



1401 W. Herbison Road, DeWitt, MI 48820
June 28, 2021 Board of Trustees Meeting Minutes

The Regular 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-I, Clerk Adam Cramton-I, Treasurer Sandy Stump-I, and Trustees David Seeger-I, Brian Ross-I, David Fedewa-I, and Steven Smith-I.
Location
I=In-Person
C=Call-In

MEMBERS ABSENT None.

ALSO PRESENT Fire Chief Dave DeKorte-I, Manager Andrew Dymczyk-I, Community Development Director Brett Wittenberg-I, and Planner Salam Habhab-I.
I=In-Person
C=Call-In

AGENDA **Stump moved, Seeger seconded, to approve the Agenda.**

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

NAYS: None.

ABSENT: None.

Motion carried.

CONSENT AGENDA **Ross moved, Fedewa seconded, to approve the Consent Agenda, which included the following: Board of Trustees Regular Meeting Draft Minutes, June 14, 2021; Planning Commission Regular Meeting Draft Minutes, June 7, 2021; and General Vouchers 73028-73081.**

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

NAYS: None.

ABSENT: None.

Motion carried.

PUBLIC COMMENT None.

PUBLIC HEARING None.

PRESENTATION None.

COUNTY COMMISSIONER REPORT Clinton County Commissioner Ken Mitchell reported that the Board of Commissioners will be meeting tomorrow and are likely to extend the local state of emergency until the end of July.

CORRESPONDENCE Correspondence included the following: DeWitt Township Fire Department May 2021 Activity Report; Clinton County Sheriff's Office May 2021 Jail Billing; MDHHS June 17 Rescission of Emergency Orders; Clinton County Board of Commissioners Declaration of Local Emergency; and DeWitt Charter Township Housing Study.

Trustee Fedewa expressed concern for the decreasing revenue in the County Jail Billing report.

Galardi moved, Ross seconded, to receive and place on file the DeWitt Charter Township Housing Study.

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

NAYS: None.

ABSENT: None.

Motion carried.

**UNFINISHED
BUSINESS**

None

NEW BUSINESS

Proposed Ordinance
Amendment 21-2
Outdoor Storage of
Recreational Vehicles
and Outdoor Dining,
First Reading

As part of the Community Development Department's efforts to enhance the Township's ability to move toward its goals identified in the Comprehensive Development Plan and the Strategic Plan, the staff introduced the following ordinance amendments:

1. To permit outdoor storage of personal recreational vehicles in the Light Industrial (IL) and Community Business (BC), subject to certain design and performance standards. Currently, mini-warehousing is a permitted use (by right) within the Township in the IL and BC districts subject to Section 4.57 of the Zoning Ordinance, and outdoor storage of any kind is prohibited.
2. To permit outdoor dining uses as a use permitted under special conditions. Currently, the Township's Codified Code of Ordinance does not address or regulate outdoor dining.

At prior Planning Commission meetings, the Planning Commission discussed the proposed amendments. A significant portion of the discussion was related to assessing the proposed text amendments, as appropriate, to minimize the potential impact of the proposed outdoor uses on adjacent residential districts/uses; to regulate their locations and establish screening and performance standards.

At the June 7, 2021 meeting, the Planning Commission recommended that the Township Board approve Ordinance Amendment 21-1 based on the finding that the proposed amendment complies with the process for amending the Zoning Ordinance. In addition to add the opportunity to request a variance during the Site Plan Review process subject to certain criteria.

Trustee Fedewa asked to abstain from the vote on this item, as an owner of a storage business in DeWitt Township that could be impacted by the ordinance change. Supervisor Galardi and Clerk Cramton both agree with this action.

Trustee Fedewa offered the Board a brief explanation of the discussion that occurred on this topic during the Planning Commission review and analysis.

Trustee Smith sought a clarification on the difference between a "variance" and "modification" as it applies to the proposed change, as well as the potential to set precedent moving forward.

Clerk Cramton sought a clarification on the impact adjacent residentially zoned properties on the proposed outdoor storage of recreational vehicles.

Supervisor thanked Planner Salam Habhab for her presentation and response to Board questions. Additionally, he was complimentary of the Planning Commission and staff for their work on this ordinance amendment.

Cramton moved, Smith seconded, based on a unanimous recommendation from the Planning Commission at their meeting of June 7, 2021, and after finding that the proposed amendment has complied with the process for amending the Zoning Ordinance, approve the first reading of Zoning Ordinance Amendment 21-2 which, updates and amends the DeWitt Charter Township Zoning Ordinance for the purposes of allowing:

- a. Outdoor storage of personal recreational vehicles in the Light Industrial (IL) and Community Business (BC) subject to certain design and performance standards, and;**
- b. Outdoor dining as a use permitted under special conditions.**

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

NAYS: None.

ABSENT: None.

Fedewa abstains.

Motion carried.

Mobile Food Vending
(Food Trucks),
Discussion

Over the past few years, the Township has received numerous inquiries regarding the ability to operate mobile food vending (food trucks) within the Township. Recently, possibly due to events surrounding COVID-19, the Township has received more inquiries and has seen the operation of these vendors in adjacent jurisdictions in not only commercial areas but residential areas as well.

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 Regulation 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 has spoken to, find to be cost prohibitive for this type of use. Additionally, under the current ordinance, there are limited regulation, if any, regarding hours of operation, location, access, and other items that could impact the health, safety, and welfare of the community.

At this time, staff is requesting direction from the Township Board if there is a need to amend the ordinance relative to mobile food vending, and if so, what parameters would the Board want to see if an ordinance amendment is pursued.

An in-depth board discussion followed the presentation of Community Development Director Brett Wittenberg concerning the benefits, draw backs, and mechanics of permitting mobile food vendors in DeWitt Township. All aspects of the permitting process will have to be explored including, but not limited to, length of permits, cost of permits, allowable locations, and sanitization and safety.

Cramton moved, Galardi seconded, to direct staff to explore possible outcomes and implementation of best practices for mobile food vending with a possible ordinance amendment to be brought back before the Board.

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

NAYS: None.

ABSENT: None.

Motion carried.

EXTENDED PUBLIC, STAFF, & BOARD COMMENTS Steve Musselman, 11970 Schavey Rd., stated that it would be informative for residents if the Township would publish, on its website, the location and hours of operation for licensed food trucks.

Fire Chief Dave DeKorte updated the Board on a recent emergency call for carbon monoxide present at an apartment building. The resident had moved a charcoal grill into a closed garage before the coals had completed burning. As the coals continued to burn, they expelled carbon monoxide into the contained space as well as the living area. It was a valuable lesson for all involved to leave your grill outdoors until it is fully extinguished, or the coals have been fully consumed.

Manager Dymczyk provided updates on the following:

- Meeting with the new DeWitt Public Schools Superintendent, Dr. Shanna Spickard
- Qualifications Based Selection (QBS) projects
 - Pickleball – responses are coming in
 - Fire Station feasibility – going out
 - Sewer Master Plan – draft status
- Boardroom AV update beginning in July
- Two new police officers have begun their service
- Budget 2022 process will kick off soon
- Update on a Sanitary Sewer Overflow on Saturday

Treasurer Stump informed the Board that tax bills are ready to mail out.

Clerk Cramton informed the Board that his office has received the first application for a marijuana operation in the Township. The applicant is seeking two grow licenses and the impacted departments are in the process of working through their checklists for approval.

Supervisor Galardi stated that Manager Dymczyk has a large number of projects in motion simultaneously. Supervisor Galardi also complimented Fire Chief DeKorte for his administrative efforts. Supervisor Galardi feels that the Township will go through a re-branding and identity update within the next 12 months. Lastly, he reminded the Board that all communications and news releases are to go through the Manager's Office.

ADJOURNMENT

Seeger moved, Ross seconded, to adjourn at 8:11 PM.

Motion voted and carried.

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Respectfully submitted,

Adam Cramton, Clerk

Rick Galardi, Supervisor