

**CLARK TOWNSHIP BOARD OF TRUSTEES
REGULAR MEETING
APRIL 21, 2021 8:00 AM**

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

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

Others Present: Lucas Day, St. Ignace News (by phone St. Ignace), Paul Hitchens, Erin Evashevski, Clark Township Attorney (by phone St. Ignace), Cal Burnside, Clark Township Code Enforcement Officer, Josh Salvador, Keith McGowan, Steve Honnila, Will Ross, Dave Murray, Deputy Supervisor, Illyene Pickles, Deputy Clerk.

Inquire if Public Comments are to Address Agenda Items: Paul Hitchens said that if the Township is addressing short-term rentals, they should also discuss tiny houses.

Approval of Agenda:

Motion: Fitzgerald made the motion to approve the Agenda as amended. Rutledge supported. All ayes. Motion carried.

Consent Agenda:

- Approve meeting minutes from March 17, 2021.
- Invoices General: \$9,092.37 and Sewer Fund: \$0.00
- Service Contracts: None
- Special Events: None
- Budget Amendments: Yes

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

Correspondence:

- Bryan La Fort sent a letter regarding the sewer bill increase and plows left on Clark Township vehicles when there was no plowable snow on the ground.
- Kurt and Leslie Bohn sent a thank you regarding the EMS and the excellent service they provide.
- Three (3) EGLE Permits/Authorizations/Requests: Paula Chaffins, Amy Donohue, Mary Lou Hughes.

Old Business & Updates

1. Short-term rental ordinance – Clymer said that there is a question about how to enforce this ordinance and if it will be a regulatory ordinance or a zoning ordinance. As a regulatory ordinance this would be a licensure, not a special land use permit. There will be a permit request form that an applicant can fill out that will need administrative review at the township level. The administrative review would be done in the supervisor's office and will include the zoning office. The decision can be

appealed to the township board by the applicant. Schuster asked if this is legal. Evashevski said that nothing has been passed at this point in Lansing. There has been a bill in the works for years, but no law is on the books yet. Clymer asked if the township needs to hold a public meeting before the vote on the ordinance can take place. Evashevski asked if there was a public meeting after the ordinance was presented. Clymer said no. Evashevski advised the board to have a public meeting before voting on the ordinance. Schuster said he would like to wait until after the public meeting to vote on the ordinance. Hitchens said that he did not see any ADA guidelines in the ordinance. Clymer said that is under the federal guidelines and the township does not enforce those.

New Business

1. Disturbing the Peace Ordinance - The Planning Commission submitted an amended ordinance for discussion and possible approval. Clymer said the original ordinance from 1986 was hard to enforce due to verbiage. The amended ordinance has a set quiet time between the hours of 10 PM until 7AM with a set decibel of 70 DBA. Any sound over 70 DBA during the townships quiet time is in violation of the ordinance and will result in a \$100 fine. Schuster asked if local bars have bands are they going to be over 70DBA? Rutledge asked if the ordinance would cover fireworks? Clymer said there is a state application that is filled out for special events like fireworks. Evashevski would like to review the ordinance and possibly make edits.

Motion: Fitzgerald made the motion to table the vote on the Planning Commission's draft of the Disturbing the Peace Ordinance. Schuster supported. Motion carried.

2. Medical Marihuana Ordinance – Clymer said the board discussed the ordinance last board meeting and have held public meetings regarding the ordinance. Clymer asked for a motion to approve the ordinance.

Motion: Rutledge made the motion to approve the Michigan Medical Marihuana Ordinance #P002019. Schuster supported. Roll Call Yes – Fitzgerald, Clymer, Schuster, Rutledge. Motion carried.

3. Electronic recycling grant – EGLE has grant funds available for individual municipalities can offer electronic recycling. Fitzgerald has reached out to a local recycler to get information regarding electronic recycling. Fitzgerald said that GFL will work with the township. Fitzgerald said the township should apply for the grant. Hitchens asked if recycling would include heavy metal. Fitzgerald said no, it is for recycling electronics only.

Motion: Schuster made the motion to apply for the electronic recycling grant. Fitzgerald supported. Motion carried.

4. New resolution for DNR Trust Fund Grant – Murray said the reason for the new resolution is there are two different forms, the first one that Murray brought to the board was to be used when the township was recommended for the grant. The new form is to show support to apply for the grant. Fitzgerald asked if we need to strike the previous motion. Clymer said from the board's standpoint, the previous motion will not affect the grant process. Murray said the only foreseeable change would be donation amounts.

Motion: Fitzgerald made the motion to approve the new resolution for the Clark Township Peek-A-Boo Hill Trail. Rutledge supported. Roll call Yes Rutledge, Clymer, Fitzgerald, Schuster. Motion carried.

5. Re-appointments to Planning Commission: RaeAnn Speidel – Hitchens said he thinks there is a conflict of interest on several Planning Commission Member's and Zoning Board Member's. Clymer said Michigan Law allows for persons with conflict of interest to be on boards and committees, they are not allowed to vote on any conflicting matters. Clymer said any conflict-of-interest matters should be noted at each meeting. Clymer said he will reach out to Leroy Pieri of the Planning Commission to discuss this matter.

Motion: Fitzgerald made the motion to reappoint RaeAnn Speidel to the Planning Commission. Rutledge supported. Motion carried.

6. New Ambulance – Clymer said Chris Burns from the Mackinac Economic Alliance will be at the township on Monday to discuss the American Rescue Plan. Clark Township should be getting \$200,000. The new ambulance could be paid for from these funds. The Federal Government has not set up the steps for applying for the American Rescue Plan yet. Clymer said the grant might be a better option than a millage for purchasing a new ambulance. Keith McGowan, the Ambulance Captain, has approached Rutledge about purchasing a new ambulance. The ambulance, Bravo 1, was purchased in 2007. McGowan said in the last five (5) years Bravo 1 has needed repairs and is concerned about safety issues. Will Ross said that this could become a liability issue if Bravo 1 broke down during a call. McGowan has contacted Emergency Vehicles Plus of Holland regarding purchasing a new ambulance. Emergency Vehicles Plus has a 2021 Ford 4X4 in stock for \$223,864.00 and will take Bravo 1 on a trade in for \$15,000. McGowan put together a packet for the board that includes information on upgrades and graphics. McGowan said that with the new graphics they are allowed up to \$6,000. The quote from Emergency Vehicle Plus is \$6,500 and the company will cover the remaining \$500. The graphic design the EMS are thinking of using are designed by Carl Terhaar of the Ambulance Corp and he is willing to let the EMS use it for free. Will Ross from the ambulance corps said Bravo 1 is a manual lift ambulance, the new ambulance has an option to purchase a power load system which would reduce the number of back injuries to EMS personnel. The ambulance can be leased or purchased outright. The quote that was presented has two options. The first is for a 2019 Ford F450 purchase price of \$180,448.00 with a 5 or 7 year pay off option. The second quote is for a 2021 Ford F450 purchase price \$238,864.00 with a payoff option of 5 or 7 years as well. Fitzgerald asked if the township is going to do a millage for the purchase of a new ambulance? Rutledge said if we are going to vote on a millage it will have to be done by early May. The verbiage into the county to get in on the August ballot. McGowan said he has presented the purchase of a new ambulance it could take up to 300 days just to get the chassis. It could take approximately 2 years before the ordered ambulance is delivered. Clymer asked if there is a way the township could secure the ambulance purchase with a down payment? McGowan said Scott from Emergency Vehicle Plus has marked the ambulance sold because he has worked with the township before on a fire truck purchase. Rutledge said she is hesitant to wait due to the fact of the liability of the aged ambulance. Clymer said that he will research to see if the township gets a millage can, we pay the ambulance off if we get grant monies. Clymer said then the township can possibly stop the millage. Fitzgerald asked what if the millage does not pass? Clymer said that the township could make a commitment to the manufacturer with an agreement if the millage does not pass the township could walk away from the purchase. Ross asked if the township is waiting until August to go ahead with the purchase? Clymer said technically the township would have to but that is why he is suggesting a down payment of \$5,000 to \$10,000 to get the purchase moving forward. Clymer said he is willing to talk to

the manufacturer regarding a down payment option. Clymer said the board could hold a special meeting after he has spoke with the manufacturer and has solid numbers. Hitchens said the township could go to local wealthy groups and ask for donations for a new ambulance in addition to the millage.

Motion: Rutledge made the motion to put a millage on the August ballot to purchase a new ambulance. Schuster supported. Roll Call -Yes Clymer, Fitzgerald, Rutledge, Schuster. Motion carried.

7. Foreclosed property – There is one property in foreclosure on East Griffin in Cedarville. Rutledge said the location is of no use for the township. Hitchens asked if we could sell the property to subsidize the ambulance? Clymer said the township would not be able to sell it for profit.

8. Special pricing on E-1, update unit \$22,500 – Jim Landreville, the DPW Supervisor, would like the township to purchase another 15 units before the special purchase price goes up May 31, 2021.

Motion: Fitzgerald made the motion to purchase 15 additional E-1 units for \$22,500. Schuster supported. Roll Call Yes-Schuster, Clymer, Rutledge, Fitzgerald. Motion carried.

9. EMC Insurance reimbursement on claim at Deloof corner- Clymer said the equipment breakdown on Deloof corner was caused by flushed rags in the sewer system. A crew had to travel from Wisconsin and arrived around 11:00 P.M. An insurance claim was filed with EMC, our insurance provider, which resulted in the township receiving \$14,002.38. Schuster asked if the \$14,002.38 goes back into the sewer fund. Rutledge said yes it does.

Treasurer's Report

General Fund: \$579,207.57

Sewer Fund: \$141,613.75

Fitzgerald said the board voted last board meeting on March 17th to match funds with Steve Kozma's fundraising efforts for 2 new skid piers. After further discussion with Max Heil, the Harbor Master, only one 1 skid pier was deemed necessary due to the limited space at the marina. Heil said the matched funds could be used for other needs at the marina. Fitzgerald said there is a small list that could be fulfilled with the matching funds.

Supervisor's Report – Clymer said there is a lot next to the Catholic Church the township has been trying to purchase. The Catholic Church has been unable to present a deed to the lot. Clymer said that the Catholic Church can do a quiet title suit with the township so the lot can be purchased.

Clymer said he is applying for a Fireboat Grant available from FEMA. Clymer said there is a Canadian company that can deliver a Fireboat cheaper than the company in Washington that he was previously working with. Jason Dunn has been fundraising for the match funds on this project. So far Dunn has raised over \$150,000. Clymer said if the grant falls through that the fireboat that Dunn has raised enough monies to possibly purchase the fireboat with cash.

Clymer has applied for several grants including the Peek-A-Boo Trail and a Kayak Dock. The match funds for these grants were raised privately.

The hangar lease at the airport for Bruce Johnson has been completed.

Clymer said that he is working on the next step on getting the state approved appraiser on the grant we have with the Michigan Natural Resources Trust Fund for the Hessel parking lot.

The Beautification Committee has approved a donation of \$2,000 for the Cedarville Harbor sign. The Beautification Committee is also donating \$1,000 for the stone pillars being built at the Cedarville Harbor.

Chris Burns from the Mackinac Economic Alliance will be at the township April 26th to discuss programs that are available from the county for economic development.

Clymer said Josh Salvador would like to acquire a lot at the airport industrial park. Clymer said if Salvador gets the lot on 3 Mile Road, the township will have to make arrangement for easement for the back lots. Clymer said the Michigan Economic Development Corporation State and Federal Department offered monies (2) two years ago to put in the infrastructure. The township will have to put up a match for this if we apply for the grant. Clymer said if Salvador purchases the lot he would be responsible for putting in the infrastructure. Salvador asked if the lots are going to be for sale or lease. Salvador said he would prefer to buy instead of leasing the lot. Clymer asked if any board members were against selling the lots. Schuster said he would prefer to sell instead of lease. Fitzgerald suggested meeting with Clark Township Assessor Sherry Burd on setting a price on the lot. Hitchens said since Donald Moore leased (2) two lots for \$1.00 and he suggests Salvador should get a lease for \$.50 for a lot for (10) ten years. Hitchens said that there is an easement at the property. Clymer said yes there is an easement, but the road is not paved. Clymer said if Salvador bought the lot, he would have to get the infrastructure in place for the business to open.

Committee/Commission Reports

Airport Committee- Did not meet.

Ambulance Corp- Report given.

Code Enforcement Officer-Report given.

Fire Dept – Report given.

Heritage Park- Met April 14th. There is a fundraiser May 20th at the Les Cheneaux Distillers to purchase the bathroom unit for the park. Fitzgerald said the Heritage Park Committee is going to send a letter to the Les Cheneaux Community Foundation requesting \$3,500 of available endowment funds for a new swing set. The current swing set does not meet ADA compliance. An additional piece of playground equipment must be relocated since it is located too close to the sidewalk.

Motion: Rutledge made the motion to approve the motion to apply for the funds to purchase new playground equipment and the necessary upgrades to be ADA compliant. Schuster supported. Motion carried.

Hessel Harbor Committee- Did not meet.

Recreation Committee- Meeting April 21st.

Planning Commission – Disturbing the peace.

Sewer Advisory Board- Did not meet.

Public Comments: Hitchens said if the board is going to discuss Short-Term Rentals, they need to discuss tiny houses. Paul discussed his concerns regarding where will the people that clean the Short-Term Rentals live. Hitchens said we need to look at the needs of everyone and he believes the Planning

Commission is discriminating. All lodging in this area is not affordable in our housing market for the people that would be cleaning the Short-Term Rentals. Fitzgerald said she is concerned if someone put in 100 tiny houses what would stop someone from using them for Short-Term Rentals? Hitchens said then maybe the township should not allow Short-Term Rentals. Clymer said there is a need for entry level housing.

Salvador asked what the difference in Short-Term Rentals and Motels are. Clymer said the difference is Short-Term Rentals are in residential areas and motels are zoned commercial. Burnside said Clark Township is not trying to eliminate Short-Term Rentals just regulate them. Clymer said all Short-Term Rentals are operating illegally, as the Zoning Ordinance requires a special land use permit for any commercial use. Clymer said he is going to research more on this before the next board meeting.

Adjournment: 10:10 A.M.

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