

**CHARTER TOWNSHIP OF ELMWOOD
REGULAR BOARD MEETING
MAY 13, 2024
IN THE TOWNSHIP HALL**

Call to Order

Clerk Preston called the meeting to order at 6:00 p.m. and stated that Supervisor Shaw was excused from this meeting. MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO APPOINT KYLE TREVAS TO CHAIR THE MEETING. The motion passed unanimously by a voice vote.

Pledge of Allegiance

Trustee Trevas led the Pledge of Allegiance.

Roll Call

Present: Chris Mikowski, Terry Lautner, Dave Darga, Kyle Trevas, Jordan Gallagher, and Connie Preston

Excused: Jeff Shaw

Declaration of Conflict of Interest

Trustee Gallagher stated that he was related to the original applicant for the text amendment regarding special event facilities but had no monetary involvement with Bayview Weddings. MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO RECUSE TRUSTEE GALLAGHER FROM ITEM 11A. Trustee Lautner commented that in the past, our attorney has stated that if the motion applies to everyone in the township equally, there is not a conflict. The motion failed by a voice vote.

Public Hearing

E. Timberwoods Dr., S. Fox Valley Ln. and E Cottonwood Dr. Road Maintenance District Annual Adjustment of the Roll.

The Public Hearing was opened at 6:05 p.m. No comments were offered and the public hearing was closed at 6:07 p.m.

S. Blue Ridge Ln., E. Old Orchard Road, and S. Orchard Way Road Maintenance District Annual Adjustment of the Roll.

The public hearing was opened at 6:07 p.m. No comments were offered and the public hearing was closed at 6:08 p.m.

Public Comment:

None

Consent Calendar:

Department Reports:

Treasurer
Planning/Zoning
Fire Report

Committee Reports:

Minutes:

4-8-24

Post Audit Invoices 4-1-24 through 4-30-24

MOTION BY TRUSTEE DARGA, SECONDED BY TRUSTEE LAUTNER TO APPROVE THE CONSENT CALENDAR AS PRESENTED. The motion passed unanimously by voice vote.

Agenda approval

MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE DARGA TO APPROVE THE AGENDA AS PRESENTED. Motion passed unanimously by a voice vote.

Supervisor Remarks

A written report was submitted with the board packet

Trustee Remarks

None

Engineer's Report

None

Other Officer Remarks

The New Harbormaster Dan Jenuwine reviewed his written report and gave the Board details of his business background.

Communications from the Clerk

None

Old Business

None

New Business**Introduction-Text Amendment for Reintroduction of Special Event Facilities**

Planner Sara Kopriva of Beckett and Raeder presented the amendment to the Board, explaining that the applicant was approved for a special event facility with a special use permit under standards previously in the ordinance. The Township removed that language under advice of Township legal counsel resulting in Bay View weddings becoming non-conforming and unable to make any changes. The proposed amendment would result in the applicant becoming conforming and also an option for development for any properties meeting the requirements of the ordinance. The Board briefly discussed lot size and requested a map of all parcels over 40 acres. Sound was also discussed with Ms. Kopriva stating that the language regarding sound was suggested by our attorney.

MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE GALLAGHER TO ACCEPT THE INTRODUCTION OF THE SPECIAL EVENT FACILITIES AMENDMENT AND PUBLISH FOR CONSIDERATION. Motion passed unanimously by a voice vote.

Road Maintenance Districts Resolutions**E. Timberwoods, S. Fox Valley Ln. and E Cottonwood Dr. Road Maintenance District Annual Adjustment of the Roll.**

MOTION BY TRUSTEE LAUTNER, SECONDED BY CLERK PRESTON TO ADOPT RESOLUTION 8 OF 2024, A RESOLUTION ADJUSTING THE ANNUAL SPECIAL ASSESSMENT ROLL FOR EAST TIMBERWOODS DRIVE, S. FOX VALLEY LANE, AND S COTTONWOOD DRIVE ROAD MAINTENANCE SPECIAL ASSESSMENT DISTRICT. The motion passed 6-0 by a roll call vote.

S. Blue Ridge Ln., E. Old Orchard Road, and S. Orchard Way Road Maintenance District Annual Adjustment of the Roll.

MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE DARGA TO ADOPT RESOLUTION 9 OF 2024, A RESOLUTION ADJUSTING THE ANNUAL SPECIAL ASSESSMENT ROLL FOR S. BLUE RIDGE

LANE, E. OLD ORCHARD ROAD, AND S. ORCHARD WAY ROAD MAINTENANCE SPECIAL ASSESSMENT DISTRICT. The motion passed 6-0 by a roll call vote.

Brewery Creek Drainage

Board members had questions regarding the actual size of the drainage district and properties involved. MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO TABLE THE DRAIN ISSUE FOR MORE INFORMATION. Motion passed unanimously by a voice vote.

Tobin & Co Auditing Contract

Clerk Preston stated that the audit will begin next week and must be submitted to the State by June 30. MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE GALLAGHER TO ACCEPT THE THREE YEAR AUDITING CONTRACT WITH TOBIN AND COMPANY. Motion passed unanimously by a voice vote.

Fire Budget Amendment

Fire Chief Keith Tampa informed the Board that the Fire Department staff has been researching the purchase of a new ATV to replace the 23- year- old ATV. The Board approved \$40,000.00 in the 2024 budget but the best bid is coming in at close to \$48,000.00. Due to the amount of equipment to be mounted to the ATV, the suspension needs to be upgraded and they would also like to purchase a service contract. Therefore, he is asking for a budget amendment of \$8000.00 to be added to the equipment replacement line. MOTION BY TRUSTEE DARGA, SECONDED BY CLERK PRESTON TO ADOPT RESOLUTION 10 OF 2024, A BUDGET AMENDMENT RESOLUTION. The motion passed 6-0 by a roll call vote. The Board asked to see the bids for the new ATV along with specs.

Park Equipment

Planner/Zoning Administrator Sarah Claren presented the request to purchase replacement equipment for the play structures located in Cherry Bend Park in the amount of \$5500.00. Clerk Preston noted that the Board approved \$50,000.00 in the budget for park equipment. MOTION BY TRUSTEE DARGA, SECONDED BY TRUSTEE GALLAGHER TO PURCHASE MAINTENANCE EQUIPMENT FOR CHERRY BEND PARK FOR AN AMOUNT NOT TO EXCEED \$5500.00. Motion passed unanimously by a voice vote.

Introduction-Text Amendment for Multi-Dwelling Development Regulations

Planner/Zoning Administrator Sarah Claren reviewed her memo to the Board with the following text description: ZO 2017-04-22 – Text Amendment Request – , a Zoning Ordinance Amendment to amend Section 2.2 to add a definition for Dwelling, Multi and to modify the existing definitions for Parcel, Lot, lot Area and Net Lot Area; amend Section 3.14 to reintroduce development requirements for Multi-Dwelling developments; add Note ‘I’ to Section 5.6 to reference residential density requirements to Section 3.14; modify Section 7.1.2 so residential base density is determined using net acreage; modify Section 7.2.2 so residential density is based off of net lot area; modify Section 8.4.12 to have Site Plan Review applicants submit the gross lot area and net lot area.

MOTION BY TRUSTEE DARGA, SECONDED BY CLERK PRESTON TO ACCEPT INTRODUCTION AND PUBLISH ZO 2017-04-22 FOR CONSIDERATION AT THE JUNE 10, 2024 TOWNSHIP BOARD MEETING. Motion passed unanimously by a voice vote.

Introduction-Aligning and Reforming Alcohol Regulations

Planner/Zoning Administrator Sarah Claren next introduced the proposed amendment which would streamline all regulations pertaining to alcohol and tasting rooms by doing the following: ZO 2017-04-23 – Text amendment request – a Zoning Ordinance Amendment to amend Section 2.2 to add definitions for Alcohol, Beer, Brewer, Brewery, Distiller, Micro Brewer, Small Distiller, Small Wine Maker, Spirits, Tasting Room, Wine Maker, revise

definitions for Distillery, Wine, Winery, and eliminate definitions for Distillery Tasting Room, Wine, Brandy, Wine Drink, Mixed, Wine Related Beverages, and Wine Tasting Room; amend Section 5.4 to eliminate Distillery Tasting Rooms, Microbreweries/ Distilleries, and Wine Tasting Room, Add 'Distillery and/or Brewery' and 'Tasting Room' as permitted uses under Site Plan Review or Special Use Permit in certain zoning districts, allow Winery as a use within the General Commercial and Light Industrial districts under Site Plan Review, renumber uses; amend Section 5.5.K to eliminate two requirements for Temporary Produce Stands and renumber subsequent requirements; add Section 5.5.N to contain requirements for Wineries, Distilleries, and Breweries; amend Section 6.1.3 to list parking requirements for Wineries, Distilleries, and Breweries; amend Section 9.8.J to contain requirements for Tasting Rooms for Wineries, Distilleries, and Breweries; eliminate Section 9.8.L Distillery Tasting Room and its requirements and reserve Section 9.8.L for future use.

MOTION BY TRUSTEE LAUTNER, SECONDED BY TRUSTEE GALLAGHER TO ACCEPT THE INTRODUCCION AND PUBLISH ZO 2017-04-23 FOR CONSIDERATION AT THE JUNE 10, 2024 TOWNSHIP BOARD MEETING. Motion passed unanimously by a voice vote.

Comprehensive (Master) Plan Consultant Recommendation

Sarah Clarren provided a memo with the proposals from Beckett & Raeder and Wade Trim. The selection committee unanimously voted to recommend that the Board select Beckett & Raeder as the consultant for the Township's Comprehensive Plan. MOTION BY CLERK PRESTON, SECONDED BY TRUSTEE DARGA TO APPROVE BECKETT & RAEDER AS CONSULTANT FOR THE TOWNSHIP'S COMPREHENSIVE PLAN, CONTINGENT ON CONTRACT NEGOTIATIONS. Motion passed unanimously by a voice vote.

Insurance Renewal

MOTION BY TRUSTEE LAUTNER, SECONDED BY CLERK PRESTON TO APPROVE THE INSURANCE RENEWAL WITH MUNICIPAL UNDERWRITERS OF MICHIGAN IN THE AMOUNT OF \$46,559.00. Motion passed unanimously by a voice vote.

Payment of Invoices

MOTION BY TRUSTEE DARGA, SECONDED BY TRUSTEE GALLAGHER TO PAY THE INVOICES IN THE AMOUNT OF \$186,973.56. Motion passed unanimously by voice vote.

Extended Public Comment

None

Adjournment

Trustee Trevas adjourned the meeting at 7:17 p.m.