

# CITY OF MACKINAC ISLAND

## MINUTES

### HISTORIC DISTRICT COMMISSION

Tuesday, June 13, 2023 at 1:00 PM

City Hall – Council Chambers, 7358 Market St., Mackinac Island, Michigan

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#### I. Call to Order

The meeting was called to order by Chairman Finkel at 1:08 PM

#### II. Roll Call Present Doud, Finkel, Sehoyan, Straus, Porter

#### III. Pledge of Allegiance

#### IV. Approval of Minutes

##### a. May 9 2023 Minutes

Motion to adopt the minutes as written made by Straus, Seconded by Doud.  
Voting Yea: Doud, Finkel, Sehoyan, Straus, Porter

#### V. Adoption of Agenda

Motion by Doud, second by Sehoyan to adopt the agenda as amended. Amendment is to add Response to Mining Letter from MHPN. All in favor. Motion carries.

#### VI. Correspondence

Finkel read a letter from MHPN regarding a bill regarding mining in Michigan. After some discussion, it was decided not to act on the letter. Motion by Sehoyan, second by Doud to place the letter on file. All in favor. Motion carries.

##### a. Municode Meeting Training

Amy Douglas introduced herself. Douglas showed commission members how to login.

##### b. Rentrop March 10, 2023 Statement

Rentrop summarized his statement. Finkel asked if there is money in escrow to cover the cellular portion of his bill. Rentrop stated we are still waiting on AT&T's check. Rentrop stated the application cannot be approved until funds are received. Rentrop stated it is up to the HDC to decide if an application can be reviewed and not acted upon, or not be acted on until the escrow is paid. Porter asked how other cities handle it, but Rentrop did not know. Finkel asked if anyone

from AT&T wanted to comment and Craig Gilmore stated they are working on getting the check issued. Porter stated that since this is a new policy maybe we should allow them to present their application. Rentrop stated that he could submit a bill to Gilmore.

c. Mission District Study Report Draft for Comment

Finkel did not have a chance to review the packet. Doud asked if Lesley Court is contributing? Doud asked if the 50 year age rule makes it contributing. Rentrop stated that it is a general statement. There can be exceptions to the 50 year rule. Doud asked if a house is over 50 years old can it NOT be considered contributing? Neumann stated that yes that is possible. The Commissioners questioned houses like Porters sister who has a ranch style home that is over 50 years old. Should those be considered historic? Doud does not think Lesley Court, Nancy May's house, Rowe Condos, Porter's brother, Kovolak's house, Mapleview, 6706 Main, and others, should not be considered contributing. Neumann suggested a further discussion with Past Perfect before determining all the contributing structures. Porter stated that the 70's was not a great time for construction. Doud stated that not including the large hotels places a burden on the smaller hotels. Neumann agreed. Rentrop is to relay the Commission's comments to Past Perfect.

Porter left the meeting at 1:50 PM

## VII. Committee Reports

### VIII. Staff Report

a. C23-066-032(H) Mary's Bistro Door Replacement

Dombroski stated that a door was inadvertently replaced. Applicant paid the fine and applied as required. The work was Like for Like

Motion to approve made by Doud, Seconded by Sehoan.

Voting Yea: Doud, Finkel, Sehoan, Straus, Porter

b. C23-019-027(H) Central Savings Bank Trim & Beadboard Replacement

The applicant needed to replace a rotted 2 x 10 and a small piece of beadboard at the roofline, all Like for Like.

Motion to approve made by Doud, Seconded by Sehoan.

Voting Yea: Doud, Finkel, Sehoan, Straus

c. Starline Dock Update - Dombroski

Dombroski stated there was no engineer report yet. The piling work done resulted in a ticket and the applicant is opposing and fighting the ticket. This was further discussed under New Business.

d. Job Status Report - Pereny

no comments.

Motion to place on file made by Doud, Seconded by Sehoan.  
Voting Yea: Doud, Finkel, Sehoan, Straus, Porter

e. Educational Segment

This was tabled for the next meeting

## IX. Old Business

a. C23-044-017(H) AT&T Equipment on the Chippewa Hotel

Rentrop asked Dombroski to comment on the balloon placement. The balloons were used to show the height of the proposed antennas. AT&T came back with an alternate location for the antennas on the side of the building below the parapet and will be painted to match the building. Neumann agreed that this is a good solution. Neumann gave a favorable review. Rentrop read the resolution he drafted for approval, aloud.

Motion to approve the resolution made by Sehoan, Seconded by Straus.  
Voting Yea: Doud, Finkel, Sehoan, Straus

Doud commented that many parts of the island have no service. Syed, from AT&T commented on this. Gilmore asked Doud to send a map to Kara showing areas with no service. Dombroski stated that AT&T owns a tall tower in the Annex that is still standing that he believes could be used as a cell tower. This location would reach the Annex, Village, and areas that many employees live. Gilmore stated they will look in to that. Straus commented that the pole in the Annex has not had activity in some time. Straus believes the neighbors to the tower should be notified if that is to change.

b. MD22-069-022(H) May Permit Extension Request

A request was submitted to extend their permit for renovations.

Motion to approve the permit extension made by Straus, Seconded by Doud.  
Voting Yea: Doud, Finkel, Sehoan, Straus

## X. New Business

### a. MD23-009-035(H) Harts Haven Porch, Stairs and Railing Replacement

Dombroski stated it is essentially like for like with the exception of a graspable hand rail. The work was done without a permit and the fee was paid.

Motion to approve made by Doud, Seconded by Sehojan.

Voting Yea: Doud, Finkel, Sehojan, Straus

### b. C23-012-037(H) Starline Dock Piling Work

Jim Murray stated he was here on behalf of Mackinac Island Ferry Company (previously known as Starline). Murray presented a letter to the members. Drew May with MIFC is the operations manager. Murray is first asking if this needs to be reviewed since it is maintenance, and second he is questioning the concept of the fine. MIFC was fined \$5000 and he does not believe it is reasonable or appropriate. Murray stated the building inspector deemed the dock unsafe in March. MIFC hired someone to review the dock. The pilings were found to not be attached to the dock. MIFC made the repairs in April. Murray believes this is just placing safety pilings by the dock. Drew May stated no permits were required by the State. The West side of the dock may need repairs as well. Murray stated the Ordinance states they may impose a fine of UP TO \$5000. Dombroski stated the Police Chief and City attorney determined the fine. In addition, MIFC was notified before work progressed, that they needed HDC approval and a building permit before work could begin. Dombroski stated the piles are fender piles; they do not reinforce the dock. They are there to let the boats rub on. Dombroski believes the fine was based on the number of the piles added. (30). In addition, the piles create a whole new look to the dock. Dombroski and the Commission members agreed they should not review the fine without the Chief of Police and Attorney Evashevski, since they were the ones to assess the fine. In regards to the question of the necessity of an HDC permit, the HDC reviews architectural changes, and this was an architectural change. Doud stated he is sympathetic to Starline, but that being said, the applicant could have come with an apology to the April meeting, and the fine could have been less. Rentrop stated in regards to the necessity of a permit, the answer is yes. This was work. Work is defined as construction, alteration, repair, building, excavation, and demolition. All members agree that an HDC application was needed. Doud stated the repairs were great but an application needed to be submitted. Murray quoted a section of the Ordinance that states ordinary maintenance does not require a permit. Finkel stated the importance of maintaining order. That is what they are here to do. We have an issue that could have easily been resolved had there been communication in advance between the applicant and the HDC. It is of strong interest of the city and the commission that we do not reward forgiveness over permission. In some ways this is meant to serve as an example and a deterrent. Finkel does not feel he is unduly burdening the applicant. We do not want this to be easier, cheaper or more convenient to evade the authority of the commission. Finkel is not adverse to reconsidering the amount of the fine, but does feel it should be significant to deter this in the future. Finkel does not want to reward

the initiative. May stated he signed the contract with Ryba on April 4th. Ryba came and started work with only a couple of days notice. May apologized for not submitting the application and has learned from the mistake. There is other work that needs to be done on the dock. Sehoan stated that the City's concern is with the cruise ships coming to the dock. A study is being done and he does feel the fine is excessive but would make a motion to approve the application and would consider reducing the fine to \$250. Dombroski suggested that Sehoan not make that recommendation without talking to the Chief and Evashevski first. May stated if they didn't get Ryba now, they don't know when. Dombroski stated that may have been taken into consideration, but they decided to go ahead with the work after being told not to. Doud agrees that the Chief and Evashevski should be involved. When asked, Dombroski stated that the work that is done has minimal benefit structurally. It is going to deflect a little bit and protect the existing pilings, but it does not answer the whole question of the dock. Sehoan asked if the work done is reflected in the application. Dombroski stated yes. Sehoan withdrew his motion. Doud made a Motion to approve contingent on the revision of description of work. Finkel stated that he feels strongly that this initiative should be deterred in the future when it appears to him that the authority was willfully evaded and forgiveness was seen as the more desirable alternative to obtaining permission first. Finkel feels that any perceived excess of the fine is more indicative of deterrence than any particular injury that was suffered. May stated as long as he is here, this will not happen again. Straus stated she is concerned about the application to submit for the work is dated May 30th. In addition we have heard there are questions about the necessity of the work being done before the winter. Straus is also aware of the benefit of having multiple cruise ships that dock at the dock and that the pile driver would get in the way. With the work already done the commission cannot act on it other than acknowledging a late application. Straus felt they needed more information on timing. May stated the work is already done, and was done in 3 days. They were trying to get it done before April 21st. Straus stated they are concerned about what is going on in this historic district of Mackinac Island. Dombroski asked that the description be changed to show that the work was already done.

Motion to approve contingent on the revision of the description of work to reflect that it is already done, made by Doud, Seconded by Straus.

Voting Yea: Doud, Finkel, Sehoan, Straus

## **XI. Public Comment**

None

## **XII. Adjournment**

With no further business the meeting was adjourned at 3:18 PM

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Andrew Lee Finkel, Chairman

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Katie Pereny, Secretary