



1401 W. Herbison Road, DeWitt, MI 48820
January 24, 2022 Board of Trustees Meeting Minutes

The Special Meeting of the DeWitt Charter Township Board of Trustees was called to order by Supervisor Galardi at 7:00 PM with the Pledge of Allegiance.

MEMBERS PRESENT Supervisor Rick Galardi, Clerk Adam Cramton, Treasurer Sandy Stump, and Trustees David Seeger, Brian Ross, and Steven Smith.

MEMBERS ABSENT Trustee David Fedewa.

ALSO PRESENT Manager Andrew Dymczyk, Police Chief Mike Gute, Fire Chief Dave DeKorte, Community Development Director Brett Wittenberg, and Planner Alex Bahorski.

AGENDA **Seeger moved, Galardi seconded, to approve the agenda.**

AYES: Seeger, Ross, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: Fedewa.

Motion carried.

CONSENT AGENDA **Smith moved, Galardi seconded, to approve the Consent Agenda which included the following: Board of Trustees Regular Meeting Draft Minutes, January 10, 2022; Planning Commission Regular Meeting Draft Minutes, January 3, 2022; and General Vouchers 73813-73861, Tax Vouchers 9355-9369.**

AYES: Seeger, Ross, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: Fedewa.

Motion carried.

PUBLIC COMMENT None.

PRESENTATION Police Chief Mike Gute presented the following awards:

- Citizens Public Service Award: Lynne Lindsay, Mary Garver & Dr. Alexa Vitek-Hitchcock
- Distinguished Service Award: Sgt. Earl Christensen
- Meritorious Service Award: Sgt. Earl Christensen, Ofcr. Ethan Rennaker & Ofcr. Brian Brown
- Distinguished Service Award: Ofcr. Brian Brown & Ofcr. Ethan Rennaker
- Life Saving Award: Ofcr. Ethan Rennaker

PUBLIC HEARING None.

COUNTY COMMISSIONER REPORT Ken Mitchell presented Clerk Cramton with an extensive list of his approved committee assignments for 2022, including:

- Ways & Means Committee
- Human Resource Committee
- Public Safety Committee (Chair)
- Building Stronger Communities Council

- Central Dispatch Administrative Policy Board
- Child Abuse and Neglect Council
- Clinton Career Network – RESA
- Clinton Task Force on Employment
- Community Corrections Advisory Board
- Community Mental Health
- Department of Health and Human Services Liaison
- Local Correction Officer Advisory Board
- Local Emergency Planning
- Michigan Association of Counties
- Michigan State 911 Committee
- Mid-State Health Network Substance Use Disorder Oversight Policy Board
- Tri-County Aging Consortium Administrative Board

Commissioner Mitchell updated on the Board on the impact of redistricting, as well as reapportionment of the commissioner districts. He also informed the Board of the passing of George Weitzel, Trustee for Watertown Township.

CORRESPONDENCE Correspondence included the following: Q4 2021 Cash and Investments; Investment and Depository Designation Resolution; DeWitt Township Police Department December 2021 Activity Report; DeWitt Township Fire Department December 2021 Activity Report; Clinton County Sheriff's Office December 2021 Jail Billing; and Township Meeting Options under the Open Meetings Act as of January 1, 2022.

**UNFINISHED
BUSINESS**
Mobile Food Vending
(Food Trucks)

Over the past few years, staff has received numerous inquiries regarding the ability to operate mobile food vending units (food trucks) within the Township. With the onset of the COVID19 Pandemic, the desire for outdoor culinary operations in an open environment has gained more traction, and mobile food vending can be reasonably expected to continue being a viable business operation with a strong demand from patrons. These types of operations have been well-established in surrounding communities and their entry into the local economy could help produce a more vibrant community.

Currently, the Township does not have regulations that specifically address mobile food vending. The Township has always addressed these types of uses under Chapter 5 Article II Peddlers, Solicitors, Transient Merchant and Vending Regulations of the Codified Ordinance. Under this section of the ordinance, the fees are \$50/day, \$250/week, and \$800/month which most vendors that staff have spoken to consider to be cost prohibitive. Additionally, under the current ordinance, there are limited regulations, if any, regarding hours of operation, location, access, and other items that could impact the health, safety, and welfare of the community.

In order to address the growing demand for mobile food vending, staff has prepared a draft ordinance which sets the parameters for the safe and proper operation of said entities and will aim to bolster the local economy while simultaneously providing more opportunities to small business owners within DeWitt Charter Township.

1. Location – Mobile Food Vendors will be permitted to operate in all nonresidential zoning districts and in residential and agricultural zoning districts for single-day events only. Mobile Food Vendors may also operate on Township-owned properties with the approval of the Township Manger, or assigned designee.

2. Hours of Operation – Permitted hours of operation shall be from 10:00 am to 8:00 pm. Operating hours shall include the time required for setup and takedown of the mobile food vending unit or cart.
3. Fees and Licensing Requirements – The application fee for an annual mobile food vending permit shall be \$600. For each event planned to be attended by the mobile food vendor, there will be a separate location review application costing \$25.
4. Public Health and Safety – Applicants will be expected to provide proof of Health Department approval as well as any other necessary documentation required for permit applications for the issuance of a mobile food vending permit. A Township Fire Department-issued checklist will also be provided and required to be completed with each application. The Township Fire Department shall also conduct in-person inspections of each Mobile Food Vending Unit for fire safety code compliance. Mobile Food Vendors shall also be held responsible for the proper disposal of food waste, garbage, and cooking grease generated on-site

The Board provided feedback to staff, with the first reading to be scheduled at a later meeting. Items discussed included establishing a minimum separation between the vending location and an established similar business, extending hours of operation in special circumstances, and the possibility of shorter-term licenses.

NEW BUSINESS

SUP 18-990001 - E. T. MacKenzie (Excavation of Soil and Minerals, Clark Road Pit) - Renewal of Special Use Permit

Based on a request for renewal from the applicant, Community Development Director Wittenberg reviewed the file for SUP 18-990001, talked with the applicant's representative, and conducted a site inspection. The above referenced SUP regulates the excavation operation that applies to a parcel consisting of 144.02 acres located on the south side of Clark Road, east of Old 27, west of Boichot, and north of Stoll Road.

Community Development Director Wittenberg's inspections of the site and discussion with the applicant's representative revealed that the operation is being conducted in compliance with the Special Use Permit, that the Site Performance Bond Certificate is current for the site, and that the documented amount of material extracted from January 1, 2021 to December 31, 2021 is 105,140 cubic yards of aggregate. Since 2013, the applicant has extracted 1,105,108 cubic yards of aggregate materials.

The applicant has been required to maintain a log of complaints and resolutions which have been provided as a requirement of the Special Use Permit. Letters were mailed out to residents within 300 feet of the site in 2016 regarding the Special Use Permit amendment and notification process for handling complaints which starts with the Planning Department during normal business hours (M-F 8am-5pm). Staff then provides contact information for the field superintendent, Ron Clark, and MacKenzie's General Office number.

On April 13, 2021 the Township received a complaint from Rachele Speelman (14189 Boichot Road) with a general noise complaint at 3:00 p.m. Staff contacted the complainant later that afternoon and she indicated the noise had stopped. The operator was also made aware of the complaint and indicated it was a result of stockpiling topsoil. The applicant has historically done a good job of addressing complaints in a timely fashion and staff has consistently encouraged complainants to document/record the possible violations.

At this time, staff finds that the existing extraction operation for the Clark Road site can be in conformance with the permit for SUP 18-990001 and recommend that the permit be

renewed for a period of one year from the date of Township Board action. This renewal is the 4th of four renewals allowed and the special use permit can be renewed until May 29, 2023, which is 5 years.

Ross moved, Seeger seconded, to approve the renewal of Special Use Permit 18-990001 for the existing excavation operation conducted by E.T. MacKenzie Company for property located at 1300 E. Clark Road in Section 22 for an additional one (1) year.

AYES: Seeger, Ross, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: Fedewa.

Motion carried.

New Municipal Building – Professional Services Williams Architects

At the November 22, 2021 regular board meeting, the Board directed the Manager and Fire Chief to pursue a service agreement with Williams Architects. After some internal discussions, Williams Architects was informed of the scope of service needs for site selection and building of a new municipal building. Manager Dymczyk recommends execution of a professional service agreement with Williams Architects for the purpose of design, consultation, and procurement for construction of a new municipal building not to exceed 7.9% of construction costs plus an amount not to exceed \$250,000 for supplemental services, pending legal review.

Cramton moved, Stump seconded, to Direct the Manager’s Office to execute a professional services agreement for the purpose of design, consultation, and procurement for construction of a new municipal building not to exceed 7.9% of construction costs plus an amount not to exceed \$250,000 for supplemental services pending legal review.

AYES: Seeger, Ross, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: Fedewa.

Motion carried.

Resolution R2022-01-02 – Parks and Recreation Plan

DeWitt Charter Township, the City of DeWitt, and DeWitt Area Recreation Authority (DARA) have joined together to update the joint five-year Parks and Recreation Plan. This plan is an important document in setting the direction and priorities for parks and recreation in our shared community. Additionally, by having an adopted parks and recreation plan, it allows the City and Township to apply for State grants. The last adopted plan served as a guideline to improve recreation facilities and develop new recreational opportunities within the DeWitt Community.

In developing the plan, an online survey was made available to the public. In an attempt to receive further public input, the plan was made available to the public electronically through the three entity’s websites, and with hard copies at each location, for thirty days. There were no responses received at DeWitt Charter Township regarding the plan.

DeWitt Charter Township held a public hearing for the plan on January 10, 2022. The City of DeWitt will hold its public hearing on January 24, 2022, with DARA scheduled to hold its public hearing on January 25, 2022, for consideration and adoption of the plan. Upon adoption by the three entities, the plan shall be submitted to the Department of Natural Resources for approval.

Stump moved, Cramton seconded, to adopt Resolution #R2022-01-02, 2022-2026 DeWitt Area Parks & Recreation Plan, for DeWitt Charter Township.

AYES: Seeger, Ross, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: Fedewa.

Motion carried.

Granger Meadows Park – Recreation Facilities and Site Improvements

In June of 2021, the Township solicited firms to participate in a Qualifications Based Selection (QBS) process for professional design services related to design and construction requirements for DeWitt Charter Township and the redesign and redevelopment of our inline hockey facility into pickleball courts. The rink is scarcely used and has long term maintenance concerns. Renovating and retrofitting the facility would extend the usability of the facility and allow more of the community to participate and contribute to a growing community desire of pickleball courts and senior activities.

The Board approved a contract with LAP + Creative at the August 19, 2021 regular board meeting for site development and redesign at a cost not to exceed \$52,850. Since that time, work has progressed on concepts and engaging key stakeholder pickleball groups. A focus group session was held on December 9, 2021 and another is scheduled for January 21, 2022.

Manager Dymczyk recommends funding for the project come from the 425 Reserves. The 425 Reserve fund contains a very healthy fund balance with expenses earmarked for non-operational expenses. Funding of this project from this fund would fit sound budget considerations and the 425 Reserve fund’s stated intent.

Manager Dymczyk also recommends approval of the concept design, project cost estimate at a cost not to exceed \$667,663, and authorization to move forward on the bid process.

Bob Ford from LAP + Creative was present and explained the design features of the pickleball site to the Board.

There was extensive Board discussion about the design and cost of the project.

Trustee Smith is not in favor of this design and the associated cost. He is in support of the original proposal from 2021 at the original proposed cost of \$60,000.

Cramton moved, Ross seconded, to the following actions:

- 1. Confirm concept design, authorize the Manager’s Office to proceed with the bidding process and execution of the redevelopment of the Granger Meadows inline hockey facility into pickleball courts at a cost not to exceed \$667,663.**
- 2. The Board approve the following budget adjustments to the 2022 Budget:**

\$667,663	To: 101-000-390-000	From: 103-000-995-000
	General Fund Balance	425 Reserve
\$667,663	To: 101-751-977-000	From: 101-000-390-000
	Parks & Rec. – Cap Exp	General Fund Balance

AYES: Seeger, Ross, Stump, Cramton, Galardi.

NAYS: Smith.

ABSENT: Fedewa.

Motion carried.

New Hire - Paid on-call Oral interviews were conducted on January 5th and 6th, 2022. The interview panel Fire Fighters and Emergency Responders consisted of Manager Dymczyk, Assistant Fire Chief North, and Fire Chief DeKorte.

The panel recommends the hiring of Michael Wroblewski, Joshua Vaughn, Olivia Carty, and Luke Haberi for the position of paid-on-call firefighter and emergency medical responder.

Galardi moved, Seeger seconded, to approve the hiring of Michael Wroblewski, Joshua Vaughn, Olivia Carty, and Luke Haberi upon the successful completion of their ability evaluations and pre-employment physical.

AYES: Seeger, Ross, Smith, Stump, Cramton, Galardi.

NAYS: None.

ABSENT: Fedewa.

Motion carried.

Joshua Vaughn was present at the meeting and thanked the Board for his pending employment. He is excited to begin serving the residents of DeWitt Township.

**EXTENDED PUBLIC,
STAFF, & BOARD
COMMENTS**

Police Chief Mike Gute reported that the new facial recognition program is already paying dividends in the Department with the identification and apprehension of a criminal using security camera footage. The Department will be promoting three Sergeants out of seven applicants. Interviews for a new Officer were conducted last week. Chief Gute, as well as Chief Ferguson from the City of DeWitt Police Department, conducted Active Incident training for DeWitt Public School Teachers and staff during their in-service day. Approximately 200 teachers and staff attended the training.

Fire Chief Dave DeKorte offered the latest radio activation date as February 9. The FEMA grant window is open and the selection process will begin in June. Lastly, Chief DeKorte asked that everyone be aware of their large pets and not place items on the stove that will tempt them to jump up as there have been multiple incidents of dogs turning on residential stoves.

Manager Andrew Dymczyk presented updates on the following:

- Brook Road fire site cleanup – possibly 90-120 days with legal action required
- Port Lansing Grant Reporting
- Managers Winter Conference this week
- News story on Pickleball
- COVID tests are available for Township employees

Trustee Ross informed the Board that there will be a Lansing Board of Water and Light meeting on January 25.

Trustee Seeger updated the Board on the most recent Clinton County Township Officers Association meeting. Again, a quorum could not be attained and officers could not be selected. The next meeting will be at DeWitt Township on April 19. Additionally, Trustee Seeger presented information on the county-side broadband survey, and county waste management events on April 30, and September 24.

Treasurer Stump presented that DeWitt Area Recreation Authority will be holding a Public Hearing and Parks Plan adoption on January 25.

ADJOURNMENT **Seeger moved, Ross seconded, to adjourn at 8:51 PM.**

Motion voted and carried.

Respectfully submitted,

Adam Cramton, Clerk

Rick Galardi, Supervisor