



**ORGANIZATIONAL MEETING MINUTES
JOINT PLANNING COMMISSION
HELD AT THE CITY OF CADILLAC CITY HALL
JANUARY 6, 2020 6:00 P.M.**

CALL TO ORDER

City Manager Marcus Peccia called the meeting to order at 6:00 p.m. Peccia explained that this first meeting of the Joint Planning Commission (JPC) is an organizational meeting for purposes of discussing the basic roles and functions of the JPC, the election of officers, and a review and possible discussion of the JPC's draft by-laws prepared by the city's legal staff. He noted that these items encompass tonight's basic agenda.

Peccia asked attending staff to introduce themselves and asked the commission members to introduce themselves also.

ROLL CALL

MEMBERS PRESENT: Adams, Baumann, Benson, Bunce, Gregory, Schultz, and Stoutenburg.

STAFF PRESENT: Peccia (City Manager), Wallace (Community Development Director), Coy (Zoning Administrator), and Homier (City Attorney)

After roll call Peccia asked if the commission would approve the agenda for tonight.

APPROVAL OF AGENDA

Motion by Baumann, support by Adams to approve the agenda for the January 6, 2020 Joint Planning Commission organizational meeting. Motion passed with a unanimous vote.

PUBLIC COMMENTS

There being none, public comments closed.

STAFF PRESENTATION

Wallace asked City Attorney Michael Homier to explain the roll and responsibilities of commission members. Homier noted that having a JPC is rare in the state of Michigan and that none of their firm's other municipal clients have such a commission. He added that the roll of the commission is very important and that it is not to be viewed as a rubber stamp committee. He added that voting on the commission by-laws and officer positions are not required at tonight's meeting, if the JPC wishes not to do so.

Homier explained that the JPC Chairperson will serve as moderator of the meetings. The Vice-Chair will handle the moderator's duties when the Chairperson cannot attend, and the Secretary's roll is to make certain meetings minutes and other required documents are prepared. He stated that the minutes and preparing of documents for the JPC will be the responsibility of city staff who will communicate with the Secretary on all such matters.

Homier explained that correspondence among the members of the commission needs to be handled carefully as this is a public body. He noted that violations of the Open Meetings Act can occur should a quorum of members discuss a commission matter outside of a public meeting. He offered examples of how discussions, correspondence, emails, and the like should be processed.

Homier stated that the Michigan Planning Enabling Act requires the JPC to have at least four meetings annually. The Act does not differentiate between regular or special meetings. He added that special meetings can be called at any time with the stipulation that the meeting notices must be posted at least 18 hours in advance. Homier will leave it up to the commission to determine if they would like to set defined dates for regular meetings.

Peccia stated that meetings are recorded and staff will be providing draft minutes to the Secretary.

ELECTION OF OFFICERS

Chairperson - Commission member Benson made a motion to nominate Baumann as Chairperson. Support by Adams. The nomination passed with a unanimous vote.

Vice Chairperson - Baumann motioned to nominate Benson as Vice-Chairperson. Support by Bunce. The nomination passed with a unanimous vote.

Secretary - Bunce motioned to nominate Adams as Secretary. Support by Benson. The nomination passed with a unanimous vote.

JPC BY-LAWS

Commission members, assisted by staff, discussed the proposed JPC By-Laws. Several questions, as noted, were asked regarding clarification of the proposed by-laws.

Question: Page 3, Rule 2.3 the last sentence reads "All communications, petitions, and reports addressed to the JPC must be delivered or mailed to the secretary (or the secretary's authorized designate)." Does this mean such correspondence and information must initially be forwarded to the JPC Secretary?

Homier answered that the Secretary's designate will be the Community Development Director who may be the recipient of correspondence and other information.

Question: Page 4, a clarification was asked relating to the commission members who have a one-year term. Are they eligible for re-election. This is addressed on Page 3, section 2.3, which states there is eligibility for re-election.

Question: Page 9, Rule 5 reads that "the Joint Planning Commission shall determine the

time of meetings by resolution”. The question was asked whether the specific time needs to be in the by-laws.

Homier answered that it does not necessarily need to be in the by-laws and added that the JPC may at any time change the regular meeting time if needed.

Question: Adams commented that on Page 10, Rule 5.5(c.) where it reads the public wishing to speak be limited to three minutes, should there be clarification that applicants bringing business before the commission not be limited to the three minutes.

Homier responded that applicants would not be limited to three minutes and added that it is important that persons wishing to speak before the commission sign in with their name and address.

Question: In Rule 7.2 under Maintenance of Records it addresses closed sessions. The question was would there ever be an instance where this commission would have a closed session?

Homier answered that closed session could happen if a legal opinion were needed for the commission to move forward on a subject.

Question: Adams asked if decisions rendered by the Joint Planning Commission are subject to review by the Zoning Board of Appeals if an applicant appeals their decision?

Homier answered certainly not for a Special Land Use application.

Question: Stoutenburg asked about the date of February 19, 2021 under Rule 4.1(a)(4) relating to the Joint Planning Commission not having the authority to make approvals relating to marijuana facilities. The agreement between the two units of government reads the commission does not have authority for two and a half years. After discussion it was agreed the date (year) should be changed to read 2022.

Question: Benson asked if maps and other documents shown in the draft of these by-laws as exhibits will be included in the final version of the by-laws? He noted they were not included in the packets.

Homier answered the maps and other exhibits should be included in the by-laws and will be included in the final version.

Question: Schultz asked if under Rule 5 on page 9 where it reads meetings are to be held at Cadillac City Hall, does the commission have the ability to change the venue for the meeting such as the Teri Dee property where a future hotel may for example have meeting rooms?

Homier answered that regular meetings probably should be held here at City Hall as it is set up for recording public meetings. He added that a special meeting could be held off site with the proper public notice.

Baumann said he would like the substantive items they discussed for clarification be added to the by-laws for review before they vote to approve the by-laws. Homier then went over his notes on which specific Rules need to be edited for the final version.

Baumann asked City Staff to coordinate with the commission members to establish the best date for the next meeting and future regular meetings.

Homier reminded everyone to not hit "Reply All" when answering emails and if they wish to include other members. Do it by "Blind Copy (Bcc:)."

STAFF PRESENTATION - DEVELOPMENT CONCEPTS

Wallace presented power-point images of the original Teri Dee development concepts. He added that the Teri Dee site is an approved development as is but that changes to it would need to come before this commission. He showed and described a number of the details in the approved Teri Dee Sketch Plan. Specific site plans within the development will still need review and approval. He added that the court settlement that includes the Cadillac Investment Group properties, abutting the Teri Dee site, will need zoning approval for the recommended land uses. He also showed a sketch of the proposed land uses for the Cadillac Investment properties which is significantly larger in area than the Teri Dee property.

Schultz asked if a round-a-bout may be incorporated in future development plans. Peccia said they anticipate MDOT will be doing a traffic study in the future to determine when a light will be needed on M-55 into Teri Dee Blvd. He added that he didn't feel the Teri Dee property would include a round-a-bout but wouldn't count out future developers on the Cadillac Investment properties considering it.

Homier concluded by saying in 2020 the commission will need to take action on zoning for the Cadillac Investment Group properties. This process will require public notices for public hearings which takes two to three months.

PUBLIC COMMENTS: None.

BOARD MEMBERS COMMENTS – None.

COMMUNICATIONS – None.

ADJOURN – There being no additional business Baumann asked for a motion to adjourn. Adams made a motion to adjourn with support by Benson. The meeting adjourned at 7:10p.m.