



VILLAGE OF SUTTONS BAY
VILLAGE COUNCIL REGULAR MEETING
MINUTES OF NOVEMBER 21, 2022

The meeting was called to order at 5:30 p.m. by President Lutke.

Present: Bahle, Case, Christensen, Lutke, Smith, Suppes and Yoder
Staff present: Fay, Larrea and Miller

President Lutke welcomed new Trustee, Pat Yoder, to the Village Council.

Consent agenda approval

Bahle moved, Case seconded, CARRIED, to approve the Consent Agenda as presented. The Village Council meeting minutes of October 17, 2022 and November 2, 2022, are approved. The payment of Invoices is approved. Ayes: 7, No: 0.

Agenda approval

Case moved, Smith seconded, CARRIED, to approve the agenda as presented. Ayes: 7, No: 0.

Public comment

Larry Mawby representing Peninsula Housing is in favor of ADU's and encouraged Council to accept Planning Commission's recommendation to remove the section of the Zoning ordinance that states the owner of a parcel where an ADU exists shall reside on the property.

Lois Bahle stated the minutes are confusing regarding STR's and ADU's and that ADU's are another variety of housing in the community. She stated the Zoning Reform Tool Kit is a useful tool.

Bill Crackel stated he is in favor of ADU's but that parking needs addressed.

VSU 2022-66 Short Term Rental Discussion

Bahle moved, Smith seconded, FAILED, to approve Ordinance 25 of 2022 amending the Short-Term Rental Ordinance as presented, with a dissenting unanimous roll call vote. Ayes: 3, No: 4.

Suppes moved, Christensen seconded, CARRIED, to approve Ordinance 25 of 2022 with the following modification: Section 7. D. The cap on licenses in the Village is 45, with an affirmative unanimous roll call vote. Ayes: 6, No: 1.

VSF 2022-53 Accessory Dwelling Units

Following discussions, it was the consensus of Council to place this on the next Village Council meeting agenda for further discussion. Council would like the following addressed:

- Definition of an Accessory Dwelling Unit (ADU)
- Evidence that non-owner-occupied parcels with an ADU causes concern or lack of community; case studies
- Oversight by an owner/property manager within close proximity
- Consequences if Section 9-2 (c) is removed from the Zoning Ordinance
- On site parking of an occupied ADU
- Concern that both the primary house and ADU will both be a short-term rental

VSF 2022-64 Charter Franchise Agreement

Yoder moved, Bahle seconded, CARRIED, that the Village Council adopt the Uniform Video Service Local Franchise Agreement with 0% to be collected from Village customers. Ayes: 7, No: 0.

VSF 2022-62 Parks and Recreation Plan

Yoder moved, Case seconded, CARRIED, to adopt Resolution 1 of 2022, Resolution for Adopting a Plan and Plan Amendment, specifically the Parks and Recreation Plan 2022-2026, with an affirmative unanimous roll call vote. Ayes: 7, No: 0.

Par Plan Grant Request

Yoder moved, Smith seconded, CARRIED, to adopt Resolution 2 of 2022, Michigan Township Participating Plan Risk Reduction Grant Program Application, with an affirmative, unanimous roll call vote: Ayes: 7, No: 0.

Reschedule December Village Council meeting to December 6, 2022, at 8:30 a.m.

Yoder move, Case seconded, CARRIED, to reschedule the Village Council Regular meeting from December 19, 2022, to December 6, 2022, at 8:30 a.m. Ayes: 7, No: 0.

VSF 2022-67 Schedule Public Hearings- 2022 Budget Amendments/2023 Mileage Rate/2023 Budget

Bahle moved, Case seconded, CARRIED, that the Village Council schedule a public hearing for December 6, 2022, at 8:30 a.m., to consider amendments to the 2022 budget. Ayes: 7, No: 0.

Yoder moved, Suppes seconded, CARRIED, that the Village Council schedule the Truth in Taxation hearing to support the 2023 budget on December 6, 2022, at 8:30 a.m. Ayes: 7, No: 0

Smith moved, Suppes seconded, CARRIED, that the Village Council schedule a public hearing for December 6, 2022, at 8:30 a.m., to consider adoption of the proposed 2023 budget. Ayes: 7, No: 0.

Appointment of DDA member Nick Young

Lutke moved, Yoder seconded, CARRIED, to appoint Nick Young to the Downtown Development Authority, following President Lutke's nomination. Ayes: 7, No: 0.

Good of the Order

Karl Bahle stated Council often thinks of the community and its residents when making decisions.

Public comment

Larry Mawby believes ADU's should be governed by a police power ordinance and that a contact list should be maintained for ADU rentals.

Jason Metcalf stated the Zoning Ordinance allows for duplexes and that he is an owner of one. His duplex consists of one long term rental and one short term rental. He further states the Zoning Ordinance says that you cannot have more than one short term rental per property.

Vacation Rental Properties spokesperson stated the elimination of ADU's puts owners in a bind. She asked that Council members take in consideration a sale of a property that is an existing STR. The sale requires the buyer of an existing STR to take on the reservations already existing.

Bill Crackel stated a FOIA request revealed four short term rentals expiring at year end, and that he believes the STR rental at 326 N St. Mary's is not in compliance because they have no on-site parking.

Nick O'Non commented on the economic impact and the contribution to Suttons Bay that short-term rentals bring. He suggested looking at low density areas a little differently, and that we should take the good with the bad.

Adjournment

The meeting adjourned at 6:56 p.m.

Meeting minutes submitted by Shar Fay, Clerk.