

Whitewater Township Board – Special Meeting Summary

Date: April 18, 2025 | **Location:** Whitewater Township Hall | **Time:** 8:00 AM

Purpose of the Meeting: The Township Board met to review enforcement options for ordinance violations, discuss short-term rental issues, and discussion of a possible property purchase.

Conflict of Interest – Treasurer Recusal: Treasurer Jill Koester declared a **conflict of interest** related to the short-term rental discussion due to her personal ownership of rental properties. Under **Michigan law (MCL 15.323(2))**, public officials must avoid participating in decisions where they may financially benefit. Although the conflict was stated publicly, the full recusal process was **not completed** — which includes:

1. Declaring the conflict,
 2. Refraining from participating in discussion or votes, and
 3. Physically removing oneself from the area during related deliberations.
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Key Discussion Items:

Civil Infraction Ordinance:

The Board considered re-adopting a **municipal civil infraction ordinance** (*MCL 600.8701–600.8735*), which would allow zoning violations to be enforced through tickets and fines rather than criminal prosecution. The matter was tabled for further review at the **May 8, 2025** regular meeting.

Zoning Ordinance Amendment (Article 22):

A proposed amendment to allow **civil fines** as a zoning enforcement tool was also reviewed. Action was postponed in alignment with the civil infraction ordinance timeline. This is supported by **MCL 125.3207**, which permits such penalties in zoning ordinances.

Short-Term Rental Violation – 9276 Elk Lake Trail:

The Board authorized the Township Attorney to proceed with **misdemeanor enforcement** against a property owner with an ongoing short-term rental violation. Multiple complaints and prior notices had not resolved the issue. This enforcement is allowed under **MCL 41.181** and the existing zoning ordinance.

Property Review – 9009 M-72:

A commercial property was presented as a possible site for future Township use (e.g., fire hall, office space). No decision was made, and further evaluation is planned.

Public Participation: Significant public input was received. Most residents supported short-term rentals, while others raised concerns about enforcement, communication, and meeting accessibility. Comments were submitted in person and via e-mail.

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