



1401 W. Herbison Road, DeWitt, MI 48820
July 12, 2023 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, David Fedewa, and Steven Smith.

MEMBERS ABSENT None.

ALSO PRESENT Manager Andrew Dymczyk, Police Chief Matt Merony, Fire Chief Dave DeKorte, Chief Building Official Al Hoard, and several citizens.

AGENDA **Ross moved, Seeger seconded, to approve the agenda as presented.**

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

NAYS: None.

ABSENT: None.

Motion carried.

PUBLIC COMMENT None.

PUBLIC HEARING
Hotel/Motel License
Revocation Hearing,
Green Acres Motel,
15564 S US 27,
License Number
CHML23-01

Supervisor Galardi opened the public hearing at 7:02 PM.

Supervisor Galardi explained the intended purpose is to hear arguments, both for and against, the proposed Hotel/Motel license revocation of the Green Acres Motel, operating at 15564 S US 27 by OME Corporation. Representing DeWitt Township is Attorney David Revore. Supervisor Galardi called for representation from OME Corporation none was present.

Attorney Revore provided his opening statement. He presented the notice, dated June 19, 2023, as the document providing evidence indicating multiple building, fire, and safety code violations at the above property. He indicated that the Board could hear testimony from the Townships Chief Building Official, Al Hoard. He reminded the Board that the violations are the result of three different inspections and resulted in documented violations of code as adopted in Township Ordinance. He anticipates that Building Official Hoard will make a recommendation to the Board of revocation of the motel license. Additionally, he indicated that there will also likely be a recommendation to initiate court action to enforce the Townships adopted codes to abate the nuisance on the property. He feels the violations on the property are of such severity as to risk the safety of people on the property.

Supervisor Galardi, again, asked for representation for Green Acres Motel or the OME Corporation for opening comment. None were present.

Supervisor Galardi asked Attorney Revore if there was any communication with OME Corporation about a potential stipulation agreement. Attorney Revore responded that he has received no communication from any representative of OME Corporation.

Attorney Revore called DeWitt Township Chief Building Official Al Hoard as witness to be interviewed. Building Official Hoard stated his name and position for the record: Al Hoard, Building Official for DeWitt Township, head of code enforcement. He holds all appropriate designations required for a Building Official. Attorney Revore and Building Official Hoard described the property in question. Attorney Revore then asked Building Official Hoard to describe certain violations listed in the notice dated June 19, 2023. Additionally, photos from same were projected for Board review and Building Official Hoard described same. Highlighted areas of violation included, but were not limited to, electrical, natural gas, water, and structure. It was stated that the items presented comprise an imminent safety threat to those people who occupy the premises. Upon questioning by Attorney Revore, Building Official Hoard affirmed that his statements and testimony are true and honest to the best of his ability.

Attorney Revore, upon his completion of witness questioning, state that he intends to ask the Board for license revocation for the subject property. Supervisor Galardi stated that there is no representative from OME Corporation present for cross-examination. There were no additional questions from Board members. Building Official Hoard was dismissed.

If the Board is to agree with Attorney Revore's recommendation for revocation of license, Manager Dymczyk recommends that the Board adopts a Resolution containing the revocation order, finding of fact, and remediation of site. He read a draft of Resolution 2023-07-05 for Board consideration.

Trustee Fedewa, in the interest of life-safety, feels motivated to move forward with the resolution expeditiously.

Trustee Seeger is concerned that there are people currently living in the subject building. He would like to know if the resolution, if adopted, would take immediate effect.

Treasurer Stump and Clerk Cramton are in support of the resolution as presented.

Attorney Revore, in response to Trustee Seeger's question of effectivity, stated that the resolution takes immediate effect upon adoption and delivery to OME Corporation as well as adopting the notice of June 19, 2023 as the findings of fact document.

Sharon Karber, 1988 Sunnymede Ln., applauded the Board for taking action on the safety of this building. She has a loved-one in the building and is concerned about their safety. She is seeking assistance to find alternate accommodations. Supervisor Galardi committed to providing her with contacts and information regarding housing options.

Smith moved, Galardi seconded, to adopt Resolution 2023-07-05 as follows:

**RESOLUTION TO INITIATE PROCEEDINGS
CHARTER TOWNSHIP OF DEWITT, CLINTON COUNTY, MICHIGAN**

RESOLUTION #2023-07-05

A revocation hearing of the DeWitt Charter Township Board of Trustees (the "Board") was held in the Township Hall, 1401 W. Herbison Road, DeWitt, Michigan, on the 12th day of July, 2023.

Property Description: Hotel/Motel License No. CHML23-01 – Green Acres Motel, located at 15564 S US 27, in the Charter Township of DeWitt, Clinton County, Michigan 48906.

Present: Supervisor Galardi, Clerk Cramton, Treasurer Stump, and Trustees Seeger, Ross, Fedewa, and Smith.

Absent: None.

The following Preamble and Resolution were offered by Smith and supported by Galardi.

WHEREAS, the Township convened on the date and time as the Notice indicated in the June 19, 2023 Notice to the Hotel Corporation;

WHEREAS, upon information and evidence presented and considered by the Board of Trustees, and recommendation of the Township's Building Official, that the Hotel/Motel License #CHML23-01 assigned to the property be revoked with immediate effect;

WHEREAS, upon information and evidence presented and considered by the Board of Trustees, finds that the Hotel/Motel License #CHML23-01 has numerous violations of the Township's Ordinances, IPMC, IFC, and other code violations, as depicted and Noticed in the June 19, 2023 Notice to the OME Corporation;

WHEREAS, it is the recommendation of the Township's Building Official that the Township, in the interest of public health, safety and welfare, to initiate legal action in the Courts of Clinton County to enforce the Township's Ordinances, Codes, and relevant building codes, and to abate nuisances on the property.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The above WHEREAS provisions are hereby adopted.**
- 2. The Ordinance and Code violations as identified in the Township's June 19, 2023 NOTICE to OME Corporation are hereby adopted as findings of fact.**
- 3. The Hotel/Motel License #CHML23-01 is hereby revoked.**
- 4. The Township's legal counsel, McGinty, Hitch, Person, Anderson & Revore, P.C., and its attorney David M. Revore, is hereby authorized to initiate legal action in the Courts of Clinton County against the Green Acres Motel and the property regarding the above-referenced violations, to enforce the**

Township's Ordinances, Codes, and relevant building codes and to abate nuisances on the property.

- 5. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.**

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

NAYS: None.

ABSENT: None.

This Resolution is declared adopted this 12th day of July, 2023.

Seeger moved, Fedewa seconded, to close the public hearing at 8:03 PM.

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

NAYS: None.

ABSENT: None.

Motion carried.

EXTENDED PUBLIC, STAFF, & BOARD COMMENTS Fire Chief DeKorte thanked the Building Department and Electrical Inspector Lynn Smith for their diligence during inspections.

Police Chief Merony expressed his gratitude and commented that all departments of the Township worked as a team.

Manager Dymczyk stated his appreciation for staff.

Treasurer Stump commented on how important this work is for all involved.

Clerk Cramton stated that Township ordinance is sound, and the Township needs to continue to empower itself to enforce the ordinance for the safety of residents and business owners.

Supervisor Galardi criticized the philosophy of profit over safety and stated that the Building Department is an integral component of the Township's overall public safety organization. He thanked Chiefs Merony and DeKorte, as well as Chief Building Official Hoard, Code Enforcement Officer Nicholson, and Inspectors Smith and Colley.

ADJOURNMENT Seeger moved, Ross seconded, to adjourn 8:09 PM.

Motion voted and carried.

Respectfully submitted,



Adam Cramton, Clerk



Rick Galardi, Supervisor