

**CLARK TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
MARCH 17, 2021 8:00 AM**

Call to Order & Pledge of Allegiance: 8:03 AM

Roll Call: Present: Clymer, Fitzgerald, Rutledge, Schuster, Patton

Others Present: Paul Hitchens, Erin Evashevski, Clark Township Attorney (by phone St. Ignace), Luke Jaroche, Cal Burnside, Clark Township Code Enforcement Officer, Josh Salvador, Dave Murray, Deputy Supervisor, Illyene Pickles, Deputy Clerk.

Inquire if Public Comments are to Address Agenda Items: Paul Hitchens is concerned about voter fraud, and tiny houses. Dave Murray wants to discuss two (2) resolutions. Josh Salvador is here to discuss the possibility of opening a recreational marihuana facility.

Approval of Agenda:

Motion: Schuster made the motion to approve the Agenda as amended. Patton supported. All ayes. Motion carried.

Consent Agenda:

- Approve meeting minutes from February 17, 2021, February 24, 2021.
- Invoices General: \$38,629.55 and Sewer Fund: \$13,394.01
- Service Contracts: None
- Special Events: None
- Budget Amendments: Yes

Motion: Patton made the motion to approve the Consent Agenda. Fitzgerald supported. All ayes. Motion carried.

Correspondence:

- Covid-19 shots will be administered by War Memorial Hospital at Clark Township Community Center on March 25, 2021 for all residents 16 and older.
 - Rutledge received several letters of support. The first from Amy Polk, Elliott Nelson, and Mike Mahn on behalf of friends of the trails in support of the proposed Peek-A-Boo Trail.
- Five (5) EGLE Permits/Authorizations/Requests: Paula Chaffins, Charlie Henry, Mary Lou Hughes, Jeff Rogers, Steven Secor.

Old Business & Updates

New Business

1. DNR Grant Resolutions – Dave Murray presented two resolutions to the Board for approval. First the submission of an application entitled “Kayak Dock at the Cedarville Harbor” to the Recreation Passport Grant Program for development of an ADA accommodating kayak launch dock at the Cedarville public dock. Murray said this is a simple resolution. The amount is around \$44,000 and \$20,000 of that has already been raised. The match needed for this grant was approximately \$11,000. This is a small dock at the south end of the Cedarville Harbor. The company EZ Dock has put together a floating type of system that snaps together and has a cradle that the kayak will slide into. Murray said there was a public meeting last night with several positive comments regarding the kayak dock.

Motion: Patton made the motion to accept the resolution to apply for the Kayak Dock Grant for the Cedarville Harbor. Rutledge supported. Roll Call: Yes-Schuster, Rutledge, Fitzgerald, Patton, Clymer. Motion carried.

The second resolution is regarding the Peek-A-Boo Hill. Murray said this is a Trust Fund Grant for \$250,000 with a 25% match of \$62,500. Murray said on the resolution there is a list of individuals or groups that would provide matching funds. When the Peek-A-Boo Committee met earlier, were in discussions with Paul Gaberdeal who is a Department of Natural Resources trail specialist. Gaberdeal said the DNR would match \$35,000 towards our match. Murray said that he received an email from Gaberdeal that said the matching funds would be used to hire a consultant and would not be used for the construction. Murray said that he phrased the resolution that if the match were not met that the Township Board could pull back from the project. Murray said that the committee has until October 1, 2021 to get all pledges and letters of commitment for any of the funding to go forward. Murray said the committee has several letters in support for the Peek-A-Boo project. Murray received a phone call from a representative from UP SAIL (Superior Alliance for Independent Living) named Lucy Wilcox. UP SAIL provides consultation for projects like this for people who have handicaps or mobile limitations. UP SAIL is sending Murray a letter of support for this project. Rutledge asked if the Township would have to come up with the \$15,000. Rutledge said that the Township could put a grant into the Community Foundation for \$10,000 so the Township would only have to come up with \$5,000. Clymer asked if the Township has until October to not go ahead with the project if additional funding is not forthcoming. Schuster asked when the application for the grant is due. Murray said April 1, 2021. Murray said the process for this grant will be reviewed October 1, 2021 and if they accept it, they will recommend it to be funded. Murray said it might not be funded on October 1, 2021. The monies for the trust fund are through the legislative process. Murray said that it could take up to February to be approved for the grant. If the grant is accepted, it is suggested that the Township hire an engineer who would become our Project Manager. The engineer would be responsible for designing the course as well as gathering all the other necessary information proving this a viable trail before the project is approved. Murray said the Township would have to expend some funds to pay for the Project Engineer. The grant allows for 15% of the cost to go towards the engineer’s cost. Patton asked if the project is not approved then would the Township be out the money paid to the engineer. Clymer said that the engineer would be preapproved so the project could move forward. The Township would get reimbursed when the contract is in hand. Rutledge said the Township should move ahead, adding that we can always back away October 1, 2021 if funds were not matched.

Motion: Rutledge made the motion to approve the Resolution for the Peek-A-Boo Hill Project if all funds are appropriated by October 1, 2021. Patton supported. Roll Call: Yes-Clymer, Patton, Schuster, Fitzgerald, Rutledge. Motion carried.

2. Planning Commission recommendation to adopt Short-Term Rental Regulatory Ordinance – Erin Evashevski, the Township Attorney, met with the Planning Commission last week. The Planning Commission asked Evashevski to draft an ordinance to amend the Zoning Ordinance to reflect Short-Term Rental's under a Special Use Permit. Evashevski recommended the Township do a regulatory ordinance and process the permits at the Township level. Evashevski has drafted a zoning amendment and a short-term ordinance. Evashevski asked if the board read her suggestions. Clymer said that Murray sent the confidential suggestion letter to all the Board Member's for review. Fitzgerald said she just received the information and would like to review before making a decision. Clymer said that there are concerns about overburdening easements. Clymer suggested tabling this item until board members can review the documents. Cal Burnside said that there are concerns about accessibility of emergency vehicles reaching some properties. Rutledge said that is important to review the letter from Ken Waybrant, Clark Township Building and Zoning Officer, regarding his concerns on Short-Term Rentals.

Motion: Fitzgerald made the motion to table the vote on Erin Evashevski's draft of the Short-Term Rental ordinance. Rutledge supported. Motion carried.

3. Chloride bid approval from Wilkinson. Clymer said Wilkinson has been providing the Chloride for dust control for several years. Clymer said the only circumstance that changes every year is that Poglese Road runs the line between Clark Township and Marquette Township. The cost is paid for every other year by Clark Township. Schuster asked if the quote from Wilkinson is higher than last year. Patton said it is the same price as last year.

Motion: Patton made the motion to accept the bid from Wilkinson for .33 cents a gallon for Chloride. Schuster supported. Roll call: Yes – Fitzgerald, Clymer, Schuster, Patton, Rutledge. Motion carried.

Clymer said there are three (3) invoices from the Road Commission for the board's review. The first is \$10,000 for sand and gravel on State Street. The second is \$17,000 for over band crack sealing on St. Ignace Road, 3 Mile Road and State Street. The third is \$7,055 for over band crack sealing on Chard, Hill Crest, Blind Line, Grove, Nordquist (West), Nye (South M-134). Clymer said that Luke Jaroche is here to discuss the importance of maintaining the work that has already been done. Jaroche said that he recommends doing all the projects for the preservation of the roads. Jaroche said that the chip sealing is at half of the normal cost. These projects are also recommended by Dirk Heckman, the Road Commission Engineer. Jaroche said that these are all assessments by the engineer not opinions. Clymer said that Clark Township is not doing any paving projects this year.

Motion: Schuster made the motion to accept all projects as invoiced by the Mackinac County Road Commission. Rutledge supported.

Roll Call Yes – Clymer, Fitzgerald, Patton, Rutledge, Schuster. Motion carried.

Marihuana Retail Outlet – Clymer said that he gave the Board Members a copy of a business plan from Josh Salvador and a possible way to amend the recreational marihuana ordinance that would allow for a retail site in Clark Township. Clymer said that the Township will still leave the restrictions in the ordinance for the micro businesses. Clymer said one of the options is for Salvador to lease or purchase property at the industrial Park. Rutledge said that she received a 100-signature petition to allow on a retail Marihuana store in Clark Township. There was only one opposing resident and ten unsure residents. The remaining residents said yes to the store. Clymer said the share of revenue for each township that allows Marihuana sales was \$28,800 this year. Patton asked Salvador why he was not going to pursue a microbusiness. Salvador said that he wants to do a retail store not the growing aspect

of Marihuana. Patton asked what the process would be to get the Marihuana to his retail store. Salvador said that he would be using a licensed company to transport the Marihuana to his store location. Rutledge said that Clark Township originally decided to step back and observe their process and look at the pros and cons of a Marihuana Facility in this community. Clymer and Rutledge agreed its time to move forward on this matter. Clymer said the Board should look at Medical Marihuana as well as Recreational Marihuana since it has been drafted already. For the Medical Ordinance, the Board would have to approve it, have a public meeting, and publish it. For the amending of the Recreational Ordinance to add retail sales, the Board needs to make the amendment and post it. Fitzgerald asked how many locations would be allowed. Clymer said that he put two sites as a suggestion. The Board agreed that several locations would be enough for our area. Recreational Marihuana and Medical Marihuana can be sold at the same location but must be offered from different counters. Patton would like more time to read through the documentation before making a decision. Hitchens voiced concerns about forcing Medical Marihuana Retailers to purchase property for a store. Hitchens believes that the retailers should be allowed in town at store fronts. Clymer said there were public meetings held and the residents wanted some restrictions on locations. For instance, you cannot have a Marihuana Facility located within 1000 feet of a school and some residents wanted these types of businesses located North of M-134 with setbacks off the road.

Motion: Schuster made the motion to approve two (2) locations for Retail Marihuana in Clark Township. Fitzgerald supported. Roll Call Yes—Clymer, Schuster, Rutledge, Fitzgerald. No-Patton. Motion carried. No action taken on Medical Marihuana.

Treasurer's Report

General Fund: \$431,204.99

Sewer Fund: \$61,885.24

Fitzgerald said that Steve Kozma has approached her about fundraising for a skid pier at the Cedarville Harbor. Kozma said Clark Township could sell lifetime passes for the boat launch. Kozma suggested 25 annual passes for \$500 apiece. Kozma said that we could pass out placards for the individuals who purchased passes. Fitzgerald talked to Max Heil, the Harbormaster, and he thought it is a good idea. There are no rules for overnight parking at the Cedarville Harbor or the Hessel Marina as of now, but Clymer said that Fitzgerald and Heil will need to work out the details regarding this matter.

Supervisor's Report – The skid pier grant did not get funded this year. Only emergency projects were funded. Clymer is going to challenge this decision explaining that we have an emergency with our dock at Woodland Park and it needs to be replaced. Clymer said last year the Township was going to put up \$15,000 towards the grant. Schuster asked what the cost would be. Schuster said if it were in the budget, he would support this. Clymer said \$27,000 for two skid piers. Kozma is willing to fundraise for one skid pier. Clymer said that there is enough money for one skid pier which was supposed to be for the match on the original grant.

Motion: Patton made the motion for Kozma to fundraise and the Township to match \$15,000, if it is in the budget, for two new skid piers. Fitzgerald supported. Roll Call Yes-Schuster, Clymer, Rutledge, Patton. Motion carried.

Clymer said that Aldo Preserve Dock/Duck Bay needs work. Joanie from Flotation Docking Systems said that the trestle dock would be approximately \$30,000. Clymer is going to research more options. Patton asked about the docks that are sewer building. Clymer said the water is too shallow for that option.

Dubois Cooper has a control box that can monitor the sewer system. The protect plus units are \$620 apiece. Clymer said that Darryl Markstrom, a representative from Dubois Cooper, will bring a unit to the Township to utilize at no cost to the Township. Dubois Cooper has another monitor that \$1050 protect plus with a sensory advisor that has a remote feature. Fitzgerald asked how many we should get. Mark said possibly 50 units. This will give useful information regarding the sewer system. Clymer said Schuster can approach the Culinary School to inquire if they are interested in purchasing a \$1050 unit. Clymer said information is immediately available from the monitoring system if there is an issue.

Clymer met with Jason Dunn regarding the south side of the Cedarville Harbor needing cribbing. This will give more room in harbor area. Clymer said the Township should investigate getting a Waterways Grant for this project.

Rutledge said she would like to thank Les Cheneaux Distillers for donating tables and chairs from the old Bumpa's location that they are currently remodeling.

Committee/Commission Reports

Airport Committee- Did not meet.

Ambulance Corp- Report given.

Code Enforcement Officer-Report given.

Fire Dept – Report given. Neil Sage has volunteered to fundraise for a generator for the Fire/EMS building.

Heritage Park- Did not meet.

Hessel Harbor Committee- Did not meet.

Recreation Committee- Meeting March 24, 2021.

Planning Commission – Met with Erin Evashevski, the Township Attorney, regarding Short Term Rentals and the noise ordinance.

Sewer Advisory Board- Did not meet. Rutledge said the sewer bills went out yesterday.

Public Comments: Hitchens discussed his concerns about voter fraud. Hitchens does not want the Dominion Machines used in future elections. Hitchens voiced concerns regarding illegal activities due to the Mexican Border restrictions being lifted by President Biden.

Adjournment: 9:57 A.M.

Motion: Schuster made the motion to adjourn meeting. Rutledge supported.

Motion carried.