

Norwood Township Board of Trustees Meeting
December 20, 2021 Approved Minutes
Norwood Township Hall

Call to Order – Meeting called to order at 7:00 P.M.

Pledge of Allegiance

Roll Call – Mike Spilis-present, Doug Warner-present,Lynn Smolenyak-present, Ben Freds-present, Brenda Freds-present

Approval of November 15, 2021 Minutes, MM by Warner to approve minutes as presented, 2nd by Spilis. Discussion by Lynn Smolenyak that the word Water under her report should be replaced with Winter. **Amended MM by Warner to approve amended minutes, 2nd by Spilis. Motion carried to approval 5-0.**

Approval of Agenda – MM by Warner to approve Agenda as presented, 2nd by Lynn Smolenyak. Motion carried to approval 5-0.

Supervisor’s Report –

Supervisor stated that today, 12/20/2021, he had a conference call with David Vermeesch, David Kolka and Attorney Bryan Graham. He stated they were looking for clarification on the evaluation of the Overlay District and looking for recommendations.

Special PC meeting to continue the Overlay discussion and deliberations will be held Wednesday December 29, 2021 at 7:00pm at the Norwood Township Hall.

Supervisor stated that the Historical District Ordinance will be put on hold for now and to look for it in March 2022 Agenda.

Township Board will be appointing a Zoning Board of Appeals Member at its next regular meeting.

Bill Gnodtke of Norwood Township and Roy Griffiths of Hayes Township had discussions with the Supervisor regarding the COVID Funding that the Township received. Griffiths is the Chairman of the Lake Charlevoix Ambulance Authority, and they are looking at options for the EMS Authority to utilize these funds and possibly be able to cut down the number of mills that may be required. Smolenyak suggested that the Supervisor also talk to the Road Commission.

Supervisor announced that this was Trustee Mike Spilis’ last meeting, and he appreciates all the work Mike has done for the Township as a Trustee. Freds said he should be proud of work he has accomplished and feels the Township should celebrate his service.

Treasurer's Report –

Fund Balances as of 11/30/2021:

General:	\$ 94,497.48 (Chx State Bank)
Vanguard:	106,689.60
Total:	\$201,187.08
Road:	44,239.99
Emergency:	24,795.62
ARP:	37,890.00
Phragmites:	7,921.10
(includes \$1,055 for Frank Hamilton fund)	
Tax Fund:	17,267.63

Treasurer Smolenyak reported on the following:

Winter Tax bills are out, and the first settlement has been done with the County.

Office Hours will be at the Charlevoix County Treasurer's Office on December 29, 2021 from 9:00am to 5:00pm if anyone wants to pay their taxes in person.

Report that the doors to the Township Hall are going to be replaced with panic doors but the concrete slab must be redone for the door frame to fit.

Clerk's Report – Preapproved:	\$ 315.27 (GLE/Truestream)
Unapproved:	\$ 17,439.80
Totals:	17,755.07

MM by Warner to approve Clerk's report, 2nd by Smolenyak. Motion carried to approve 5-0. Warner stated Drost Landscaping did a nice job on the tree removal at the Cemetery.

Trustee's Report –

Spilis' Report –

Spilis stated he had received several forms of correspondence regarding the Short Term Rentals and Overlay application

Warner Report –

Warner reported on the PC Meeting and there was an Special Use Permit approved for Phenology Winery and thanked the Zoning Administrator for all of her work on getting that together for the PC. He also stated the PC is reviewing the Overlay plan and looking at all points of view. He thanked the ZA and PC for all their work on this.

Zoning Administrator's Report-Supervisor stated the ZA report is on the Norwood Township Web Site.

Old Business –

Short Term Rental Ordinance Amendment –

Review and discussion on proposed Ordinance Amendments included the following:

- How to vet new applications
- Number of Short-Term Rental Licensed for Township – 15
- Acceptance process and criteria
- Time of rentals allowed; no less than five days

Smolenyak explained why the Board should tighten up the criteria for the applications, number of licenses and acceptance process. Also, the annual rental limitation will start in January of 2023 in order for current STR's to honor current reservations. There are also issues for enforcement since the Board and ZA are only part time.

Discussion also noted the possibility of levying a resort tax which would have to be voted on by the Township as a whole.

Spilis stated the STR Licensing Ordinance Draft should be stamped as such as well as any future drafts until adopted. Spilis also stated that the application should be refined once the ordinance is updated and the updated should conform to all of the local, state and federal laws for Short Term Rentals.

Smolenyak brought up Section 6 Amendment of Section 8, on 60 days definition and there was further discussion on the fact that STRs cannot be RV/Camping Units and the distance between STRs in any one geographical area. As well as the fact that the owner has to have name on the application not just an Agent of the owner.

MM by Warner to table the discussion on amending the Short-Term Rental Licensing Ordinance until the Board can get some questions answered by the Township Attorney, 2nd by Brenda Freds. Motion carried to approval 5-0.

New Business-

Trustee Interviews/Appointment –

Supervisor announced that there were three applicants for the Trustee position that will be vacated by Mike Spilis. Two of the applicants are in attendance. Supervisor said he is looking for three attributes he would like the applicants to possess.

1. Enthusiasm
2. Represent the north end of the Township
3. Neutrality on STRs

The applicants in attendance are Tom Mielke and Mark Pirie. The third applicant was Dan Riley. Supervisor asked the Board to ask questions of the applicants as they wish.

Spilis addressed Mark Pirie and wondered why, after there were no applications for anyone to run for Trustee on the last election is he now interested in the position. Pirie stated he has been reading the minutes and keeping on the issues and felt if there was no need to change if there were no issues. He stated he has been involved before with the PC and wanted to get back involved.

Spilis asked Tom Mielke the same. Mielke stated he agrees with what Pirie stated and he also stated he knows his emails have been scrutinized but he said his emails are open information for everyone and that is his way to get out his ideas. He would like to exercise his right as a citizen of the Township and would like 100% transparency for everyone.

Warner did not have any questions but said he would like to see the new Trustee come from the north end of the Township and he feels Mark Pirie would do a good job.

Smolenyak asked Pirie how he would define the role of a Township Trustee if asked by a citizen? Pirie said he feels a Trustee should determine the issues and get a flavor of what the residents want. He stated that a Trustee should get as much information as possible and do what is in the best interest of the citizens and the rest of the Township.

Smolenyak asked the same question of Mielke. He again said he agreed with many things Pirie said. He stated he would like to learn what people want to help make the best decisions for the Township. He also said Trustees have a fiduciary duty and should work in the best interests of the citizens of the Township.

Smolenyak asked the candidates what they feel are problems in the Township. Mielke said the STRs are an issue, and we should bury the concerns about corporate investment destroying neighborhoods. Our neighborhoods should be residential not corporations. He feels there are issues brewing on being over restrictive and feels the Township is not going to see huge growth and doesn't feel it is an issue.

Pirie said he would like to get ahead of the curve with regards to development. He said he feels there are problems with foreseeing what's to come. Again, he said he would like to get ahead of the curve and get everyone involved.

Smolenyak also asked the candidates how they feel the ARP money should be used if there were no restrictions on how it could be spent. Pirie stated he would like to see upgrades to roads.

Mielke also stated roads and he would also like to see support for Charlevoix Township recreation areas. He said he would like to work with surrounding entities to improve recreational opportunities.

Supervisor Freds asked each candidate to give a brutal critique of how the Board is handling the STR issues. Pirie said he felt there was a good start in 2018 when the STR Licensing Ordinance was put in place. He went on to say he would like to stay neutral and stay ahead of the curve.

Mielke said if he felt there was an issue with how the Board is handling things he would have spoken up. He feels the 2018 STR Ordinance is insufficient, but he likes it is now being addressed. He said he feels property rights are an issue but has no other criticisms.

Supervisor Freds stated that this would be less than a year appointment and will need to be on ballot in 2022 for re-election. Freds said these are two good candidates and feel there is good representation. Freds asked the Board for a motion to appoint.

MM by Warner to appoint Mark Pirie to fill the Trustee's vacated position starting January 1, 2022, 2nd by Smolenyak. Roll Call Vote: Warner-aye, Brenda Freds-aye, Smolenyak-aye, Mike Spilis-abstain, Ben Freds-abstain. Motion carried to approval 3-0-2.

Vanguard Fund Discussion –

Smolenyak stated the Vanguard Fund is hard to deal with administratively. She would like to transfer the funds back to the General Fund at Charlevoix State Bank and close the Vanguard Fund. Clerk Freds said she felt it was a good idea also. She said the Township is making more money at Charlevoix State Bank at this time.

MM by Warner to close Vanguard Fund Account and transfer those funds to the General Fund at Charlevoix State Bank, 2nd by Spilis. Roll Call Vote: Spilis-aye, Warner-aye, Smolenyak-aye, Ben Freds-aye, Brenda Freds-aye. Motion carried to approval 5-0.

Budget Amendment –

Discussion to reflect New Township Hall expenses paid from Vanguard Fund on Budget.

MM by Warner to pay \$61,259.31 from Vanguard Fund to 101-265-974-1 Town Hall, 2nd by Smolenyak. Motion carried to approval 5-0.

Correspondence/Announcements-

Special PC Meeting will be held Wednesday December 29, 2021 at 7:00pm.

Public Comment-

Diane Allen, 4924 Lake Shore Dr., stated she felt the number of STR Licenses at 15 is good but instead of a number of feet between STRs possibly say no more than so many in one community. Supervisor stated cannot spot designate.

Jim Furlong wondered about the number of applicants ready to jump on STRs after the moratorium is lifted. Supervisor said there is no way of knowing. Furlong went on to make comments on the STR Ordinance and how it is being amended. Supervisor stated that is something he is working on. Furlong wondered if there would be criminal checks done on all applicants.

Smolenyak commented on the complaint process, procedures, making designation of months of rental and procedures on suspensions and enforcement.

Mark Pirie asked what the STR License application fee was, and Clerk responded \$1,200 for initial application and \$250 per year to renew. Pirie asked if someone had an STR license would they be required to use it and the response was no.

Roger Soldano, asked if the Overlay passed and the STR Licensing Ordinance amendments passed would current license holders have to abide by the new STR rules? He also to get the language on non-conformity and how it works in regard to non-transferable STRs.

Tina Whitley read a letter from Kelly Morris (attached to minutes). Tina also thanked Mike Spilis for his service and said she was in support of Tom Mielke to get the Trustee's position. Whitley went on to say that she owes Supervisor an apology and appreciates all the Board does. There was a discussion between Whitley and Supervisor regarding this situation.

Tom Mielke state the Board has been clear on the issues and he thanked them for considering him for the open Trustee position. He said he feels Mark Pirie will do a great job.

Tina Whitley state she would like to get younger people involved with the Township Government and would like to get the word out to the Township Residents on what is happening in the Township. Spilis suggested that people show up to the meetings so they can see firsthand what is happening.

Mark Pirie encouraged getting an email list of Township Residents so people can get the minutes and other information emailed to them.

Smolenyak suggested that we encourage information be put on the website and for residents to go on the website to see what is happening in the Township.

Meeting Adjourned at 8:50pm

Respectfully submitted by, Shari Jones, Recording Secretary & Deputy Clerk