

**MARION TOWNSHIP
BOARD OF TRUSTEES
REGULAR MEETING
MAY 8, 2025**

MEMBERS PRESENT: Scott Lloyd, Dan Lowe, Les Andersen, Tammy Beal, Jim Witkowski, and Sandy Donovan

MEMBERS ABSENT: Bill Fenton

OTHERS PRESENT: John Gormley, Attorney; Phil Westmoreland, Spicer

CALL TO ORDER

Tammy Beal called the meeting to order at 7:30 pm. The meeting is also available to attend online.

Sandy Donovan motioned to appoint Tammy Beal as the chairperson of this meeting in the supervisor's absence. Scott Lloyd seconded. **Motion carried.**

PLEDGE OF ALLEGIANCE

BOARD MEMBERS PRESENT

The board members introduced themselves.

CALL TO THE PUBLIC

No response.

APPROVAL OF AGENDA

Les Andersen motioned to approve the agenda as presented. Sandy Donovan seconded. **Motion carried.**

CONSENT AGENDA

Les Andersen motioned to approve the consent agenda. Scott Lloyd seconded. **Motion carried.**

PICKLEBALL COURT SITE PLAN UPDATE

Tammy Beal passed out photos of a pavilion built by the Boy Scouts at Challenger Elementary. She would like to do something similar for the pickleball courts, with cement, instead of the benches. This could be done next year.

Phil Westmoreland asked whether the township wants a vegetative buffer in the NE corner. The board decided to wait to see if noise is an issue.

Dan Lowe asked Phil Westmoreland if soil borings have been done; Phil said no. The design calls for a sand layer, an edge drain system, and aggregate base. Phil asked about the number of gates. The board agreed to add a gate in the middle of the four courts.

The bid opening will be July 1. No action required at this time.

DISCUSSION WITH ATTORNEY GORMLEY REGARDING ZONING ADMINISTRATOR'S INTERPRETATION OF ZONING ORDINANCE

This discussion will be general questions about the process, not specifically related to the recent ZBA case. John Gormley said a good comparison would be that the township board is a combination of legislative and executive branches, the supervisor is the executive branch, and the zoning administrator and the ZBA are the judicial branch. A challenge of the zoning administrator's interpretation goes to the ZBA, then to circuit court.

Jim Witkowski asked if the zoning administrator is given authority by the zoning ordinance or statute. John Gormley said Section 4.02 A of the zoning ordinance.

John Gormley said it's clear that there are some contradictions in the ordinance, and the ZBA is charged with harmonizing the ordinance. They need to be able to justify the decision that are made.

MAY 5, 2025 ZBA REPORT

Jim Witkowski reported that the ZBA met on May 5 to hear an appeal to the zoning administrator's interpretation of the ordinance. A motion was made to share the attorney's opinion letter with the township board members, and a motion to extend beyond the 60-day window to allow for additional information to be gathered.

CORRESPONDENCE & UPDATES

Les Anderson asked the attorney if he had reviewed the purchase agreement for the Lucy Road property; Mr. Gormley said no, but he will prior to the next meeting he attends.

Les Andersen asked whether there are rules regarding the board packets. John Gormley said no, but it is generally the clerk's duty. Tammy Beal said the packet is almost always available a week before the meeting, and is available online.

Les Andersen mentioned that the leasing agent for battery storage facilities is still in the area, specifically approaching properties between Pingree and Dutcher.

The shred event was held on May 3 and was busy the entire time.

A check was received from Miechels for \$528 from the large item collection event.

Dan Lowe asked when the new zoning administrator is starting; the answer is May 27.

CALL TO THE PUBLIC

Burce Powelson, 3466 Pingree, Planning Commission member, asked if the attorney would attend the next Planning Commission meeting on May 27 to discuss ordinance discrepancies. Mr. Gormley said he would be glad to attend a future meeting, but May 27 would be premature.

ADJOURNMENT

Les Andersen motioned to adjourn at 8:47 pm. Sandy Donovan seconded. **Motion carried.**

Submitted by: S. Longstreet

Tammy L. Beal, Township Clerk Date

William Fenton, Township Supervisor Date