

Acting Chair Rutledge called the Planning Commission Work-Study session to order at 7:30 p.m.

ROLL CALL:

Present: Boyles, Dailey, Demick, Dupray, Koneczny, McEachin, Plachinski, Rutledge, Wojciechowski, Hayman (arrived 7:35 P.M.).

Absent: Burkhardt.

Also present: Thomas A. Goldenbogen, City of New Baltimore Mayor
Greg Nikkel, City of New Baltimore Building Official
Brian Wilson, Community Planning and Management

Motion by Boyles, second by Demick, to excuse the absent members. No additional discussion by the commission. Voice vote. All ayes, motion carried.

WELCOME GUESTS:

Acting Chair Rutledge welcomed New Baltimore Cub Scout Pack 82, Den 6 to their first planning commission meeting.

APPROVAL OF MINUTES:

Motion by Demick, second by Boyles, to approve the Regular Meeting Minutes of 12-16-08. No additional discussion by the commission. Voice vote. All ayes, motion carried.

PUBLIC DISCUSSION: The Cub Scouts asked questions.

Joshua Rahn asked how you get onto the commission.

Jason Joseph asked what the planning commission does.

Jonathan Boyles asked when they meet.

Spenser Wrobell asked how long before we can have a Burger King in our town, and if anyone was a scout growing up.

Luke asked how long you can be a commissioner.

Blake Gardner asked if the water cleaning facility was complete.

Evan asked how long the meetings are.

The State Seal on the wall was discussed with the Scouts.

Den Leader Dorothy Joseph thanked the commissioners for opening the meeting to the Scouts.

Commissioner Rutledge commended the Scouts for asking very good questions and thanked them for coming.

APPROVAL OF AGENDA:

Motion by Boyles, second by Wojciechowski, to approve the agenda as proposed. No additional discussion by the commission. Voice vote. All ayes, motion carried.

AGENDA ITEMS:

1. Review the Planning Commission Process

The planner discussed our current process. The mayor had some ideas to expedite the process. Based on the planning commissions comments, an ordinance amendment or implementing administrative procedures was discussed.

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The pre planning agenda was explained. It is an informal meeting with the City's department heads, planner, engineer, building official, and mayor which gives us the opportunity to address potential problems before an applicant submits final drawings to the planning commission.

Formal submission to the planning commission is the next step. A general site plan goes to the commission for review. If it meets the standards of the ordinance it can be recommended for approval to city council. A special land use requires a public hearing. Usually a three month process. If plans don't meet our ordinances, requesting a variance can also take time. There are deadlines to meet prior to getting on an agenda and for review. The zoning ordinance spells out what requires site plan review.

The mayor discussed the Blueprint program which stated the City is obstructionist and non builder friendly. He suggested we get input from the people saying the negatives to focus on the things to change. The public interviewed for that process was discussed. The mayor felt our process is very good. The last project to go through went very well, and in record time. The applicants were well prepared. They went to several pre planning meetings. We need to change the perception of developers.

Our planner discussed the time it takes to go through the development process. He suggested adjusting the process for minor site changes. For example, if we didn't require setting the public hearing at a planning commission meeting it could speed up the process. We could set the public hearing administratively. Having agenda items at the study session is a possibility. Lessening the standards for minor site plan changes was discussed as a way to save an applicant some expense. The planner explained we have spent a lot of time getting the process how we wanted it, making sure all the x's and o's were crossed on all these plans no matter what the improvement was. Are we willing to consider changing the standards. Council Liaison Hayman commented that if we speed up the process so much that we miss things, we haven't done anything. We have made mistakes in the past. We need to be nice to the applicants, but not so eager to have people come in that we are not doing our job.

Our planner explained that compared to other communities in Wayne and Oakland counties, Macomb county communities are relatively quick. Sometimes taking the extra time is not a bad idea. Most developers understand the process. It is the business owners who want to do something who get upset about the process. The mayor discussed the Historic District and the suggestion of developing standards which could be addressed by the building official and eliminating a duplication of efforts. Commissioner Rutledge discussed that if the Historic District is the problem, the planning commission is not the place to say we will put all this on the building official. The mayor continued, this was one of the most critical items the Blueprints project brought to the city.

The mayor suggested a multidisciplinary group review the recommendations. The DDA, Historic District, Citizens Advisory and Planning Commission could meet and get input from those complaining about the process. Commissioner Koneczny explained that if a petitioner comes with a prepared plan he feels our process is very efficient. We don't want to start bending our rules because someone is ill prepared. Discussion continued regarding moving this to March to see if Ms. Sproat has specific issues. Council Liaison Hayman suggested she give us some ideas so that we can be prepared to address the issues jointly.

Setting public hearings administratively was discussed, as well as adding agenda items to the work study meetings. Commissioner Plachinski discussed removing plans that do not meet our ordinance from the agenda. As the public becomes more aware of Judy Sproat and her office, they will feel better about approaching the city for direction during the planning process. Commissioner Dailey explained our planner has always been available to meet with prospective applicants. Citizen review boards should not have to review plans that do not meet the ordinance. Professionals and small property owners alike should take advantage of our available professionals and department heads.

Decisions regarding withholding applications which don't meet our ordinance from the planning commission agenda vs. being labeled difficult to work with, were discussed. Major or minor problems were discussed. Our planner identifies in writing what does not meet our ordinance for applicants. Plans with several items should be held from the agenda. The problems arise when administrative

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reviews result in a number of versions and then the planning commission has additional issues. Applicants have spent time and money revising plans, which need to be revised again.

The joint meeting with Ms. Sproat, the CAC, and Historic District, to determine just what the issues are was agreed upon. Whatever can be arranged for our next work study meeting.

2. Sign Ordinance Amendments

The planner presented an update. He has met with the city attorney. He is comfortable with everything except the Planning Commission Review of Appeals for the sign ordinance. He is looking into enabling legislation in the planning act. The planning commission as an appeal body is the question. He is reviewing case law. City Council could appoint the Planning Commission as the Sign Board of Appeals. He should have an answer next month. He is ok with the sign ordinance being a regulatory ordinance.

Reader boards were discussed and are not allowed. They are only permitted for churches and non profits. The electronic numbers for the price on gas station signs have been allowed. No flashing numbers. The Sunoco Gas station was discussed because they have applied to the ZBA.

3. 2008 PC Draft Annual Report

The Chair is drafting the narrative and it will be available at our regular meeting.

4. 2009 Budget Review

The proposed budget was discussed. New commissioners were encouraged to take advantage of available education funding.

Motion by Koneczny, second by Boyles to approve the 2009 Planning Commission Budget as presented. No additional discussion by the commission. Voice vote. All ayes, motion carried.

5. Adopt Planning Commission 2009 Project

Our planner discussed reviewing with the mayor and city council, the master plan design guidelines for commercial, the access management plan for 23 Mile Road, a City wide wetlands survey, or the DDA TIF plan. The commission could look at generating new economic development plans, potentially doing site specific plans that the commission could approve, allowing the property owner to market property already approved for specific uses. With the slowdown in development there are other projects to look at, such as cleaning up procedures and getting them available online.

The mayor suggested our planner write a list of what is required of each project for review by the commission. The Historic District was also discussed. Eliminating the district as a whole and going to individual Historic Districts for each significant historic property was suggested. The cost to accomplish the study required is prohibitive.

The master plan review was also discussed, every five years it should reviewed. The new economic numbers will be available in the next year and a half. The planner explained he is hesitant to do a complete master plan rewrite in 2010 when the census information won't be available until 2012.

6. Amend Rules of Procedure Discussion – Process for Meeting Cancellation

Formalizing a process to cancel a meeting, and amending the bylaws was discussed. Who makes the decision to cancel a meeting was also discussed. Communities do it differently. An opinion from the city attorney was requested. Commissioner Dailey explained that based on the discussion, he did not believe we would not have two meetings per month for the next year. There is plenty of work to be done. Last month was a period of exhale. We had a lot to do, and we did a lot in 2008. We need to have a working design for each of the projects, and the commission is going to be very busy.

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The mayor requested our planner write a letter to Chesterfield Township requesting they consider rezoning property adjoining New Baltimore. Next to our City Park is zoned multiple housing. We don't have multi housing there and neither do they. He explained he would hate to see high-rise apartments. Our planner explained they have new decision makers and he would contact their planner.

The Burger King approval was discussed. The city attorney did not feel there were enough findings of fact to support the special approval land use standards. Council can make their own findings of fact. He wrote a motion based on the old seven standards. City Council has to rescind that approval and redo it using the current standards. Our planner explained it is not uncommon for the city or township attorney to draft a lengthy motion for councils.

COMMITTEE REPORTS:

Commissioner Dupray reported on the Wastewater and Utilities Committee meeting. They discussed with the contractor the invoices for the current work. They recommended council pay the invoices. The contract sum was \$19,889,000.00 and to date they have spent \$15,488,000.00. The wastewater treatment plant is to be completed November 9th 2009.

The Utilities Commission discussed the sewer extension and replacement program. They are currently working on Highview, Main Street and 24 Mile Road. They are recommending City Council pay invoices for the current work. Future work for improvements to storm drainage was discussed for Walpole, Lenox and Ruedisale Streets. Our engineer will be recommending a budget of \$225,000.00 to City Council.

Water rates were discussed. Income is down, because of wet weather, and the general economy. They feel they must raise water rates 5% plus the rate of inflation. The Detroit water system is raising their rates 10% plus the rate of inflation. The mayor explained that position was established a year and a half ago until we get caught up. The City had not raised the rates for 20 years.

Finally the economic stimulus package from the federal government was also discussed. The city has forwarded their priorities to MDOT. They include the County Line Non Motorized Pedestrian Pathway project, and the Hooker and Cricklewood roads paving projects.

Council Liaison Hayman stated that Mr. Dupray has become a very active member of both boards and certainly well represents the Planning Commission. She complimented his reports.

Commissioner Demick reported that the Historic Commission due to a lack of a quorum did not have a meeting in January, and February's meeting is cancelled.

The mayor explained the DDA had met and set up four committees for the Blueprints program. Judy Sproat will report next month.

MISCELLANEOUS COMMUNICATIONS:

Commissioner Rutledge reported the New Baltimore Lions held their Winterfest last weekend. They had 154 plungers, and raised \$12,397.00. They are very appreciative of everyone who made it a success.

The Michigan Municipal League sent out a letter regarding legislation for massage therapists. Our planner indicated we do not need to amend our zoning ordinance since the City adopted a regulatory ordinance addressing that. Our zoning ordinance does not require certification.

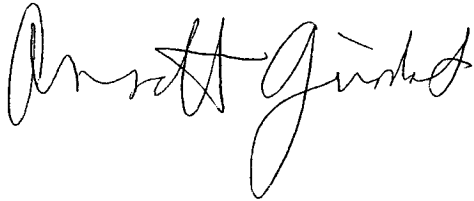
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The Michigan Land Use Leadership Academy is offering a class February 20th and 21st, 2009. Commissioner Wojciechowski and Commissioner Dupray indicated they would like to attend. Motion by Plachinski, second by Boyles, to approve commissioners Wojciechowski and Dupray attending the conference and lodging. No additional discussion by the commission. Voice vote. All ayes, motion carried.

ADJOURNMENT:

Motion to adjourn made by Demick, second by Boyles. No additional discussion by the commission. Voice vote. All ayes, motion carried. Meeting adjourned at 9:14 P.M.

Respectfully submitted,
Annette Girodat
Recording Secretary

A handwritten signature in black ink, appearing to read "Annette Girodat". The signature is written in a cursive, flowing style.