



1401 W. Herbison Road, DeWitt, MI 48820  
January 11, 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 7:01 PM with the Pledge of Allegiance.

**MEMBERS PRESENT** Supervisor Rick Galardi (DeWitt Twp, MI), Clerk Adam Cramton (DeWitt Twp, MI), (call-in only) Treasurer Sandy Stump (DeWitt Twp, MI), and Trustees David Seeger (DeWitt Twp, MI), Brian Ross (DeWitt Twp, MI), David Fedewa (DeWitt Twp, MI), and Steven Smith (DeWitt Twp, MI).

**MEMBERS ABSENT** None.

**ALSO PRESENT** Fire Chief Dave DeKorte, Police Chief Mike Gute, Manager Andrew Dymczyk, and (call-in only) Community Development Director Brett Wittenberg.

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

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

**CONSENT AGENDA** **Ross moved, Smith seconded, to approve the Consent Agenda, which included the following: approval of Township Board of Trustees Special Meeting Draft Minutes of December 30, 2020; 2020 General Vouchers 72451-72511, Tax Vouchers 9157-9180; and 2021 General Vouchers 72512-72523.**

**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** None.

**CORRESPONDENCE** Correspondence included the following: DeWitt Township Meeting Dates for 2021; and Clinton County Drain Commission Notification to Property Owners.

UNFINISHED

BUSINESS

Second Reading,  
Proposed Ordinance  
Amendment 20-1 –  
Signs in relation to  
Reed v. Town of  
Gilbert

Staff and the Township Attorney have recognized the need to amend the current zoning ordinance requirements for signs in order to protect the Township from any future litigation. The intent of this amendment is to address content-based sign regulation, which were a topic of issue in Reed v. Town of Gilbert. The full Supreme Court case is available at the following link: [https://www.supremecourt.gov/opinions/14pdf/13-502\\_9o1b.pdf](https://www.supremecourt.gov/opinions/14pdf/13-502_9o1b.pdf).

At the November 23, 2020 Township Board meeting, the Board concurred with the Planning Commission's recommendation and approved on first reading with the Planning Commission recommended action.

**Fedewa moved, Ross seconded, based on a unanimous recommendation from the Planning Commission at their meeting of March 2, 2020, and after finding that the proposed amendment has complied with the process for amending the Zoning Ordinance, to approve the second reading of Ordinance 20-1 as it relates to signs, based on the finding that the proposed amendment complies with the process for amending the Zoning Ordinance.**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

NEW BUSINESS

DeWitt Township  
Public Meeting Policy  
Update

According to the Michigan Department of Health and Human Services (MDHHS) Emergency Order – Gatherings and Face Mask Order dated December 5, 2020, and Senate Bill 1108 revisions to the Open Meetings Act, all public meetings are to be conducted remotely until December 31, 2020. On December 23, 2020, Governor Whitmer signed into law Senate Bill 1246 extending the date for virtual meeting until March 31, 2021. The DeWitt Charter Township Open Meeting Policy & Procedure Manual has been updated to reflect these changes.

**Galardi moved, Stump seconded, to adopt the DeWitt Charter Township Open Meeting Policy & Procedure effective January 11, 2021.**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

Rezoning 20-880003 –  
Michael Ware Living  
Trust

Michael Ware Living Trust is requesting to rezone approximately 22,000 Sq. Ft (0.51 Acres) from IL, Light Industrial to IH, Heavy Industry. The subject site is located at 2085 Glenn Road, Lansing, MI 48906 (Parcel #050-035-300-005-01), south of State Road, north of Coleman Road, east of Wood Road and west of S. US 127, in the southwest ¼ of Section 35 of DeWitt Charter Township.

A public hearing was conducted on the proposed rezoning request on December 7, 2020 in which the Planning Commission unanimously recommended approval. There was no public comment received.

The current use of Medical Marihuana Grower (registered caregiver) is a permitted use within the IL District. The applicant wishes to expand the business in the future to include the recreational marihuana use, should the Township adopt an Ordinance. The IH District would allow for the continuation of the current use of the Medical Marihuana Grower. Moreover, the applicant believes that the IH District would be appropriate for the provision of Recreational and Medical Marihuana use in the future, and allow for their technological development of equipment related to growing operations.

Currently, the Township is in the process to amend the text of the Zoning Ordinance to regulate recreational and medical marihuana within the community. However, it is not confirmed yet the location or types of uses that may be permitted.

The property is designated for I-P, Industrial Park on the Future Land Use Map, but there are no properties zoned I-P within the Township. While the proposed IH zoning is not consistent with the I-P designation on the Future Land Use Map, it is consistent with the intent and policies of the Industrial Future Land Uses of the area as described on the Comprehensive Development Plan. The proposed use is not in conflict with the Comprehensive Development Plan and is consistent with the land use pattern in the immediate area.

**Fedewa moved, Cramton seconded, based on a unanimous recommendation from the Planning Commission, to approve the first reading of rezoning request 20-880003, from Michael Ware Living Trust as legally described on the application materials and survey documents, from IL, Light Industrial to the IH, Heavy Industrial district based on the fact that the request is not in conflict with recommendations of the Comprehensive Development Plan and is consistent with the existing land use pattern in the immediate area.**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

Economic  
Development  
Consultant – Budget  
Adjustment

The Township has recently experienced economic development conversations from a large-scale developer and potentially could explore other viable development options. These conversations and assessments of project viability may require, at times, other resources such as: the use of experts in related fields of tax specialization, legal, engineering and site development. The Township partners with two economic development firms, Lansing Economic Area Partnership (LEAP) and Clinton County Catalyst (CCC) (formerly Clinton County Economic Alliance) for assistance in economic development; however, other consultation may be needed. Supervisor Galardi, Community Development Director Wittenberg, and Manager Dymczyk recommend a budget adjustment for an additional allocation not to exceed \$10,000 for the economic development consultant line item. In the event funds are utilized, a general report of the expense will be brought back to the Board.

Trustee Ross stated that he feels it is a good idea to authorize the expenditure as well as the budget adjustment.



Fire Station 2 Oil /  
Water Separator – Bid  
Award, Budget  
Adjustment

On December 28, 2020, the Township received bids to replace an oil/water separator in the floor of Fire Station 2. The current separator has some rusting and functionality concerns.

The Township received three bids as follows:

<u>Vendor</u>	<u>Total</u>
Myers Plumbing & Heating Inc.	\$27,425
TL Contracting	\$30,000
Christman Constructors Inc.	\$90,365

Fire Chief DeKorte and Manager Dymczyk reviewed the bids and believe that Myers Plumbing & Heating Inc. has emerged as the best fit and value for the Township. Manager Dymczyk recommends authorization to execute an agreement with Myers Plumbing & Heating Inc. in an amount not to exceed \$27, 425 for the purpose of replacing an oil/water separator in Fire Station 2.

In July of 2020 the project cost was submitted for a Michigan Municipal Risk Management Authority Risk Avoidance Program grant, and was denied. The project will again be submitted to MMRMA for a RAP grant to cover project costs once completed. Prospective grants are received quarterly.

Trustee Fedewa expressed concern for the existing under-floor piping in the area to be worked, as well as no provision for removal of hazardous material. Manager Dymczyk responded that all potential vendors were notified of the underfloor piping. The removal of hazardous material will be addressed.

**Stump moved, Galardi seconded, to approve the following actions:**

1. **Authorize the Manager to execute an agreement with Myers Plumbing & Heating Inc. in an amount not to exceed \$27,425 for the purpose of replacing an oil/water separator in Fire Station 2.**
2. **The Board approve the following budget adjustment to the 2021 Budget:  
\$27,425            To: 106-336-977-000            From: 101-000-390-000  
Fire Department – Capt. Exp. General Fund Balance**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

Support Emergency  
Operation Plan (SEOP)  
for DeWitt Charter  
Township

Fire Chief DeKorte was contacted by the Clinton County Emergency Services Regional Planner, Jowa Wildes, in December, 2020. Mr. Wildes requested that DeWitt Charter Township update the Support Emergency Operations Plan (SEOP) and return it in January, 2021.

The SEOP is valid for four years. The plan was last updated in 2016.

It is necessary for the Township to maintain an active SEOP. If the Township does not have an updated plan, the Township will not receive Federal disaster financial assistance should a disaster occur. The Clinton County Emergency Management Office will need a copy of the plan once the Township Board readopts the SEOP.

If approved, the updated plan will be valid until 2024.

**Stump moved, Smith seconded, to readopt the Support Emergency Operations Plan for DeWitt Charter Township and that a copy of the plan be submitted to the Clinton County Emergency Services Department.**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

Land Rent Agreement  
with Robert O. Reese  
III

For the several years, Robert Reese has been farming the six acres of land east of Gunnisonville Cemetery. This land is the vacant land that the Township purchased for future expansion of the Cemetery. At this time, Gunnisonville Cemetery has only 71 available graves. The Clerk's Office and the Maintenance Department estimate a minimum of 2 years will be required to prepare additional acreage as viable cemetery space. It is for that reason that Clerk Cramton proposes retaining two of the six acres to begin preparation for conversion to cemetery space.

Clerk Cramton has spoken with Robert Reese about the concerns of diminishing space in Gunnisonville cemetery, and he is extremely supportive of the proposal. Clerk Cramton feels that the remaining four acres will be available to him for many years to come. Mr. Reese has been a fierce supporter of DeWitt Township over the years, currently serves on the Zoning Board of Appeals, and has graciously offered to assist the Township during the cemetery expansion by tilling and leveling the soil.

Attached is an agreement with Mr. Reese to allow him to farm a reduced amount of property in 2021. The proposed agreement is for \$95 an acre. This is the same per-acre price as last year.

Faye Hagy asked the Board to consider improved parking within Gunnisonville Cemetery.

**Stump moved, Fedewa seconded, to authorize the Clerk to execute the agreement with Robert O. Reese III to allow him to farm the four acres east of Gunnisonville Cemetery in 2021 for \$380/year.**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

DeWitt Charter  
Township Public  
Safety Committee  
Appointments

**Stump moved, Cramton seconded, to concur with the following DeWitt Charter Township Public Safety Committee appointments:**

**To confirm the Supervisor’s appointment of Steve Musselman to the Public Safety Committee for the remainder of an unfinished four (4) year term ending December 31, 2023.**

**To confirm the Supervisor’s appointment of Jon Ogar to the Public Safety Committee for the remainder of an unfinished four (4) year term ending December 31, 2021.**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

Merit Award  
Nomination – Michelle  
Norton

In light of the unusual challenges faced by the Clerk’s Office in 2020, Clerk Cramton has recommended a Merit Award for Deputy Clerk, Michelle Norton, in the amount of \$500. Michelle’s efforts in the face of unexpected hardship are deserving of recognition, and are appreciated by those she has helped this year. Clerk Cramton provided his letter of recommendation.

**Galardi moved, Smith seconded, to concur with Clerk Cramton’s recommendation to award Michelle Norton a Merit Recognition and Award in the amount of \$500.**

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

**NAYS: None.**

**ABSENT: None.**

**Motion carried.**

EXTENDED PUBLIC,  
STAFF, & BOARD  
COMMENTS

Fire Chief Dave DeKorte announced that the Fire Department will be picking up the new Rescue Vehicle on January 21<sup>st</sup>.

Police Chief Mike Gute gave an update on the First Responder Children’s Foundation Toy Giveaway on December 23<sup>rd</sup>. The event was held in the Memory of Sgt. Darnell.

Manager Andrew Dymczyk provided updates on the following:

- MIOSHA complaint, response, and resolution
- Airport Grant
- Kris Peterson, new part-time administrator in the Building Department
- Department Head reviews
- Township Hall boilers
- Coronavirus relief government grant
- Upcoming website training
- Grievance arbitration withdrawn

Supervisor Galardi presented that there has been a desire to have Board Agendas distributed earlier than the Friday before the meeting. Community Development Director Wittenberg stated that the Wednesday before a meeting is a reasonable expectation, but the consideration is the timing of materials from public, staff, and legal. Clerk Cramton provided that there is no statutory requirement for the delivery of agendas, and that the

Board is free to follow its own will. He also expressed a concern for having agendas completed too far ahead of a board meeting. Clerk Cramton recommended that, whatever the desire of the Board, a resolution would be the best way make the change. Manager Dymczyk expressed concern with ability to have materials prepared in time for a Wednesday agenda, particularly in instances of legal review. Supervisor Galardi requested that this item to be investigated further and discussed at the next Board meeting.

ADJOURNMENT      **Seeger moved, Ross seconded, to adjourn at 8:07 PM.**

**Motion voted and carried.**

Respectfully submitted,

Adam Cramton, Clerk

Rick Galardi, Supervisor