

WHITEWATER TOWNSHIP BOARD
Held at Mill Creek Academy Gymnasium
9039 Old State Hwy. 72, Williamsburg, MI 49690
231-267-5141 Township Hall Phone

SPECIAL MEETING
APPROVED MINUTES
Tuesday, September 30, 2025, 6:00 p.m.

CALL TO ORDER: Supervisor Slopsema called the meeting to order at 6:00 p.m.
The Pledge of Allegiance was recited.

ROLL CALL: Clerk Wendy Hoeksema called Roll.

Present:

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

A quorum was established.

Absent: None.

ALSO PRESENT: Recording Secretary Kay Held

SET/ADJUST/APPROVE AGENDA: 6:02

Add "Accept Donation to Whitewater Township Park" after Board Discussion.

Board Action:

Mr. Arends made a motion to approve the Agenda as amended. Ms. Slopsema seconded the motion.
VOTE: YEAS – All. NAYES – No. Motion carried.

DECLARATION OF CONFLICT OF INTEREST: 6:03 None.

PUBLIC COMMENT: 6:05

J Zenas: Referenced attorney's presentation in packet as an example of how ordinance could be enforced if adopted by Township and asked for clarification. Specific call for recusal made.

D Brewer: Concerns raised about Board members' participation in decision making and also called for specific recusal.

M Dean: Warned that random enforcement of a confusing/non-existing Ordinance could result in lawsuits.

R Steelman: Noted that the community is divided on STR's and recusal could hinder decision making.

H Vollmuth: Expressed frustration over lack of enforceable regulations, with little progress over last decade to protect the people.

B Dean: Issued reminder that respect was needed to listen to both sides.

A Keaton: Mentioned that the "rule of necessity" may apply in certain decision scenarios.

G Frantz: (non-resident) Reminded the public that they have property rights.

M Jacobson: Asked that all residents be thought of as equals and for local government not to infringe on property rights.

G Savage: Thought that the public should have a say in how to use their own property.

N Shelagowski: Spoke of and explained the concept of “open field doctrine” and that two State Representatives were lobbying to end.

M Krinock: Called for increased ordinance enforcement while balancing homeowner rights. Noted the disparity of population vs. amount of STR’s that are a commercial business not contributing to the community.
(Note: final comment regarding Zoning was inaudible due to loud comments from the public.)

****Note: Supervisor Slopsema addressed loud conversations impeding the ability of the Board and others to hear. She asked people to exit the building if they would like to have separate conversations.***

J Mangus: Shared frustration on communication and urged for inclusion of residents in decision making process.

PUBLIC HEARING – CIVIL INFRACTION ORDINANCE #2025-51:6:35

Supervisor Slopsema commented that some residents may have received a mailer at their mailbox; this was not done by the Township, and it is illegal activity to touch anyone’s mailbox. She also stated the Board may or may not make any decision tonight regarding the proposed Ordinance.

Open Public Hearing / State Time:

Board Action:

Ms. Slopsema made a motion to open the Public Hearing. Mr. Arends seconded the motion.
VOTE: YEAS: All. NAYES: None. Motion carried.

Note: The Public Hearing opened at 6:35 p.m.

Request Attendees to Sign Attendance Sheet:

State Dates of Public Hearing Notice Publication:

The Public Hearing was noticed in the Traverse City Record Eagle 9/11/2025 and Elk Rapids News 09/25/2025

State Purpose of Public Hearing: Civil Infraction General Ordinance.

Written Comments Received:

Six written comments were received: Shively, Bergel, D. Steelman, R. Steelman, K. Mangus, Z. Cabinaw, R. Popp.

Receive Public Comment:

Comments from the Meeting Room:

R. Popp. Spoke in opposition to proposed ordinance citing residents want little to change and did not think it would be effectively manageable.

A Keaton: Spoke in opposition to proposed ordinance stating that township would be in same situation as a neighboring township with a current lawsuit.

M Dean: Referenced that proposed Civil Infractions Ordinance lacks definitions and the language needs to be reworded.

R Steelman: Spoke up against the Civil Infractions Ordinance stating that it would complicate matters further.

N Moothart: Spoke in support of previous speakers.

D Bukowski: Stated opposition and opinion that this proposed Ordinance gives less rights for the citizens.

D Baker: Opposes the proposed Ordinance and expressed idea of the public voting on subject.

R Savage: Stated as a property owner the public should have a say on important decisions like Ordinances.

J Gaskin: Expressed opposition stating this Ordinance is confusing as written, should come to a vote by the people and Board shouldn't be able to decide property rights.

B Dean: Spoke in opposition to Ordinance asking Board to look at what other communities are doing, not create decisiveness between neighbors.

B Baker: Agrees with previous speakers who oppose the complicated Ordinance.

A Nesky: Opposed Ordinance and expressed concerns that increased control measures may infringe on homeowner's rights.

R Steelman: Spoke in opposition of proposed Ordinance due to complexity and possible future mishandling.

D Brewer: Spoke in opposition of Ordinance stating because of feared targeted enforcement, saying he would "escort law enforcement officers off his property".

Speaking for a second time

D Baker: Says majority of people are in opposition to Ordinance.

M Jacobson: Expressed opposition for proposed Ordinance asking Board to observe the representation present, to not violate property owner rights and make the ordinance easier to understand.

G Hanna: States is a lifelong resident who doesn't want new changes made.

M Williams: Spoke in opposition stating he has concerns about enforcement as it's not clearly defined.

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G Haugen: Opposed the Ordinance and stated that the community needs to help each other.

W Braden: Is in opposition to Ordinance citing concerns with interpretation on blight and felt people should be able to vote on subject.

*****Note: Supervisor Slopsema referenced Michigan statute with regard to when the public can and cannot take an issue to a vote. She detailed several examples of both and outlined the process. In summary, the law states there is no provision within the state statute to take a Municipal Civil Infraction to a public vote or petition to put it on the ballot.***

N Shelagowski: Stating concerns with enforcement and aggressive fines is in opposition to proposed Ordinance.

*****Note: Supervisor Slopsema stated fines remain within the Township.***

Speaking for a second time

J Gaskin: Asked Board to consider having a committee to look at Ordinance

D Williams: Is in opposition stating that most citizens do not want any change.

W Nagy: Opposed to proposed ordinance stating it is too harsh, asks that Board be impartial and look at nearby communities for example.

K Mangus: Expressed opposition to proposed Ordinance citing complicated wording that needs revision to prevent abuse.

*****speaking a second time*****

A Keaton: Expressed frustration in the inability to vote on subject.

G Frantz: (non-resident) Stated Board lacks legitimate power over the people unless they will it.

H Vollmuth: Supported proposed Ordinance, stating although it's complexly written, we do live in a zoned community and should allow the Board to implement livable regulations for safety.

M Williams: Spoke in opposition stating majority is on same side.

J Mangus: Spoke neither in favor nor against proposed Ordinance instead offering that the Board has the potential to do well for community if they continue to put its people first, and that neighbors care about each other.

M Krinock: Spoke in favor of Civil Infractions Ordinance as it aims to hold accountability to provable accusations. It encourages communication between neighbors, saying this is unreasonable is not being community minded.

Comments Via Zoom:

B Kelley: An Acme Township resident noted how its Civil Infractions Ordinance has worked. Agrees people should be able to do what they want with their property but not at expense of other's enjoyment of own property.

Board Action:

Ms. Slopsema made a motion to take a 10-minute break. Ms. Koester seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried

Note: The break began at 7:47 p.m. The meeting resumed at 7:58 p.m.

Zoom Comments, continued:

S Mielnik: Ms. Mielnik noted comments made are hers, not those of her husband, who sits on the Board.

She is in favor of a civil infraction ordinance but agrees the current proposed one needs revision. A mechanism is needed to address Ordinance violations effectively.

Close Public Hearing:

Board Action:

Ms. Slopsema made a motion to close the Public Hearing. Mr. Mielnik seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

Note: The Public Hearing closed at 8:05 p.m.

BOARD DISCUSSION AND/OR ACTION REGARDING THE PROPOSED CIVIL INFRACTION ORDINANCE:7:53

No actions were taken; however, several Board members addressed the public thanking them for their attendance.

****Note: Supervisor Slopsema called a Point of Order due to public outbursts, stating there will be another Public Comment period in the meeting.***

Referenced was made about a distributed flyer and Elk Rapids News ad claiming the proposed CIO was harsher than the current process involving a misdemeanor.

The Supervisor clarified:

A Civil infraction is a ticket with fines and no criminal record while misdemeanor offenses go through court and carry a criminal record. The current default is the State law and misdemeanor process.

Michigan State law authorizes the township to produce a civil infraction ordinance and provides judicial oversight that defines the burden of proof standards, hearsay is not admissible. It must cite the violation. No fees are charged if found not guilty. Verbiage clarification could help understanding.

Supervisor Slopsema added there are five General Ordinances mainly affected by proposed CIO:

General Ordinance 35: Use of Human Powered Wheeled Vehicles at Hi Pray Park

General Ordinance 38: Junk

General Ordinance 39: Noise

General Ordinance 49: Abandoned Buildings

General Ordinance 63: Vehicle Parking

The current ordinances state the enforcement method is by Civil Infraction. Whitewater Township does not have a Civil Infraction General Ordinance through which to enforce them.

New Business added to Agenda: 8:06

Accept Donation to Whitewater Township Park:

Whitewater Township Park has been selected to receive a donation from the Tom Cosgrove Foundation to support Park events.

Board Action:

Ms. Slopsema made a motion to accept the donation from the Tom Cosgrove Foundation to Whitewater Township Park to be used for funding of the Halloweekend event in 2025 and event supplies and reimbursements for future Park events. Ms. Koester seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

ANNOUNCEMENTS:

Township Board Regular Meeting: Thursday, **10/9/2025, at 6:30 p.m., Whitewater Township Hall**. This meeting includes a Special Hearing on the Skegemog Point Road Special Assessment Roll (SAD).

GENERAL PUBLIC COMMENT:8:08

G Haugen: Remains opposed after hearing public speak as the Ordinance needs clarification.

D Brewer: Suggests Board listen to people to revisit this Ordinance.

J Mangus: Hopes Board can come together as individuals. Feels everyone should be free to understand ordinance and without persecution of life-changing fines.

R Kuncaitis: Mentions that a neighboring Township has clause in their policy against frivolous accusations that should be looked at as an example.

R Steelman: Says the public wants clear concise rules, not more of them.

K Mangus: Clarified previous comment citing concerns about an overly harsh CIO harming residents with potential misuse.

H Vollmuth: Recognizes the Board faces challenges in balancing community safety and public consent while enforcing regulations of zoning already in place.

M Jacobson: Does not support the Civil Infraction Ordinance. Feels the Ordinances should be worked on first and would like this to include community involvement in the future.

A Keaton: Believes a community workshop for the public would come up with good answers.

D Williams: Community rules should be fair and enforced consistently to earn public trust.

ADJOURNMENT:

Ms. Slopsema made a motion to adjourn the meeting.

Discussion:

Mr. Mielnik wanted it highlighted that significant progress has made in cleaning up the Zoning ordinances, including completing the Master Plan with more work still in progress.

It was noted that an appointment of 2 Planning Commission seats come available at end of the year.

Mr. Arends seconded the motion.

VOTE: YEAS: All. NAYES: None. Motion carried.

The meeting adjourned at 8:43 p.m.

Submitted by Kay Z. Held, Recording Secretary

Wendy Hoeksema, Clerk