees. Bieganowski said after 20 years of enforcement, with limited resources, were only able to clean up 3-4 properties per year – big jobs. He added the changes to the definitions are fixing a problem that does not exist.

We do not need to change a lot, except the enforcement issue. Bieganowksi said Public Health, Safety and Welfare need to be in the ordinance. Marek said we have cleaned five properties and placed a tax lien on several parcels for township reimbursement.

Marek rescinded his motion.

Kramer said we need to change the title from Nuisance to Junk, adding we have been able to work with the current ordinance and the proposed is too onerous. Bieganowski said junk needs to change to nuisance in the current ordinance for State statute cites nuisance. West commented that the current ordinance is a Junk Ordinance. What problem does this not cover?

Bieganowski said there needs to be minor changes in substance of the existing ordinance, abatement language in the new draft is good. Expressly sets forth abatement. Item 7 defines where we can charge a person in this PPO. McDonald asked to change notice to Judgement of Violation.

Motion by Marek, supported by Kramer to amend the existing Junk Ordinance with the following changes and additions: Remove “Junk” from title and replace with “Nuisance”; add a pre-amble “Green Lake Township hereby ordains the following in accordance with MCL42.20; change Section 3 to state Green Lake Township Ordinance Enforcement Officer, **Green Lake** **Township Zoning Administrator** any appointee by the ~~Grene~~ Green Lake Township Board of Trustees; import Sections 9, 10 and 11 from draft ordinance received from attorney, numbering #9 as Section 6, #10 as Section 7 and #11 as Section 8.; exempt qualifying use by lawfully existing junk dealers, farm ops, repair openly active and engaged in making service operations to the public.

Radtke offered an open Public Comment Session to address concerns prior to Roll Call Vote.

Paul Johnson Peninsula Shores Drive

Licensing for garages, actively engaged and compliant – likes addition.

Greg Caskie 11711 US31

Appreciate carve-outs. He had to go to court to prove he is a farmer, which should not be a complicated process.

Tim Kramer 10793 White Pine

How can we address concerns?

Heather Lee 9649 First Street

Asked how clean-up money gets back to residents. Work with residents, $500 fine high.

Roll Call Vote: McDonald – yes, West – yes, Marek – yes, Bieganowski – yes, Kramer – yes, Radtke – yes. Motion Carried 6-0.

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

Motion by McDonald, supported by Kramer to adjourn the meeting at 5:56 p.m. **Roll Call Vote: Bieganowski – yes, West – yes, Marek – no, Kramer – yes, Radtke – yes. Motion Carried 5-1.**

Respectfully submitted,

Judith L. Kramer

Green Lake Township Clerk