



City of Boyne City

Founded 1856

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AGENDA

BOYNE CITY PLANNING COMMISSION

Monday July 17, 2017, 5:00 p.m.
Boyne City Hall



Scan QR code or go to
www.cityofboynecity.com
click on Boards & Commissions for complete
agenda packets & minutes for each board

1. Call to Order
2. Roll Call - Excused Absences
3. Consent Agenda

The purpose of the consent agenda is to expedite business by grouping non-controversial items together to be acted upon by one Commission motion without discussion. Any member of the Commission, staff, or the public may ask that any item(s) on the consent agenda be removed to be addressed immediately following action on the remaining consent agenda items. Such requests will be respected.

Approval of minutes from the May 22,, 2017 Boyne City Planning Commission meetings.

4. Hearing Citizens Present (*Non-Agenda Items*)
5. Reports of Officers, Boards, Standing Committees
6. Unfinished Business Boyne City
7. New Business
 - A. Review-Update Planning Commission Bylaws
 - B. Review Proposed Pavilion Renovation
8. Staff Report
9. Good of the Order
10. Adjournment – Next Meeting August 21, 2017

Individuals with disabilities requiring auxiliary aids or services in order to participate in municipal meetings may contact Boyne City Hall for assistance: Cindy Grice, City Clerk/Treasurer, 364 North Lake Street, Boyne City, MI 49712; phone (231) 582-0334

An Equal Opportunity Provider and Employer

Hometown Feel, Small Town Appeal

**Meeting of
May 22, 2017**

Record of the proceedings of the Boyne City Planning Commission rescheduled, regular meeting held at Boyne City Hall, 364 North Lake Street, on Monday May 22, 2017 at 5:00 pm.

Call to Order

Vice Chair Frasz called the meeting to order at 5:01 p.m.

Roll Call

Present: Ken Allen, George Ellwanger, Chris Frasz, Tom Neidhamer, Aaron Place and Joe St. Dennis
Absent: Jason Biskner and James Kozlowski
Vacancy: One

Meeting Attendance

City Officials/Staff: Planning and Zoning Administrator Scott McPherson, City Clerk / Treasurer Cindy Grice
Public Present: 4

Excuse Biskner

****Motion**

2017-05-22-07

St. Dennis moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to approve to excuse Jason Biskner from attending today's meeting.

Consent Agenda

****Motion**

2017-05-22-08

St. Dennis moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to approve the consent agenda; approval of the Planning Commission minutes from March 20, 2017

2017-05-22-09

Roll Call:

Aye: Allen, Ellwanger, Frasz, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner and Kozlowski

Vacancy: One

Motion Carries

**Citizen comments on
Non-Agenda Items**

None

**Reports of Officers,
Boards and Standing
Committees**

None

Unfinished Business

Jerry Douglas, Lynn Murray and Jeffory Ross applied to become a member of the Planning Commission. Scott McPherson stated at this time that both Mr. Ross and Mr. Murray are still interested in this position. Joe St. Dennis inquired if there was a conflict of interest with Mr. Murray already being on the Zoning Board of Appeals and was informed no per State Statute and that the State actually likes to see these boards cross populated.

****Motion**

Ellwanger moved, Neidhamer seconded, PASSED UNANIMOUSLY, a motion to approve to recommend to the City Commission to appoint Jeffory Ross to the Planning Commission with a term expiring May 31, 2020.

2017-05-22-09

Roll Call:

Aye: Allen, Ellwanger, Frasz, Neidhamer, Place and St. Dennis
Nay: None
Absent: Biskner and Kozlowski
Vacancy: One
Motion Carries

**Development Plan
Amendment Request
for Boyne City
Preschool**

Scott McPherson discussed the application received for the Boyne City Preschool located at 1030 Roosevelt Street for a 56' x 26' addition to their existing structure for additional classroom space, kitchen, office space and entry. The property is located in the Traditional Residential District and the existing proposed use is a principle permitted use in the district. The proposed addition would be located on the north side of the building. The proposed addition is located within the setback.

The original approved plan provided for a 7 space parking area located in front of the building with a one way circular drive entering on the west and exiting on the east. The current parking and entrance to the site consist of a gravel area north of the existing building to the road with no defined entrance drive. While the proposed plan meeting zoning ordinance requirements for building size, setbacks and lot coverage, the proposal would eliminate a large portion of the parking area identified on the original approved plan. The proposed plan shows no proposed parking on the site. Section 24.10 Parking, Loading and Access Requirement stipulates minimum parking for Nursery Schools, Day Nurseries, or Child Day Care Center of 2 spaces for each employee plus 1 space for each 8 children of licensed approved capacity. The number of employees and the licenses authorized capacity have not been provided with the application.

The proposed request would be an amendment to an approved development plan. Our ordinance provisions for requesting and approving amendments to an approved development plan. If the Planning Commission determines that the proposed amendment does not significantly alter the intent of the approved plan, and is in conformance with the Ordinance standards, the requested amendment may be approved through the mutual agreement of the landowner and the Planning Commission. The plan as presented cannot be approved, as it is not in conformance with Ordinance parking standards as the proposal would eliminate to zero all the previously approved onsite parking. Section 19.70 of the ordinance does provide a process for reviewing plans that are not in conformance with ordinance criteria.

Scott added there is a concern with the existing gravel and lack of formal entrance and exit of the driveway. There needs to be some kind of treatment.

After discussion with the applicant, their architect will work on parking plans.

**Election of officers
Motion

Place moved, Ellwanger seconded, PASSED UNANIMOUSLY, to appoint Chris Frasz as Chair of the Planning Commission

2017-05-22-10

Roll Call:

Aye: Allen, Ellwanger, Frasz, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner and Kozlowski

Vacancy: One

Motion Carries

****Motion**

Neidhamer moved, St. Dennis seconded, PASSED UNANIMOUSLY, to appoint Aaron Place as Vice-Chair of the Planning Commission

2017-05-22-11

Roll Call:

Aye: Allen, Ellwanger, Frasz, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner and Kozlowski

Vacancy: One

Motion Carries

****Motion**

Place moved, St. Dennis seconded, PASSED UNANIMOUSLY, to appoint George Ellwanger as Secretary of the Planning Commission

2017-05-22-12

Roll Call:

Aye: Allen, Ellwanger, Frasz, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner and Kozlowski

Vacancy: One

Motion Carries

**Planning Commission
By-Law review-
Update**

Scott McPherson recommended to postpone this discussion until the next meeting when there will be a full board, along with the new member present. The board agreed.

**Board
Reappointment
Recommendation**

Place moved, Ellwanger seconded, PASSED UNANIMOUSLY, to recommend reappointment of Jason Biskner to the Planning Commission for a three year term expiring May 31, 2020.

****Motion**

2017-05-22-13

Roll Call:

Aye: Allen, Ellwanger, Frasz, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner and Kozlowski

Vacancy: One

Motion Carries

****Motion**

Allen moved, Place seconded, PASSED UNANIMOUSLY, to recommend reappointment of Jim Kozlowski to the Planning Commission for a three year term expiring May 31, 2020.

2017-05-22-14

Roll Call:

Aye: Allen, Ellwanger, Frasz, Neidhamer, Place and St. Dennis

Nay: None

Absent: Biskner and Kozlowski

Vacancy: One

Motion Carries

Staff Report

Scott McPherson reported that the Joint meeting with Wilson Township was recently held. There was great discussion on the M75 corridor. Louie’s Farm Fresh market and Sav-a-lot moving in will provide a good opportunity to do a focused corridor plan with MDOT, RRC included.

The City may want to start discussions on a property maintenance code.

Good of the Order

None

Adjournment

The next regular meeting of the Boyne City Planning Commission is scheduled for Monday, June 19, 2017 at 5:00 pm in the Honeywell Meeting Room.

2017-05-22-15

****Motion**

Allen moved, St. Dennis seconded, PASSED UNANIMOUSLY a motion to adjourn the May 22, 2017 meeting at 5:55 p.m.

Chair Chris Frasz

Recording Secretary Cindy Grice

CITY OF BOYNE CITY

To: Vice Chair Chris Frasz and fellow Planning Commissioners

From: Scott McPherson Planning Director

Date: April 17, 2017

Subject: Policy for Planning Commission Appointment Recommendation



Background

Staff has been requested by the Planning Commission to prepare written policy on the procedure for appointment recommendations made to the City Commission. Currently there is no requirement or formal process in regards to the Planning Commission making a recommendation to the City Commission for appointments to the Planning Commission. The requirements for membership to the Planning Commission and procedure for appointment are established by the Section 2-257 of the Boyne City Planning Commission Ordinance which is as follows:

2-257. Membership

- A. *The Planning Commission shall consist of nine (9) members appointed by the Mayor subject to approval by a majority vote of the City Commission. One of the members may be a member of the City Commission and serve as an ex-officio with full voting rights. To be qualified to be a member and remain a member of the Commission, the following qualifications must be met:*
1. *Shall be a qualified elector of the City of Boyne City, as defined in Section 2-266 of this Ordinance.*
 2. *Shall be a resident of the City of Boyne City, as defined in Section 2-266 of this Ordinance.*
- B. *Members shall be appointed for three-year terms. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that the terms of, of all commission members continue to expire each year. A member shall hold office until his or her successor is appointed. The term of ex-officio member's appointed from the City Commission shall be concurrent with their elected term of office.*
- C. *The membership shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of the City of Boyne City, in accordance with the major interests as they exist in the City, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, commerce, healthcare, building trades, hospitality, retail, finance, insurance, real estate, cultural, historic, and recreational resources.*
- D. *The membership shall also be representative of the entire geography of the City of Boyne City to the extent practicable.*
- E. *The City Commission shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.*

- F. *The transition from the previous City of Boyne City Planning Commission and the Commission established in this ordinance shall be gradual and shall take place over the next three years. The City Commission shall continue to make annual appointments, appointing approximately 1/3 the membership of the Commission as specified in this Ordinance, so that three years from the effective date of this ordinance the membership, membership representation, and number of members have completed the transition to fully comply with this Ordinance. All other aspects of this ordinance shall have immediate effect.*

Section 2 of the Planning Commission Bylaws references the ordinance in the in the appointment process expands on the qualifications considered for membership. For your reference a copy the bylaws have been attached.

Neither the ordinance nor bylaws establish any provisions or requirements for the Planning Commission to make a recommendation on prospective appointees. The practice of the Boards and Commissions of Boyne City making recommendations on appointees to their respective boards or commissions is an informal policy done as a courtesy to the City Commission. A recommendation does not have any enforceability and the City Commission is not bound in any way by an appointment recommendation made by the Planning Commission. The Planning Commission is not bound in any way by any past recommendation. With that understanding the following policy is being provided for the Planning Commission review and consideration:

Expiration of Term

Upon the expiration of a term of a sitting planning commission member, and the member wishes to continue membership on the Commission, the sitting member will automatically be considered for reappointment at the meeting prior to the expiration of their term to refill the position. At their discretion, the Planning Commission may consider and recommend any other eligible candidates to fill the vacancy

Vacancy of Term

Upon a vacancy by any means other than the expiration of the term, the recommendation of appointment to the planning commission shall be included as new business item on the next available agenda. The Planning Commission shall be presented with all the candidates that have completed a Boyne City Board Application and have indicated the Planning Commission as an area of interest on the form. The Planning Commission may only consider applicants that meet the eligibility requirements as stipulated in section 2-257(A)(1) & (2). All potential candidates will be contacted prior to the meeting to confirm continued interest in the appointment and invited to the meeting in which they may considered for recommendation for appointment. At the meeting all applicants in attendance will be provided an opportunity to make presentation to the Planning Commission.

Recommendation

In the consideration of a recommendation to fill a vacancy of term the planning commission shall use the membership criteria as listed in Section 2(A)1&2 of the Planning Commission Bylaws as a guide. A motion to recommend appointment to fill only the currently vacant position should be made. A recommendation by the Planning Commission is advisory only and has no legal force or effect. Neither the City Commission nor the Planning Commission is bound in any way by any current or previous recommendations for appointments. The recommendation for the appointment made by the planning commission and the applications of all other eligible

applicants considered by the Planning Commission will be submitted to the next available City Commission agenda for their review and consideration.

Process

A free standing policy can be approved by the Planning Commission or the Planning Commission has the option of amending the By-Laws to incorporate the Planning Commission Appointment recommendation policy. Amendment of the By-laws at any regular or special meeting with a 2/3rds vote of the Planning Commission.

PLANNING COMMISSION BYLAWS
of City of Boyne City Planning Commission

Adopted, effective immediately, February 16, 2009

1. **Name Purpose**

- A. The name shall be the City of Boyne City Planning Commission, hereafter known as the "Planning Commission".
- B. These Bylaws are adopted by the Planning Commission to facilitate the performance of its duties as outlined in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, (M.C.L. 125.3801 *et seq.*), hereinafter "the Planning Act."
- C. These Bylaws are also adopted to facilitate the duties of the Planning Commission for administration of a zoning ordinance as outlined in P.A. 110 of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*), hereinafter "the Zoning Act."

2. **Membership**

- A. **Members.** Members of the Planning Commission are appointed by the City Commission pursuant to the City of Boyne City Planning Commission Ordinance, as amended.
 - 1. First priority, each member shall represent and advocate what is best for the City of Boyne City as a whole, putting aside personal or special interests.
 - 2. Second priority, each member shall represent a separate important segment of the community, as appointed by the City Commission:
 - a. One citizen at-large member.
 - b. One citizen member representing environmental interests: Attend and/or be familiar with the desires and needs of the environmental organizations in City of Boyne City (including but not limited to conservation clubs, garden clubs, lake and river landowner associations and the Michigan Department of Environmental Quality land and water programs).
 - c. One citizen member representing agriculture, forestry, and land use interests: Attend and/or be familiar with the desires and needs of the Farm Bureau, Soil Conservation District, Michigan Department of Natural Resources Forestry Division, United States Forest Service, Resource Conservation and Development Council, municipal planning and/or zoning boards.
 - d. One citizen member representing education interests: Attend and/or be familiar with the desires and needs of the local school districts, intermediate school district, College, University, MSU Extension, and other educational institutions.
 - e. One member representing recreation and tourism interests: Attend and/or be familiar with the desires and needs of the tourist division of the Chamber of Commerce, visitor/convention bureau, hotel/motel tourist business owners; recreation associations; civic and social organizations; the arts; snowmobile and other recreation clubs; Michigan Department of Natural Resources Parks Division, Recreation Division, and Waterways Division.
 - f. One citizen member representing industrial and economic interests: Attend and/or be familiar with the desires and needs of industrial

associations, the Chamber of Commerce, economic development corporations, organized labor, and trade associations.

- g. One member representing transportation and communication interests: Attend and/or be familiar with the desires and needs of the County Road Commission, village and city road agencies, telephone companies, Internet providers, postal and other parcel delivery services, news media, mass/bus transportation systems, airports, and harbors.
 - h. One member representing sanitation, environmental health, housing, and human services interests. Attend and/or be familiar with the desires and needs of public utility providers, water and sewer providers, the County Health Department, councils on aging, and human services collaborative bodies.
 - i. One member shall be a member of the City Commission: Attend and/or be familiar with the desires and needs of the City Commission and its committees; adjacent legislative bodies and their planning commissions, and regional multi-county planning agency.
- B. Liaisons. The purpose of liaisons is to provide certain City of Boyne City officials and quasi-officials the ability to participate in discussions with the Planning Commission, in addition to speaking in public participation, and nothing else. Liaisons cannot vote, introduce motions, initiate any other parliamentary action, be counted for a quorum or be expected to comply with attendance requirements pursuant to Section 2.C of these bylaws. Liaisons, if not already appointed Planning Commission members, are:
- 1. Planning Department staff, and their agents and consultants.
 - 2. The Planning Commission's consultants.
 - 3. City of Boyne City Attorney.
 - 4. City of Boyne City engineering, water, sewer, DPW, or similar department heads.
 - 5. City of Boyne City attorney and corporate council.
 - 6. City of Boyne City Administrator.
 - 7. Chairman of the City Commission.
 - 8. Manager of the County Road Commission and village or city road agency.
 - 9. The county Emergency Management Coordinator.
 - 10. The county Soil Erosion and Sedimentation Control Officer.
 - 11. District Health Department senior or supervisory Registered Sanitarian.
 - 12. The County Surveyor, except when the issue before the Planning Commission is to review his, or his client's work.
 - 13. The County Register of Deeds.
 - 14. The County Extension Director.
 - 15. The County Soil Conservation Service Soil Conservationist.
 - 16. Regional (multi-county) Planning Staff.
- C. Attendance. If any member of the Planning Commission has unexcused absences from three consecutive regularly scheduled meetings, then that member shall be considered delinquent. Delinquency shall be grounds for the City Commission to remove a member from the Planning Commission for nonperformance of duty, or misconduct, after holding a public hearing on the matter. The Planning Commission secretary, or acting secretary in the absence of the elected secretary, shall keep attendance records and shall notify the City Commission whenever any member of the Planning Commission has unexcused absences from three consecutive regularly scheduled meetings, so the City Commission can consider further action allowed under law or excuse the absences.
- D. Incompatibility of Office.
- 1. Each member of the Planning Commission shall avoid conflicts of interest and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - a. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.

- b. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
 - c. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 - d. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
 - e. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her household.
 - f. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:
 - (1) an applicant or agent for an applicant, or
 - (2) has a direct interest in the outcome.
2. If there is a question whether a conflict of interest exists or not, the question shall be put before the Planning Commission. Whether a conflict of interest exists or not shall be determined by a majority vote of the remaining members of the Planning Commission.
 3. When a conflict of interest exists, the member of the Planning Commission, or committee, shall do all of the following immediately, upon first knowledge of the case and determining that a conflict exists:
 - a. declare a conflict exists at the next meeting of the Planning Commission or committee:
 - b. cease to participate at the Planning Commission or committee meetings, or in any other manner, or represent one's self before the Planning Commission, its staff, or others, and
 - c. during deliberation of the agenda item before the Planning Commission or committee, leave the meeting or remove one's self from the front table where members of the Planning Commission sit, until that agenda item is concluded.
 4. If a member of the Planning Commission is appointed to another office, which is an incompatible office with his or her membership on the Planning Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Planning Commission. If a member of another office is appointed to the Planning Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Planning Commission, that shall result in an automatic resignation from the other office.

3. **Duties of all members.**

A. *Ex Parte* contact

1. Members shall avoid *Ex Parte* contact about cases where an administrative decision is before the Planning Commission whenever possible.
2. Despite one's best efforts it is sometimes not possible to avoid *Ex Parte* contact. When that happens, the member should take detailed notes on what was said and report to the Planning Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

B. Site Inspections

1. Site inspections shall be done by the zoning administrator or other staff. A written report of the site inspection shall be orally presented to the Planning Commission at a public meeting or hearing on the site.
 2. If desired, no more than one member of the Planning Commission may accompany the zoning administrator or staff on a site inspection.
- C. Not Voting On the Same Issue Twice.
1. Any member of the Planning Commission shall avoid situations where they are sitting in judgment and voting on a decision which they had a part in making. As used here, sitting in judgment and voting on a decision which they had a part in making, at a minimum shall include, but not necessarily be limited to, the following:
 - a. When the appeal is of an administrative or other decision by Planning Commission and the member of the Planning Commission sits both on the Commission and Zoning Board of Appeals.
 - b. When the appeal is of an administrative or other decision by any committee of the Planning Commission, City Commission, or other committee and the member of the Commission sits both on that committee and Zoning Board of Appeals or both on the Planning Commission and Zoning Board of Appeals.
 - c. When the case is an administrative decision which was decided by the Planning Commission and sent to the City Commission for further action, and the member of the Planning Commission sits both on the Commission and City Commission.
- D. Accepting gifts.
1. Gifts shall not be accepted by a member of the Planning Commission or liaisons from anyone connected with an agenda item before the Planning Commission.
 2. As used here, gifts, shall mean cash, any tangible item, or service, regardless of value; and food valued over \$10.
 3. This section does not apply to the Planning Commission accepting gifts for the exercise of its functions pursuant to M.C.L. 125.3823(3), §23(3) of the Planning Act.
- E. Spokesperson for the Planning Commission.
1. Free and open debate should take place on issues before the Planning Commission. Such debate shall only occur at meetings of the Planning Commission.
 2. Once a vote is taken and an issue is decided by vote, the duty of each member of the Planning Commission is to represent the position reflected by the outcome of the vote. Minority reports and requests for reconsideration may take place only at an open meeting of the Planning Commission.
 3. From time-to-time, or on a specific issue the Planning Commission may appoint a spokesperson for the Planning Commission for all matters which occur outside of the meetings of the Planning Commission.
4. **Officers**
- A. Selection. At the regular meeting in May of each year, the Planning Commission shall select from its membership a Chair and Vice-Chair. Officers are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Planning Commission shall select a successor to the office of Vice-Chair for the unexpired term.
 - B. Tenure. The Chair and Vice-Chair shall take office following their selection and shall hold office for a term of one year or until their successors are selected and assume office.
 - C. Chair's Duties. The Chair retains his or her ability to discuss, make motions and vote on issues before the Planning Commission. The Chair shall:

1. Preside at all meetings with all powers under parliamentary procedure;
 2. Shall rule out of order any irrelevant remarks; remarks which are personal; remarks about another's race, religion, sex, physical condition, ethnic background, beliefs, or similar topics; profanity; or other remarks which are not about the topic before the Planning Commission;
 3. Restate all motions as pursuant to Section 5.E of these Bylaws;
 4. Appoint committees;
 5. Appoint officers of committees or choose to let the committees select their own officers.
 6. May call special meetings pursuant to Section 5.B of these Bylaws;
 7. Act as member and Chair of the Executive Committee pursuant to Section 7.A of these Bylaws;
 8. Act as an Ex-Officio member of all committees of the Planning Commission;
 9. Review with the planning staff, prior to a Planning Commission meeting, the items to be on the agenda if he or she so chooses;
 10. Periodically meet with the Planning Director and/or other Planning Department staff to review Planning Department operation, procedures, and to monitor progress on various projects.
 11. Act as, or delegate someone to act as, the Planning Director in the absence of a Planning Director;
 12. Act as the Planning Commission's and Planning Department's chief spokesman and lobbyist to represent the Commission at local, regional, and state government levels.
 13. Represent the Planning Commission, along with the City Commission Planning Commission member, before the City Commission; and
 14. Perform such other duties as may be ordered by the Planning Commission.
- D. Vice-Chair's Duties. The Vice-Chair shall:
1. Act in the capacity of Chair, with all the powers and duties found in Section 4.C of these Rules, in the Chair's absence.
- E. Recording Secretary's Duties. The Recording Secretary shall not be a member of the Planning Commission or any of its committees, and shall:
1. At each meeting take notes for minutes and prepare a draft of minutes pursuant to section 6.A of these Bylaws for review and adoption by the Planning Commission and;
 2. Perform such other duties as requested by the Planning Commission.

5. **Meetings**

- A. Regular meetings. Meetings of the Planning Commission will be held the third Monday of every month at 5 p.m. at City Hall Commission Chambers, 319 North Lake Street. An annual notice or regularly scheduled Planning Commission meetings shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L. 15.261 *et seq.*)
- B. Special Meetings. Special meetings shall be called in the following manner:
1. By the Chair.
 2. By any two members of the Planning Commission.
 3. By the Chair at the request of any non member of the Planning Commission, upon payment of a non-refundable fee to cover costs of the special meeting.
 4. Notice of special meetings shall be given by the Secretary to members of the Planning Commission at least forty eight (48) hours prior to such meeting and shall state the purpose, time, day, month, date, year and location of the meeting (the Secretary may delegate this function to staff). In addition notices shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act M.C.L. 15.261 *et seq.*).

- C. Quorum. More than half the total number of seats for members of the Planning Commission, regardless if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Planning Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.
- D. Motions.
1. Motions shall be restated by the Chair before a vote is taken.
 2. Findings of Fact. All actions taken in an administrative capacity (including but not limited to, special use permits, subdivisions, zoning, site plan review, planned unit developments, review and submission on another municipality's proposed plan, review and submission on a capital improvement, review of township zoning) shall include each of the following parts.
 - a. A finding of fact, listing what the Planning Commission determines to be relevant facts in the case in order to eliminate misleading statements, hearsay, irrelevant, and untrue statements.
 - b. Conclusions to list reasons based on the facts for the Planning Commission's action, often directly related, or not, to a finding of compliance, or noncompliance, to standards.
 - c. The Planning Commission's action; recommendation or position, approval, approval with conditions, or disapproval.
- E. Voting. Voting shall be by voice and shall be recorded as passing or failing. Roll call votes will be recorded only upon request by a member of the Planning Commission and shall be recorded by "yes" or "no". Members must be present to cast a vote. Voting by proxy shall not occur. The affirmative vote of a majority of those present or a majority of a quorum, whichever is greater, shall be necessary for the adoption of motions. The affirmative vote of a majority of the total number of seats for members of the Planning Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.
- F. Planning Commission Action. Action by the Planning Commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded.
- G. Parliamentary Procedure. Parliamentary procedure in Planning Commission meetings shall be informal. However, if required to keep order, Planning Commission meetings shall then be governed by *Roberts Rules of Order Newly Revised*, (10th Edition, Perseus Publishing, New York, 2000 (ISBN 0-7382-037-6)) for issues not specifically covered by these Bylaws. Where these Bylaws conflict, or are different than *Robert's Rules of Order*, then these Bylaws control.
1. Public Participation. All regular and special meetings, hearings, records, and accounts shall be open to the public. All public comment on non agenda items should be presented at the beginning of the meeting where provided in the printed agenda. After that point during the meeting, public comment on agenda items is as allowed by the Chair.
 2. The Chair may limit the amount of time allowed for each person wishing to make public comment at a Planning Commission meeting. The Chair may ask members of the audience to caucus with others sharing similar positions so they may select a single spokesperson. If a single spokesperson is selected, that individual shall be able to make public comment at the Planning Commission meeting without time limit or an extended time limit
- H. Consensus Business. Certain items of business before the Planning Commission are routine matters where no discussion normally occurs or is expected to occur and a consensus for adoption normally occurs or is expected to occur. The individual preparing the agenda may mark such items on the agenda as a Consent Item, if that individual feels it qualifies as consensus business. The agenda or material presented on the issue should indicate the proposed action (approve, disapprove, no comment, approve with modification). Any Consent Item can be removed by request of a member. It is

automatically removed and placed as on the agenda as a new business item. A motion to adopt the Consent Items can be made, in effect adopting all agenda items included as Consent Items.

- I. Order of Business. Agenda. The Secretary, or designee, shall prepare an Agenda for each meeting and the order of business shall be as follows:
 - (A) *Call to order, and Pledge of Allegiance.*
 - (B) *Roll Call.*
 - (C) *Consent Agenda.*
 - (D) *Hearing Citizens Present (Non-Agenda Items).*
 - (E) *Reports of Officers, Boards and Committee's.*
 - (F) *Unfinished Business.*
 - (G) *New Business.*
 - (H) *Staff Report.*
 - (I) *Good of the Order.*
 - (J) *Adjournment.*
- J. Delivery of Agenda. The agenda and accompanying materials shall be mailed to Planning Commission members so it is reasonably expected to be received prior to the weekend prior to the regular meeting date, generally accepted to be, but not always, mailed by first class mail on the Thursday of the week prior to the Commission meeting.

6. **Record.**

- A. Minutes and Record. The Planning Commission Secretary shall keep, or cause to be kept, a record of Planning Commission meetings, which, shall at a minimum include an indication of the following:
 - 1. Copy of the meeting posting pursuant to P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act, M.C.L. 15.261 *et seq.*)
 - 2. Copy of the minutes, and all its attachments which shall include a summary of the meeting, in chronological sequence of occurrence:
 - a. Time and place the meeting was called to order.
 - b. Attendance.
 - c. Indication of others present (listing names if others choose to sign in and/or a count of those present).
 - d. Summary or text of points of all reports (including reports of what was seen and discussed at a site inspection) given at the meeting, and who gave the report and in what capacity. An alternative is to attach a copy of the report if offered in writing.
 - e. Summary of all points made in public participation or at a hearing by the applicant, officials, and guests and an indication of who made the comments. An alternative is to attach a copy of the public's statement, petition, or letter if it is provided in written form.
 - f. Full text of all motions introduced, whether seconded or not, who made the motion and who seconded the motion. For each motion, the following should be included:
 - (1) Who testified and a summary of what was said..
 - (2) A statement of what is being approved (e.g. special use permit, variance, conditional use permit, subdivision, land division, etc.)
 - (3) The location of the property involved (tax parcel number and description, legal description is best).
 - (4) What exhibits were submitted (list each one, describe each, number or letter each and refer to the letter or number in the minutes).
 - (5) What evidence was considered (summary of discussion by members at the meeting).

- (6) The administrative body's findings of fact.
 - (7) Reasons for the decision made. (If the action is to deny, then each reason should refer to a section of an ordinance which would be violated or with which not complied.)
 - (8) The decision (e.g. approve, deny, approve with modification).
 - (9) A list of all required improvements (and if they are to be built up-front or name the type of performance security to be used), if any.
 - (10) List of all changes to the map/drawing/site plan that was submitted. (Sometimes it is easier to use a black flair felt pen and draw the changes on the map of what was applied for, rather than listing the changes. Do not use different colors. The map will most likely be photo copied. Then colors on the copy will not show at all or will just be black.)
 - (11) Make the map/drawing/site plan part of the motion (e.g. "...attached to the original copy of these minutes as appendix 'A', and made a part of these minutes...").
- g. Who called the question.
 - h. The type of vote and its outcome. If a roll call vote, indicate who voted yes, no, abstained or a statement the vote was unanimous. If not a roll call vote, then simply a statement: "the motion passed/failed after a voice vote."
 - i. That a person making a motion withdrew it from consideration.
 - j. All the Chair's rulings.
 - k. All challenges, discussion and vote/outcome on a Chair's ruling.
 - l. All parliamentary inquiries or point of order.
 - m. When a voting member enters or leaves the meeting.
 - n. When a voting member or staff member has a conflict of interest and when the voting member ceases and resumes participation in discussion, voting and deliberations at a meeting.
 - o. All calls for an attendance count, the attendance, and ruling if a quorum exists or not.
 - p. The start and end of each recess.
 - q. All Chair's rulings of discussion being out of order.
 - r. Full text of any resolutions offered.
 - s. Summary of announcements.
 - t. Summary of informal actions, or agreement on consensus.
 - u. Time of adjournment.
- 3. Records of any action, support documents, maps, site plans, photographs, correspondence received, attached as an appendix to the minutes.

7. **Committees**

- A. The Planning Commission or Chair may establish and appoint committees for special purposes or issues, as deemed necessary. Less than a quorum may serve on an ad hoc committee at any given time.

8. **Rules of Procedure for All Committees**

- A. All committees are subservient to the Planning Commission and report their recommendations to the Planning Commission for review and action. The Planning Commission can overrule any action of any committee.
- B. The same principals of these Bylaws for the Planning Commission also apply to all committees of the Planning Commission.

9. **Hearings**

- A. Plan Hearings. Before the adoption of any part of a plan, as defined in the Planning Act, or any amendment to a plan, or recommending approval of an amendment to the City Commission, the Planning Commission shall hold a public hearing on the matter. Notice of the time and place of the hearing shall be given, not less than 15 days prior to such hearing, by at least one publication in each newspaper of general circulation.
- B. Special Hearings. Notice of special hearings for the purposes of presenting preliminary master plans, obtaining public opinion on a problem, or discussion of a particular problem with interested parties will be given in the most practical manner and to persons, or group representatives most interested, and as required by the Planning Act, Zoning Act, and relevant local zoning ordinance.

10. **Zoning Responsibilities**

- A. Zoning adoption or amendment. The Planning Commission shall review and act on all proposed zoning ordinances, or zoning amendments pursuant to the Zoning Act. At least one hearing shall be held on each proposed zoning ordinance or amendment, with notices given as specified in the zoning ordinance and the Zoning Act. After the hearing, action shall be in the form of a recommendation to the legislative body. At a minimum the recommendation shall include:
 - 1. Zoning plan for the areas subject to zoning, or zoning amendment of the local unit of government;
 - 2. The establishment of or modification of zoning districts, including the boundaries of those districts, if applicable;
 - 3. The text of a zoning ordinance or amendment with the necessary maps and zoning regulations to be adopted for a zoning district or the zoning jurisdiction as a whole; and
 - 4. The manner of administering and enforcing the zoning ordinance.
- B. Conditional Use Permit. The Commission shall review and act on all conditional use permits pursuant to the Zoning Act and zoning ordinance. After the hearing action shall be in the form of a motion which contains (or is included in the minutes) a finding of fact, conclusions as to a list of reasons for the action, and the Planning Commission's action, pursuant to section 5.E.2 of these Bylaws.
- C. Development Plan Review. The Planning Commission shall review and act on all development plans which the zoning ordinance requires Planning Commission action. Action shall be in the form of a motion which contains (or is included in the minutes) a finding of fact, conclusions as to a list of reasons for the action, and the Planning Commission's action, pursuant to section 5.E.2 of these Bylaws.

11. **Plan Reviews.**

- A. The Planning Commission shall review all adjacent, or contiguous, local government plans, and the county plans in which the Planning Commission's service area is located.

12. **Capital Improvements Review**

- A. Capital Improvements (the removal, relocation, widening, narrowing, vacating, abandonment, change of use or extension of any public way, grounds, agricultural land, open spaces, buildings, or properties before work is started and after municipal capital improvement planning approval is obtained).
- B. All preliminary plans and reports for the physical development of the City of Boyne City, including the general location, character and extent of streets and roads, viaducts, bridges, farmland, agricultural land, forest land, parks and open spaces; the general location of public buildings and other public property; the general location and extent of public utilities and terminals.

- C. Action shall be in the form of a motion which contains (or is included in the minutes) a finding of fact, conclusions as to a list of reasons for the action, and the Planning Commission's advisory action, pursuant to section 5.E.2 of these Bylaws.
- D. When reviewing the proposed project the Planning Commission should at a minimum consider the following issues. If the answer to any of the below is "no," then the Planning Commission's review of the project should not be favorable.
 - 1. Is the proposed project consistent with adopted plans?
 - 2. Is the project consistent with other governmental management plans?
 - 3. Is the project consistent with the plans of each municipality located within or contiguous to the local unit of government?
 - 4. Is the project consistent with adopted, if any, capital improvement plans?

13. **Capital Improvements Program**

- A. Annually, a recommendation for a capital improvement program (CIP) of public structures and improvements shall be submitted to the City Commission.
- B. The Planning Commission shall rely on the following individuals, and departments in preparing the CIP.
 - 1. City Manager;
 - 2. All department heads;
 - 3. The Planning department staff .
- C. The Planning Commission shall review the CIP:
 - 1. The review shall determine the conformance of the projects with community comprehensive plans, development policies, and the objectives and goals of the community.
 - 2. The review shall include an opportunity for departments to present their arguments for why any given project should be included in the program and at what order of priority.
- D. The planning commission shall hold a public hearing on the CIP.
- E. After the hearing, the Planning Commission then:
 - 1. Formally adopts the CIP in the form of a recommendation to the legislative body for adoption; or
 - 2. Adopts an amended version of the CIP in the form of a recommendation to the legislative body for adoption; or
 - 3. Does not adopt the CIP, thus does not adopt the ranked listing/project priorities.
- F. If the legislative body refers the CIP back to the Planning Commission, the Planning Commission shall further review the CIP, make modifications, and submit another version of the CIP to the legislative body.

14. **Commission staff**

- A. Authorization. The Planning Commission staff may consist of a Planning Director and such other personnel as may be authorized by the City Commission
- B. General Responsibility. The Planning Commission staff is charged with the duty of preparation and administration of such plans as are authorized by the Planning Commission, appropriate for the City of Boyne City and its environs and are within the scope of the Planning Act and the Zoning Act.
 - 1. Advocacy. The Planning Commission staff shall not attempt to represent the views or comments of a member of the public at a public hearing or Commission meeting. Staff shall indicate a member of the public wishing to make their views known and they should do so directly to the Commission in person, through an agent, or by providing written comment. Staff should avoid situations of appearing to advocate for an individual or group. Nothing herein is intended to prevent staff from helping an individual or group be better informed and to present their own views. Nothing herein is intended to prevent staff from expressing their own views as private citizens.

C. Conflict of Interest.

1. All members of the Planning Commission's staff shall avoid situations which are conflicts of interest, and/or incompatibility of office. As used here, a conflict of interest shall at a minimum include, but not necessarily be limited to, the following:
 - a. Issuing, deliberating on, voting on, or reviewing a case concerning him or her.
 - b. Issuing, deliberating on, voting on, or reviewing a case concerning work on land owned by him or her or which is adjacent to land owned by him or her.
 - c. Issuing, deliberating on, voting on, or reviewing a case involving a corporation, company, partnership, or any other entity in which he or she is a part owner, or any other relationship where he or she may stand to have a financial gain or loss.
 - d. Issuing, deliberating on, voting on, or reviewing a case which is an action which results in a pecuniary benefit to him or her.
 - e. Issuing, deliberating on, voting on, or reviewing a case concerning his or her spouse, children, step-children, grandchildren, parents, brothers, sisters, grandparents, parents in-law, grandparents in-law, or members of his or her household.
 - f. Issuing, deliberating on, voting on, or reviewing a case where his or her employee or employer is:
 - (1) an applicant or agent for an applicant, or
 - (2) has a direct interest in the outcome.
2. When a conflict of interest exists staff shall do all of the following immediately, upon first review of the case and determining a conflict exists:
 - a. declare a conflict exists,
 - b. cease to process the case any further, and
 - c. forward the case, and all pertinent records, to an alternate, assistant, or manager so the case is dealt with by someone else.
3. Other than as part of work for the Planning Commission staff shall not (1) provide private consultation services, or advise on similar related services for clients, (2) provide work in professions or services which is or could be regulated by the Commission (such as, but not limited to planning, zoning, real estate, land development, solid waste, land surveying, architecture, professional and civil engineering, landscape architecture, sociology, economics, geography, political science, public administration consulting or work) within a site within the boundaries of City of Boyne City or for clients who are or may be applicants before the Planning Commission, Zoning Board of Appeals, or the Commission's staff. This is not intended to prevent a staff person from assisting residents, municipalities, or others seeking help from the Commission, which are normally part of an employee's duties.

D. Planning Director's Duties. The Planning Director shall be responsible for the professional and administrative work in directing and coordinating the program of the Commission. His or her work shall be carried on with the widest degree of professional responsibility, subject to the policy determinations and job description as adopted from time to time by the Planning Commission and administrative policies of the County. In addition to any job description adopted from time to time by the Planning Commission, the basic fundamentals of the Planning Director's job shall include, but not be limited to:

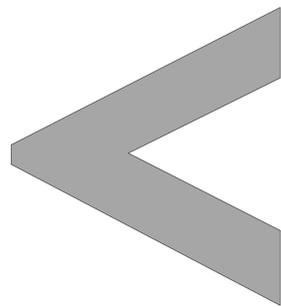
1. Recommendations. The Planning Director shall take action or make recommendations in the name of the Commission, in accordance with such plans, policies and procedures as are approved or established by the Commission from time to time. Where there is a serious conflict of interest, public controversy, or uncertainty or doubt as to the plans, policies, or procedures approved or

established by the Commission, presentation of the matter shall be made at a Commission meeting.

2. Administrative Duties. The Planning Director shall:
 - a. Supervise and review the work of the professional, technical, and nontechnical employees of the Planning Commission staff.
 - b. Prepare a proposed annual budget for the Planning Commission and Department to submit to the Planning Commission.
 3. Policy Formulation. The Planning Director shall:
 - a. Be responsible for carrying out the directives of the Planning Commission.
 - b. Advise and assist the Planning Commission in the establishment of general planning policy.
 - c. Work with the Chair of the Planning Commission for formulation of staff policy, subject to approval by the Planning Commission.
 - d. Recommend to the Commission action necessary for effectuating plans with respect to both public and private endeavors.
 - e. Administer zoning and subdivision ordinances.
 - f. Prepare drafts of Capital Improvement Programs.
 - g. Prepare long range comprehensive plans and other plans.
 4. Public Relations. The Planning Director shall:
 - a. Officially present the Planning Commission's recommendations to the governing body.
 - b. Officially represent the Planning Commission and its staff at planning conferences, interdepartmental meetings of the county government, and serve generally as a liaison between the Commission and the public.
 - c. Encourage private development or investment in accord with comprehensive plans.
 - d. Cooperate with public and private agencies and with individuals for the development, acceptance, and effectuation of plans.
 - e. Supply information for and encourage interested public agencies and citizen organizations in programs to promote public understanding of and government cooperation with planning efforts.
 - f. Accept other responsibilities as may be directed by the Planning Commission, Governing Body, or Chief Executive.
 5. Planning Commission duties delegated to the Planning Director:
 - a. To oversee and coordinate Planning Commission staff teams, pursuant to section 9 of these rules as directed.
- E. Other Staff Duties. The Planning Commission shall establish, with consultation with the Planning Director from time to time, updated job descriptions for each staff position in the Planning Department.

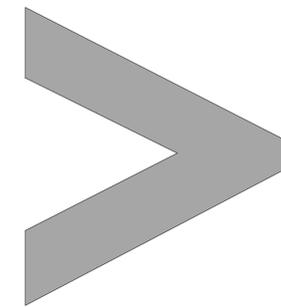
15. **Adoption, Repeal, Amendments**

- A. Upon adoption of these Bylaws of February 16, 2009, they shall become effective and all previous Bylaws, shall be repealed.
- B. The Commission may suspend any one of these Bylaws, for a duration of not more than one agenda item or meeting.
- C. These Bylaws may be amended at any regular or special meeting by a two-thirds ($\frac{2}{3}$) vote of the members present.



Addition / Renovations Boyer City

Veterna Park, Lake Street
PROJECT NUMBER: 1407



ISSUES:	
DATE:	DESCRIPTION:
3-31-14	Preliminary SD/DD
4-21-16	Preliminary
5-14-16	Revision
3-30-17	Update Phase 1
7-6-17	Preliminary Design
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INDEX OF DRAWINGS

7-6-17 Preliminary Design

- A0.1 Cover Sheet
- A2.0 Demo Plan
- A3.1 Floor Plan
- A3.2 Enlarged Plan
- A6.1 Building Elevations
- A6.2 Building Sections
- S1.1 Foundation Plan
- S1.2 Roof Framing Plan



m.e.p. engineers



structural engineers

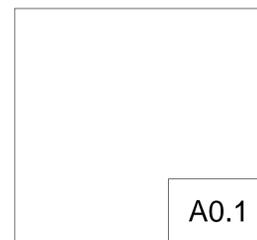


site / civil engineers

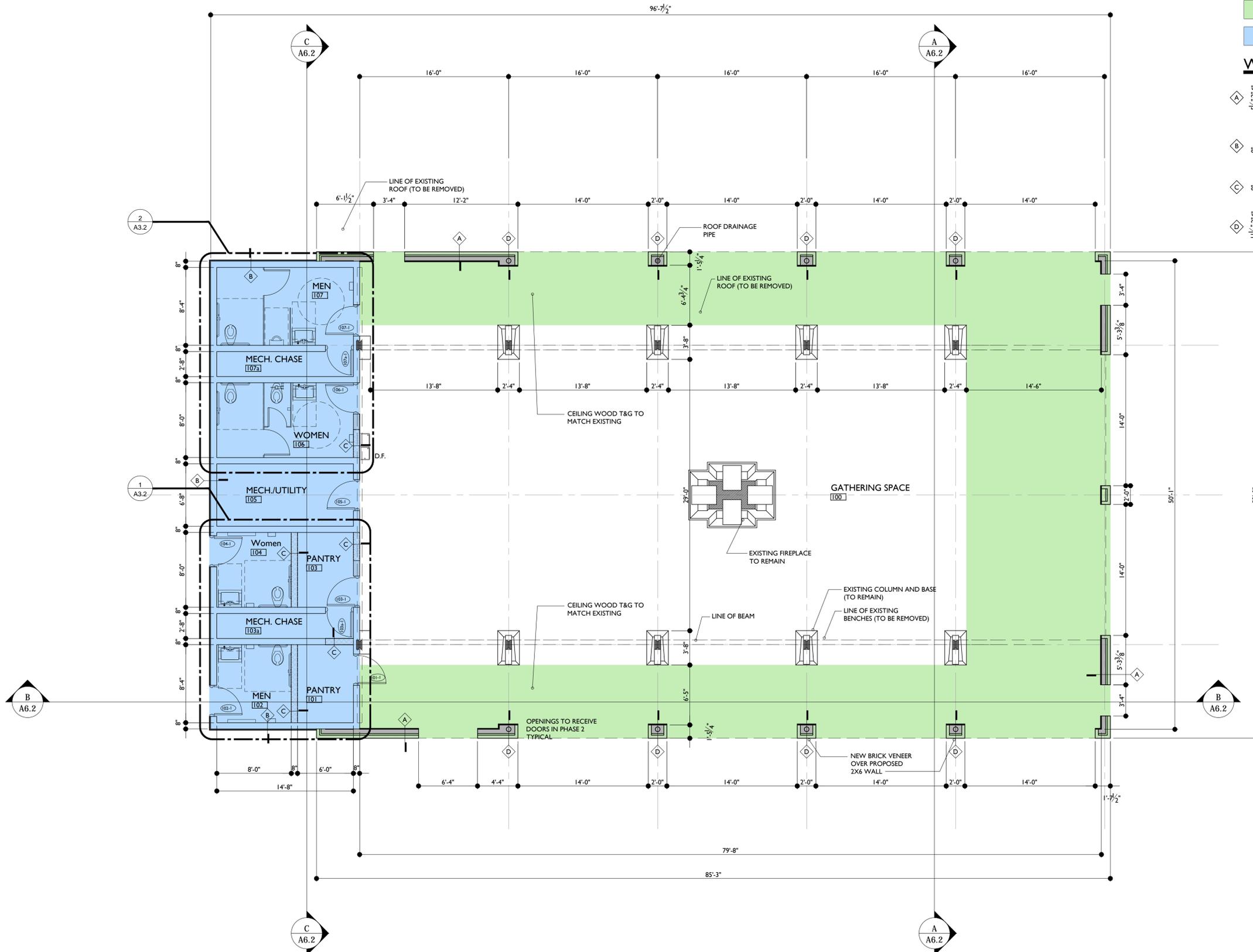


environmental architects

call 231 946 1234
fax 231 421 5772
118-a cass street
traverse city mi 49684
env-arch.com



A0.1



LEGEND

- PAVILION ADDITION - SQUARE FOOTAGE = 1,834 S.F.
- EXISTING REMODEL - BATHROOMS SQUARE FOOTAGE = 810 S.F.

WALL TYPES

- 4" BRICK VENEER W/ 2" AIRSPACE
- 2X6 FRAMING @ 16" O.C.
- 5/8" PLYWOOD SHEATHING
- PLYWOOD BOARD AND BATT @ INTERIOR FACE
(1X2 BATT @ 16" O.C. VERT. OVER 5/8" PLYWOOD, PAINT)
- NEW EXTERIOR THIN BRICK VENEER
(GLEN-GERY THIN TECH ELITE SERIES W/ 1" RIGID INSULATION)
- EXISTING 8" CMU BLOCK
- NEW 8" CMU BLOCK TO MATCH EXISTING
- 4" BRICK VENEER W/ 2" AIRSPACE
- 2X12 FRAMING @ 16" O.C.
- 5/8" PLYWOOD SHEATHING
- PLYWOOD BOARD AND BATT @ INTERIOR FACE
(1X2 BATT @ 16" O.C. VERT. OVER 5/8" PLYWOOD, PAINT)

ISSUES:

DATE:	DESCRIPTION:
3-31-14	Preliminary SD/DD
4-21-16	Preliminary
5-14-16	Revision
3-30-17	Update Phase 1
7-6-17	Preliminary Design

PRELIMINARY
FOR CONSTRUCTION
Jul. 6, 17

Floor Plan - PHASE 1
SCALE: 3/16" = 1'-0"

environmentalarchitects

Addition / Renovations
Boyer City
Veterans Park
Pavillion
1407
Veterna Park, Lake Street
Boyer City
Michigan

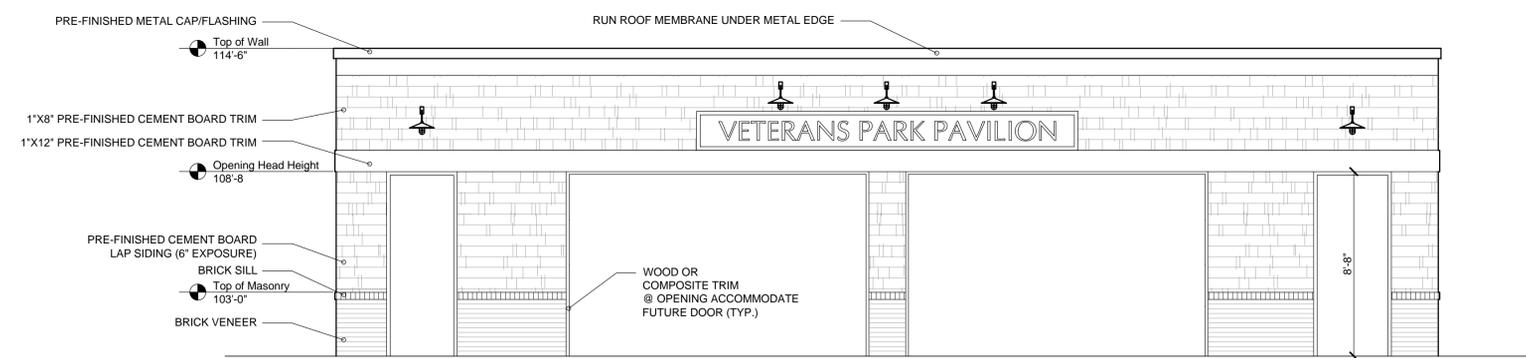
Floor Plan

A3.1
 call 531.966.1554
 fax 531.491.5772
 178-a cove street
 boyer city mi 49604
 www.ea-arch.com

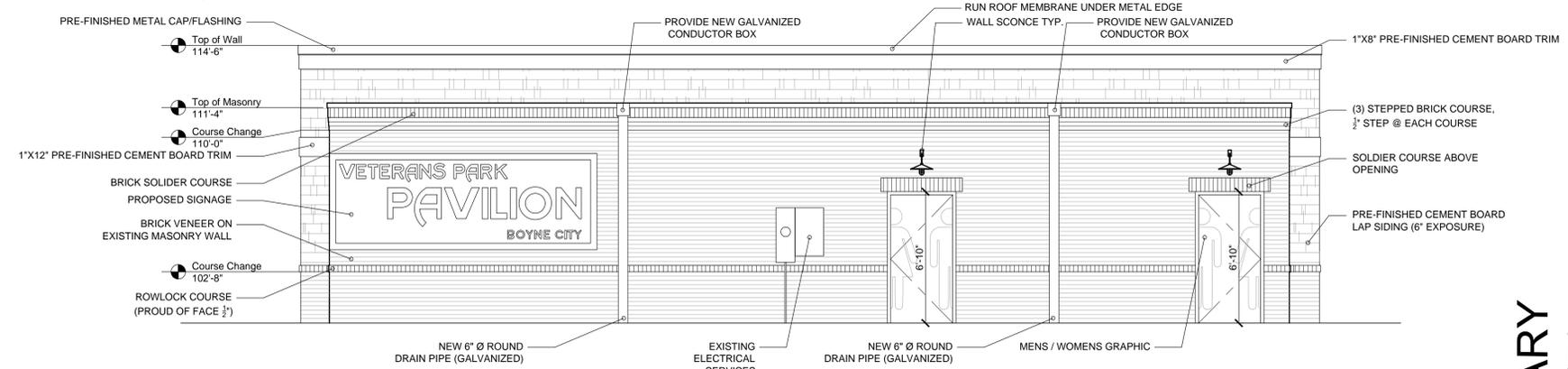
DATE:	DESCRIPTION:
3-31-14	Preliminary SD/DD
4-24-16	Preliminary
5-14-16	Revision
3-30-17	Update Phase 1
7-6-17	Preliminary Design
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Jul. 6, 17

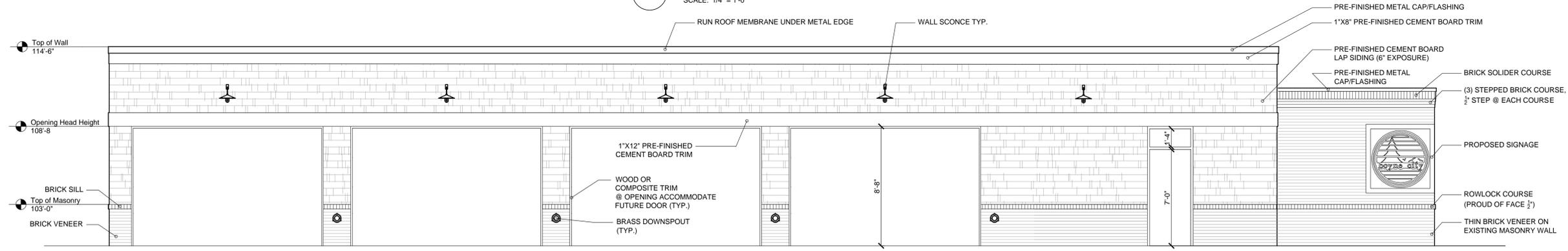
PRELIMINARY
NOT FOR CONSTRUCTION



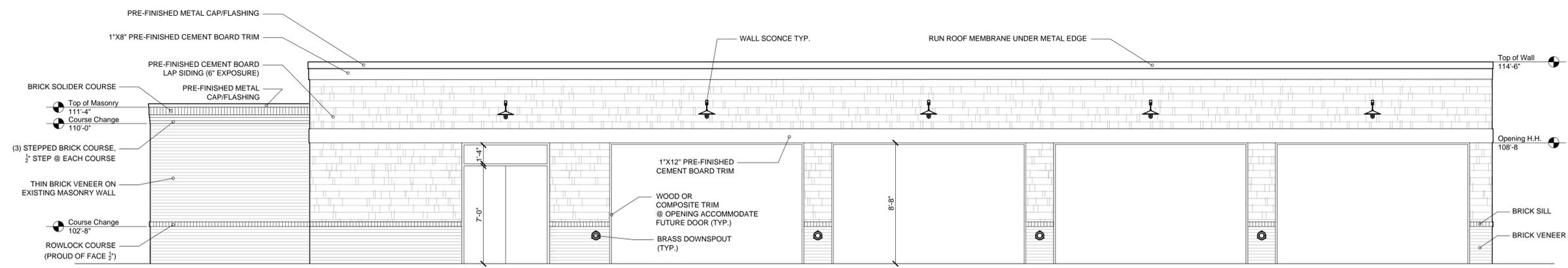
West Elevation
SCALE: 1/4" = 1'-0"



East Elevation
SCALE: 1/4" = 1'-0"



South Elevation
SCALE: 1/4" = 1'-0"



North Elevation (South Elev. Similar)
SCALE: 1/4" = 1'-0"

environmentalarchitects

Addition / Renovations
Boyne City
Veterans Park
Pavilion
1407
Veterans Park, Lake Street
Boyne City
Michigan

Exterior Elevations

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A6.1

