

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

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

Pledge of Allegiance – by all present

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

Approval of August 16, 2021 Meeting Minutes, MM by Warner to approve minutes as presented, 2nd by Brenda Freds. Motion carried to approval 5-0.

Approval of September 7, 2021 Special Meeting Minutes, MM by Warner to approve minutes as presented, 2nd by Spilis. Motion carried to approval 5-0.

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

Supervisor’s Report –

Supervisor announced that the Zoning Administrator, Steve Overton, is resigning effective September 30, 2021. Freds said he appreciated the work that ZA Overton has done over the years and stated he is reviewing a candidates. He said if anyone is interested in the position to send him a note.

Treasurer’s Report –

Fund Balances as of 8/31/2021:	General:	\$ 77,102.50 (Chx State Bank)
	Vanguard:	174,076.73
	Total:	\$251,179.23
	Road:	49,353.34
	Emergency:	36,851.06
	Phragmites:	7,919.08
	(includes \$1,155 for Frank Hamilton fund)	
	Tax Fund:	162,580.78

Treasurer Smolenyak reported that Summer taxes were due on 9/14/2021. She wanted taxpayers to know there are several ways that their taxes can be paid which include by mail, drop box at Historic Township Hall and on-line. Smolenyak also stated that any taxes paid after 9/14/2021 will have new totals. Smolenyak reported that the New Township Hall is close to finishing. Still have \$74,000 of labor to pay out to Morton and Performance Engineers. There was \$23,000 budgets for finishing costs and of that \$14,000 has been spent.

Clerk’s Report – Preapproved:	\$ 462.18 (GLE)
Unapproved:	\$ 32,252.63
Totals:	\$ 32,714.81

MM by Warner to approve Clerk's report, 2nd by Spilis. Discussion that \$12,000 of the unauthorized bills is for Emergency Fund and \$7,500 for the new Township Hall finishing. The \$7,500 will be paid from the Vanguard fund. **Motion carried to approve 5-0.**

Clerk also stated there will be a November 2, 2021 election for Charlevoix County Separate Tax Limitation. This election will be County wide.

Trustee's Report –

Warner's report-

Reported that at the 9/13/2021 PC Meeting, the PC discussed the Short Term Rental situation, the Master Plan and the Cleland Event Barn Special Use Permit status. There was a discussion and several public comments on the fencing around the Cleland property. PC Chairman Dave Kolka is going to meet with the Clelands at their property to review and discuss. Warner also stated after the PC gets done reviewing the updated Master Plan there will be a Public Hearing.

Spilis' Report –

Reported he attended a meeting at the Old Historic Township Hall to discuss future plans for building. He also stated he has spoken with several people regarding Short Term Rentals.

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

Old Business –

Short Term Rental Update –

Supervisor Freds state that Dr. James Furlong gave a presentation to Board at a Special Meeting on September 7, 2021 with the position to support a ban on Short Term Rentals for R1 zoning at which time the Board voted to put a 180 day moratorium on STR Licenses. Freds stated he has sent a recommendation to the Planning Commission Chairman to review and possibly change the zoning for Clipperview Subdivision to be an Overlay District. Freds thanked everyone for their input and said it is up to the Planning Commission at this point as to how this will be handled.

Historic Township Hall –

Supervisor Freds reported that the meeting that was held regarding the Historic Township Hall was attended by himself, Trustee Spilis, Lindsey Dotson, PC Member Trevor Dotson and Alan Higgins. Higgins is a representative of the State Historic Preservation Office. They discussed that there are Grants available through the Federal Gov't but an Historical Preservation Ordinance would need to be in effect. There would have to be a Special Classification Historical Commission set up that would need to have an Architect from Norwood Township be on the Commission. If Norwood Township does not have an Architect available, then they will accept one from the surrounding area. Supervisor stated he will try to have Mr. Higgins attend the October 18, 2021, Board meeting to give a presentation on making an effort to preserve the Township's Historical Buildings.

New Township Hall Updated Needs –

Clerk Freds gave a list of needs to the Board. She said they are still working on finding someone to do the finishing work at the new Hall. Spilis said he has looked into ordering chairs and he found a 6 pack of chairs for \$149 and they can go all the way up to \$250-\$400. Supervisor stated he would like to stay around \$20 to \$25 per chair. Discussion that Spilis will order a six pack so they can be looked at and tested so a good decision can be made. After further review of the needs list the Clerk stated that Performance Engineers were slated to contract the Landscaping so she will be in contact with David Ridenour, Project Manager, regarding that.

New Business-

Camping Ordinance –

Supervisor reported that the Camping Ordinance has been returned from the County Planning Commission with and approval but some suggestions. The PC will review and ask the Township Board to have a Public Hearing.

2021 Tax Rate Request –

Treasurer Smolenyak stated it was time to look at the 2021 Tax rate Request. She handed out the L-4029 form showing the 2021 Taxable Value of all properties in the Township as of 5/24/2021 and the Maximum Allowable Millage Levy. They include .9738 for Operations, .9722 for Roads, .9858 for Emergency Fire & EMS and 1.5 for EMS Authority.

Next year the Fire Millage alone will be approximately \$34,000 which is .75 mills. The Township has approximately \$56,000 in the EMS fund and \$19,000 will be paid out for the EMS Authority obligation. There was further discussion on the EMS bills from January to June and the projected payment in December will be \$8,500 then the Winter taxes will replenish funds. If one mill is levied for Fire then there should be \$26,000 by next June but if only .75 is levied then there will only be \$13,000 and \$13,000 will not pay the bills so the Treasurer recommended to levy 1.0 mills for Fire. She also stated the EMS Authority voted to get a Bond Issue to help with interim operating costs.

MM by Warner to approve the 2021 L-4029 Tax Rate Request, 2nd by Brenda Freds. Motion carried to approve 5-0.

Compensation Options –

There was a request by the PC to see if any additional compensation can be paid to a Member for additional work that was done on the Master Plan. Supervisor stated he does not see how it would be possible to pay the extra to the Member. The Board is appreciative for all the extra effort both the PC and the Board does.

Correspondence/Announcements-

Historical Society will meet on Wednesday September 22, 2021, at 7pm and Supervisor encouraged people to attend.

Supervisor stated that Norwood Township was approved for the ARPA Stimulus. Township was approved for \$78,000 from the Federal Government but there are several limitations. It can only be used for Water, broad band, compensation for emergency services/hazard pay. Supervisor said we got a letter stating the original letter was sent in error, so the Township has to reapply for the stimulus because the data was lost. Supervisor said he is working on this and will keep everyone informed down the line.

Next Township Board of Trustee Meeting will be Monday October 18, 2021 at 7pm.

Public Comment-

Kelly Morris, 4224 Lake Shore Dr., stated that with 101 signatures on the STR petition she felt with 143 lots that 101 signatures is not a majority if some or all of the lots are owned by a couple, family or Trust. She said it appears that this would only be 1/3 of the property owners, not the majority. She said there is no evidence that any STR's have been disorderly and there has been one neighbor riling up the subdivision with nonsense. There have been no formal complaints submitted to the Board and a lot of money and time put into something that already has a solution in place. She suggested the Board table this discussion until there are formal complaints and all property owners have been contacted by the committee in favor of the petition and not at the cost of the Township. Morris went on to say she has lived in Clipperview for over 30 years and has never seen such a division and nonsense during her time there.

Morris was concerned about how much money this is costing the Township. She said there have been special meetings, the Attorney reviewing the petition, now work by the Planning Commission which may require more special meetings. She said she didn't feel the Township should spend any more money on STRs and feels the ordinance in place should be used to remedy every complaint Mr. Soldano has against his neighbor and he has not used this remedy one time.

Morris also said to ban STRs in Clipperview only is an end run to the residents of Clipperview, many whom have lived in the subdivision since the 1970's, and to implement HOA rules in a subdivision that does not have deeded HOA rules in place will only appease those opposed to STRs. She said there is legislation in front of the House that may supersede any STR ordinances in place. Morris stated she was concerned regarding divisive comments made at the Clipperview meeting in August.

Morris said people should be more concerned about drivers blowing through the two stop signs Clipperview has, and the lawncare truck parking illegally on Lake Shore Dr, which is not the same width as a normal road. Morris said the legal description on her property states Lot#132 Clipperview Subdivision No. 2. She went on to say unless the petition circulating states Clipperview Sudivision No. 2 that she said all petition signatures should be null and void. She asked the Township Board to end these discussions and end the monies being spent.

James Furlong, 4495 Lake Shore Dr, responded to Mrs. Morris' comments regarding the petition state there are 150 properties, including three that re non-taxable and there are 102 signatures on the petision.

Tracy Ward, 4001 Lake Shore Dr., stated she does not know anyone that rents but feel lucky to live in Clipperview and does not feel people should be kept from renting if that is what they would like to do. She feels the request for the STR ban is elitist. She feels it's a magical week for people to come to such a beautiful place and hates to see people not being able to get this opportunity. Ward said she has not experienced any bad problems from anyone renting but if people do experience this then they should call the police or ask them to lower the volume. She asked that this is not taken away from people and does not support the petition to ban STRs.

Gary Lechevalier, 18622 Clipperview, spoke about the property in the U.P. he used to own and now rents as an STR. He suggests people read about a proposed RV park in Leelanau County where a moratorium was implemented. He feels a moratorium is unlawful and said he may sue Norwood Township over the moratorium that was put into place.

Changing of zoning would turn Clipperview into an HOA and this would keep people from having small in home businesses.

Tina Whitley, Lake Shore Dr., asked to read an email that was sent to the Board Members from Mike Nuttle of 18731 Clipperview. The memo stated: I support the rights of property owners to lease their properties to responsible renters for periods of less than 30 days (subject to the regulations currently in effect in Norwood Township) for the following reasons:

- As a short-term renter myself in Eastport, Maui, Honolulu, Kauai, Ponte Verde Beach, and Naples, I was delighted by the welcome I received during my short-term visit to each of these communities. I felt that I was a part of each community and regretted that I only had the privilege to visit them for a short time. When at home I want to offer the same welcome to all visitors to the Norwood community regardless of the length of their stay here.
- The STR permit fees generate revenue for the township.
- Short-term visitors visit local attractions, restaurants, fruit stands, breweries and retail shops, which benefit local business owners and workers.

I recently signed a petition that a local volunteer canvasser brought to our home. However, the canvasser affirmed that this petition was only an appeal for greater community input to the permitting process, not a proposal to ban short-term rentals. Had he said it was a petition to ban short-term rentals, I would have declined to sign it because I do not want to limit the property rights of my neighbors nor discourage anyone from visiting our community.

The greatest risk to public safety in this neighborhood is from vehicles travelling at high speed next to pedestrians walking on Clipperview and Lakeshore. "25 MPH" speed limit signs on Witmere and Clipperview would increase community safety more than a ban on short-term rentals.

Again, thank you for your time and consideration. I would welcome the opportunity to provide public comment on this issue before the board at the appointed time.

James Furlong stated he wants everyone to understand that there is an unforeseen or new threat which is the marketing of homes that are for sale to be available for STRs.

Supervisor asked if both of the groups could get together and discuss the issue as he said he feels the Board is being drug into a neighborhood dispute and further stated that it is the job of the Board to gauge public sentiment and figure out what is best for the Township.

Clerk asked if the main concern of the group wanting to ban STRs is that the properties are being used as STRs and if there would be a way that they could come to a conclusion to allow homeowners that have been there longer to be allowed to do STRs?

Furlong stated they are options in the packet that was distributed and one of those options would be to allow rentals for homes that are still owner occupied and just have space to rent out but want to avoid permanent rentals.

Treasurer Smolenyak stated there is a STR Ordinance in effect and this should be implemented. If STR Licensing Ordinance was followed then it would keep problems from escalating. She asked that before the meeting people that have concerns can give suggestions on ideas to tighten up the current Ordinance without having to ban STRs. Smolenyak said there are several options to consider which includes an overlay district and she said she would like the Board to have time to consider all of their options. She said this is not about

who is going to sue who because that is not what the Township needs nor can afford. She said everyone should work together to figure out a solution without costing the Township extra money.

Roger Soldano, 4819 Lake Shore Dr., stated a STR is just like running a motel. You have different people week after week, day after day and it is like a commercial entity inside a residential district. Soldano said many times what renters do is not actionable until you file a complaint. There is constant noise, smoke coming towards his home, extra traffic week after week. He said he has filed 10 complaints with the neighbor. He said he can contact the police and the property manager but the next week it starts all over again. He said the local maps are all saturated with STRs and it is becoming a real problem. Soldano asked Spilis if there has recently been a request for a STR and Spilis replied not directly. Supervisor stated there was a piece of property that was for sale and the sale did not go through because they could not get a license for a STR and the seller of the house has signed the petition so he could not understand why she signed it when she knew the home was asked to be a STR. Soldano said that Clipperview will turn into an Air BNB playground if nothing is done. Soldano was asked how long he has lived in Clipperview and he replied 2.5 years and then it was pointed out that the STR next to him has been a rental for 15 years so some of the audience asked why he purchased a home next to a rental house?

Supervisor said there will be plenty of opportunity for public comment moving forward. He said the PC is going to review.

Spilis stated the Clipperview Association has no powers. He said the purpose of the Clipperview Association is to pass on information only.

Gary Lachevalier said STRs are nothing like motels. He said people spend thousands of dollars to keep the homes up in order for others to spend to rent the homes. He stated STRs bring in a lot of money to the state and local areas. He gave an example that his Mother-in-laws owned a house on Torch Lake that she wanted to rent out the basement for extra income and she was told that STR are banned in Torch Lake Township so this kept her from that extra income and then when she wanted to sell she had a full price cash offer but lost out on that because the offer was taken back when the potential purchaser found out he couldn't use it as an STR.

Tom Mielke, Norwood Village, feels the Board should develop future budgets so the Treasurer, Clerk and Supervisor take a look at the Township Board Members wages. He feels for the amount of time that the Board puts in they are vastly underpaid so they should either cut back on their time or triple their wages. He encouraged the Board to take a look at this the next time the budget comes up.

Meeting Adjourned at 8:18pm

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