Whitewater Township Board
SPECIAL MEETING – APRIL 18, 2025 – 8:00 AM

WHITEWATER TOWNSHIP HALL
5777 VINTON ROAD, WILLIAMSBURG, MI 49690

CALL TO ORDER

The special meeting of the Whitewater Township Board was called to order at **8:00 AM** by Supervisor Linda Slopsema at the Whitewater Township Hall. Everyone stood and recited the **Pledge of Allegiance.**

Roll Call:

- Supervisor Linda Slopsema – Present
- Clerk Wendy Hoeksema – Present
- Treasurer Jill Koester – Present
- Trustee Tim Arends – Present
- Trustee Randy Mielnik – Present

A quorum was established.

AGENDA APPROVAL Motion by Supervisor Slopsema, seconded by Trustee Mielnik, to approve the meeting agenda as presented. Motion Carried.

CONFLICT OF INTEREST DECLARATION Supervisor Slopsema asked if anyone had a conflict of interest. Treasurer Jill Koester declared a conflict of interest regarding the short-term rental discussion due to her support and ownership of rental properties.

NOTE While she publicly stated her conflict, she did not complete the standard three-step recusal process. This typically includes: (1) declaring conflict, (2) not participating or the appearance of participating in the discussion or affecting Board decision, and (3) physically removing oneself from the decision-making area.

CORRESPONDENCE

Emails from several residents were received.
Taylor, Steelman, Dean, Vollmuth, Brady

PUBLIC COMMENT (from the lectern)

Stephanie Anderson (no address given) spoke in support of short-term rentals.

Vickie Beam, Baggs Road; said the Township wasn't being transparent. She also supports short-term rentals.

Paul Spielbauer, Glendenning Trail; states he can't have short-term rentals because of his

property's Deed [restrictions] but supports his neighbors' rights.

Karin Boyd, Baggs Road; supports short-term rentals and her community.

Vern Gauthier, Deal Road; supports short-term rentals.

Kelly Jo Bowman, Vinton Road; said she owns two rentals and supports short-term rentals.

Kim Magnus, Brown Bear Lane; supports short-term rentals and did not like the timing or notice of the meeting.

Eva Schlagel said she represents a group that supports short-term rentals.

Brenda Baker, Cook Road; said she rents for over 30 days and supports responsible short-term rentals.

David Boesler, Elk Lake Trail; supports the Board and its enforcement approach.

Steven Raddatz, Crisp Road; rents long-term but didn't like having a meeting on a religious holiday.

Mike Fowler, Rickerd Court; supports the community and short-term rentals.

Katy Bertodatto (states not a Township resident) owns a property management company and wants to help on a short-term rental committee.

Mike Jacobson, Skegemog Point Road; supports short-term rentals and does not support civil infraction ordinances.

Dylan Korson, Erickson Road supports short-term rentals.

Sue Torgensen (no address given) supports short-term rentals and has a condo at the Grand Traverse Resort.

Jeff Jarvis, Broomhead Road supports short-term rentals.

Jill Koester, Williamsburg Road, expressed her displeasure of a special meeting being scheduled while she was on vacation and in support of short-term rentals as she owns and manages rental properties. She returned to the Board Table.

AGENDA ITEMS

1. Municipal Civil Infraction Ordinance: (Trustee Koester did not participate in the discussion) The Board discussed the possibility of re-adopting a civil infraction ordinance. This ordinance would allow the Township to issue tickets for violations instead of pursuing criminal charges. It may offer a more efficient and cost-effective option for enforcement. The ordinance had been repealed in the past but is being reconsidered to assist with zoning enforcement.

a. Review of Drafts and Setting Public Hearing Date: The Board reviewed several draft versions and suggested changes based on legal and public feedback. Previous Boards also examined similar drafts but did not adopt them. The time and process needed for public hearing was discussed.

b. Zoning Ordinance Amendment – Article 22: The Board discussed amending Article 22 of the Zoning Ordinance to allow civil fines as a zoning enforcement option. This would need to be included along with the Civil Infraction Ordinance process.

Action: Due to the volume of public feedback and needed revisions, the Board tabled further action on both ordinance items until the next regular meeting on May 8th, 2025. It was discussed that it had been added to Agenda to schedule a public hearing and start public notice to discuss further, not be actually decided on today. Board Members explained the lengthy process of adopting an ordinance and apologized for confusion.

2. Pursue Short-Term Rental Violation: (Trustee Koester did not participate in the discussion) The Zoning Administrator has numerous times reported a short-term rental violation at 9276 Elk Lake Trail, noting multiple complaints and unsuccessful attempts to work with the property owner over a period of longer than a year.

Article 22 of the current zoning ordinance, currently in effect, was read aloud, which allows a violation to result in a $100 fine, up to 90 days in jail, or both. Each day of noncompliance may be treated as a separate violation. The Board discussed the pros and cons of using existing enforcement versus waiting for future ordinances.

Motion by Supervisor Slopsema, seconded by Trustee Mielnik, "to authorize the Township Attorney in coordination with the Zoning Administrator, to pursue a formal misdemeanor action against the property owner at 9276 Elk Lake Trail as is currently authorized in the Zoning Ordinance, since multiple notice of violation have not resulted in compliance."

Roll Call Vote

- Mielnik – Yes
- Slopsema – Yes
- Arends – No
- Hoeksema – Yes
- Koester – Recused

Motion Carried

Property for Sale at 9009 M-72: The Board reviewed information about a property for sale that could serve as a future Township office, emergency shelter, community center, or fire hall. The seller offered a reduced price and support with closing and renovation costs. The Supervisor and Clerk also met earlier in the week with the Grand Traverse County Community Development Coordinator for input. No decisions were made, and further review is planned.

BOARD DISCUSSION/COMMENTS: Board members clarified what a Conflict of Interest entailed for the public present, as a "personal financial benefit to the public official and their use of office to gain this." It was discussed that there are ordinances in effect without the ability to enforce them and that they are all interrelated. The permissive ordinance was explained that if not permitted then it is not allowed. Board members thanked the attendees for their participation and comments. They emphasized commitment to transparency and fairness and asked for continued public engagement as the Board works through complex issues.

PUBLIC COMMENT (SECOND OPPORTUNITY)

Karin Boyd thanked the Zoning Administrator and appreciated the information.

Katy Bertodatto again said she'd like to help on a short-term rental committee and thanked the Board.

Vicki Beam said she is in a lawsuit with the Township and thinks it could've been avoided.

Mike Jacobson said he lost work to attend the meeting and future meetings should be in the evening.

Eva Schlegel said she represents Corson Farms and is concerned about enforcement.

Jeff Jarvis thanked the Board.

ADJOURNMENT: Motion by Trustee Arends, seconded by Trustee Mielnik, to adjourn the meeting. Motion Carried.

The meeting adjourned at **10:12 AM**.

Respectfully submitted,

Wendy Hoeksema

Whitewater Township Clerk