

KINROSS CHARTER TOWNSHIP  
PLANNING COMMISSION  
REGULAR MEETING

Jan 10, 2022

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel  
Arthur Brood  
Nate Beery  
John Kane

MEMBERS ABSENT:

Judy Wright  
Barb Hampton

Also Present: Herman Caulkins, Zoning Administrator. Joe Picolo Chief of Police

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 p.m.

APPROVAL OF MINUTES:

MOTION #1: by John Kane to approve the minutes of October 11, 2021. Seconded by Kathy Noel. Motion carried.

MOTION #2: by John Kane to approve the minutes of December 13, 2021. Seconded by Kathy Noel. Motion carried.

CHAIRMAN'S COMMENTS:

None.

PUBLIC COMMENTS:

No members of the public were present at the meeting.

NEW BUSINESS:

Joe Picolo presented a question for consideration. He is experiencing a problem with unrestrained cats and dogs. What ordinance provides guidance in this matter? Do we need to write a township ordinance so the police can deal with this problem?

Chairman Brood did not have an immediate answer and advised that we will have to research the matter. Discussion will take place at the next planning meeting.

OLD BUSINESS:

Ticket Book and Ordinance 1.132: Herman Caulkins asked several questions about the design of the ticket book and his leeway in enforcing successive offenses. After much discussion and referral to Ordinance 1.132 he was advised that the book will contain a 3<sup>rd</sup> column for a \$500.00 fine. The only exception will be for fireworks violations which State Law sets at \$1000.00 for each offense.

ADJOURNMENT: There being no further business Chairman Brood adjourned the meeting at 7:45 p.m.

John A. Kane, Secretary

KINROSS CHARTER TOWNSHIP  
PLANNING COMMISSION  
REGULAR MEETING

February 14, 2022

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel  
Arthur Brood  
John Kane  
Judy Wright  
Carolyn Hall

MEMBERS ABSENT:

Barb Hampton  
Nate Beery

Also Present: Katie Murray

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 p.m.

APPROVAL OF AGENDA:

MOTION #1: by John Kane to approve the agenda. Seconded by Kathy Noel. Motion carried.

APPROVAL OF MINUTES:

MOTION #2: by Kathy Noel to approve the minutes of January 10, 2022. Seconded by John Kane. Motion carried.

CHAIRMAN'S COMMENTS:

Chairman Brood welcomed by Carolyn Hall.

PUBLIC COMMENTS:

None

NEW BUSINESS:

Chief of Police Joe Micolo had earlier asked if we needed a new ordinance for stray animals. Members of the commission conducted research and found that Michigan has a strict State law that applies under MCL 287262. We will add a category for stray animals on the ticket book design.

OLD BUSINESS:

1. Ticket book. Katie Murray will create an updated example for Planning Commission review and approval.
2. Members worked on Township Ordinance 1.132 to ensure that it was synchronized with the ticket book.

ADJOURNMENT:

There being no further business Chairman Brood adjourned the meeting at 7:40 p.m.

John A. Kane, Secretary

**PLANNING COMMISSION  
REGULAR MEETING**

**March 14, 2022**

**4884 W. Curtis St.**

**MEMBERS PRESENT:**

Kathy Noel  
Arthur Brood  
Carolyn Hall  
Nate Beery  
Judy Wright

**MEMBERS ABSENT:**

Barbara Hampton  
John Kane

Also present: Katie Murray, Sarah Schmalz, Rick Bernhardt

Chairman Brood called the meeting to order at 6:30 PM.

**MOTION #1:** by Kathy Noel to approve the agenda with the addition of Sarah Schmalz.  
Seconded by Judy Wright. Motion carried.

**MOTION #2:** by Judy Wright, second by Carolyn Hall, to accept minutes of February 14<sup>th</sup>, 2022. Motion carried.

**PUBLIC COMMENT:**

Kathy Noel was approached by Pat Mason with regard to Payne & Dolan's property. He purchased and invested in his own property prior to Payne & Dolan having purchased the adjacent property, and he feels that they are rendering his property unlivable due to both the noise and smell of asphalt. The commission sympathized with his issue, but agreed that there was little that could be done by the commission as Payne & Dolan were in violation of no ordinances and had been zoned correctly for the work being done.

**NEW BUSINESS:**

**Susan Schmalz:** Susan had been working with Sault Tribe to open a home daycare; however, her property was determined to not be on tribal property. Although her property is zoned residential, a daycare would easily fall under the category of 'uses subject to special approval'. Ordinances do not have any specific requirements exceeding the licensing requirements of the state. She is currently lined up to get state approval for licensure.

Although she does not have a business plan, she plans to have one ready in time for the next meeting. A notice must be written for publication as well as distribution to all adjacent property owners. April 11<sup>th</sup>'s meeting will double as a public hearing regarding this issue, and a motion will be made at that time.

**Temporary Worker Housing:** Southeastern Disaster Relief Services, LLC, is interested in purchasing land in order to build a housing complex for temporary workers. The property they are looking at is zoned commercial. Permitted uses for commercial properties under Article 12 include hotels and motels, which are defined as a temporary abiding place with more than five sleeping rooms provided in exchange for compensation. There is no requirement that the hotel be open to the public. The only difference between the proposed accommodations and a traditional hotel is that the compensation will be provided by companies for their workers for extended

periods. Given the currently available information, the general consensus is that that this proposal fits the requirements of commercial zoning.

**OLD BUSINESS:**

**Ticket Book and Ordinance 1.132:** The front of the ticket as proposed looks correct, however, the back of the ticket will also be necessary before a motion can be made for approval.

Section 6 is problematic, as there is no Municipal Ordinance Violations Bureau, nor is there any desire to create such a bureau. The entire section should be retitled to Kinross Charter Township Police Board, as they will be handling all relevant interactions. All instances of the phrase ‘Municipal Ordinance Violations Bureau’ should therefore be replaced with ‘Kinross Charter Township Police Board’, unless otherwise stated. The phrase ‘Municipal Civil Infraction Violation Notice’ should be replaced in all instances with the phrase ‘Ordinance Violation Citation’. The phrase ‘municipal civil infraction’, when used as a descriptor and not as a proper noun, is acceptable and may remain intact.

It is suggested that specific fines be removed from the ordinance to avoid requiring modification whenever such fines should change. While originally unclear if it is necessary to specify ‘fines and costs’ when fines are a cost, it is ultimately determined that fines are levied by the Township while costs are incurred by the violator according to court decree. The Township and planning commission therefore have no control over possible incurred costs, and edits should be made to reflect this.

Under Section 7, the mention of a bureau clerk should be removed as well as mention of the bureau’s jurisdiction. All fines will be deposited to the police fund, and not the general fund, as it is the police fund that is concerned with the collection of fines.

Under Section 8, mentions of the ‘Code of Ordinances’ should be replaced with ‘Master Ordinance File’.

Section 9 should be edited to remove unnecessary redundancies.

A suggestion was made by Rick Bernhardt to consult the language used by the Water and Sewer Department in order to avoid having to make an amendment every time their rates and fines are changed. Such a change would allow small changes to be made with a motion rather than the full amendment process. It is agreed by other members that this would be preferable in the future.

Meeting adjourned at 8:15 PM.

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John Kane, Secretary

Minutes taken and typed by Katie Murray

**PLANNING COMMISSION  
REGULAR MEETING**

**April 11, 2022**

**4884 W. Curtis St.**

**MEMBERS PRESENT:**

Kathy Noel  
Arthur Brood  
Carolyn Hall  
Nate Beery  
Judy Wright  
Barbara Hampton  
John Kane

**MEMBERS ABSENT:**

Also present: Katie Murray, Sarah Schmalz, Herman Calkins, Joe Micolo

Chairman Brood called the meeting to order at 6:30 PM.

**MOTION #1:** by John Kane to approve the agenda. Seconded by Judy Wright. Motion carried.

**MOTION #2:** by Kathy Noel, second by Carolyn Hall, to accept minutes of March 14<sup>th</sup>, 2022.  
Motion carried.

**PUBLIC COMMENT:**

**NEW BUSINESS:**

**Sarah Schmalz:** As public notice was not posted in time for a public hearing, this meeting cannot double as a public hearing in order to approve the special use permit. It is agreed by the board that if this delay causes Sarah to need to pay any kind of reapplication fee for certification and licensure, the planning committee should cover that cost as the error was on their end. Arthur Brood and the other members of the planning commission apologized repeatedly for this delay and the difficulties it could cause for Sarah.

Based on the ordinance's notice requirements, it should be possible to hold a special meeting on April 20<sup>th</sup> exclusively to address the topic of Sarah's business. With the assumption that notice will be sent out on Tuesday the 12<sup>th</sup> with notice also being sent to the local paper at that time, a special meeting is scheduled for 6:30 PM on April 20<sup>th</sup>, 2022.

**OLD BUSINESS:**

**Ticket Book:** Joe Micolo made a brief appearance to give a note on the proposed ticket design, which is that he would like the 'name' field to be formatted differently. With the addition of the back of the ticket book, the design seems ready to finalize.

**MOTION #3:** by John Kane, second by Barbara Hampton, to accept the design of the ticket book with the modification to the 'name' field proposed by Joe Micolo. Motion carried.

**Temporary Worker Housing:** Kathy Noel brought in a site plan and project narrative provided by Southeastern Disaster. Kathy confirms that the land has not been properly surveyed for value and taxation, and that the proposed lease would have them paying \$6,500 per month plus utilities.

John Kane proposes that this development should make additional payments for police support. While they propose a curfew for workers residing in the development, there is no clear guidance on who will be enforcing. Furthermore, an increase in population of this size suggests the need for additional officers, which will need to be budgeted for. The company has stated that they plan to have their own security, however, there is nothing in the documentation given regarding security.

The lease ought to be able to include provisions for security, restoration, and acceptable uses. The documentation suggests that an LLC has been formed under the name of Kinross Lodge, LLC—this may be a subsidiary through which they are planning to do business here, though it also looks like the desired name for the completed development. The specifics of this are also unclear.

It is suggested that there could be a bond of some kind in order to minimize potential losses and liabilities on the township's end, so as to avoid being left to clean up any messes left behind if the developer decides to cut losses.

Much of the submitted narrative implies that the planning commission has approved their development, which it has not. The commission determined that criteria had been provisionally met, but final approval has not been given. This will need to be clarified to ensure no miscommunications.

Herman Calkins raised the issue of the developer being relatively unknown to the township. There was not much background information available about the company, its leadership, or its reputation. Other commission members agree that this lack of information makes them hesitant to approve anything.

Arthur Brood and Barbara Hampton both recommend inviting a representative to the next meeting on May 9<sup>th</sup>. It is agreed that further discussion of this development will be on the agenda for May 9<sup>th</sup>, and an invitation will be extended to have a representative appear in order to answer questions.

Herman Calkins also expressed reservations about the various numbers being provided by the developer. Kathy Noel pointed out that their current design suggests over 700 workers will be living in this development, but there will only be 500 parking spaces. In order to adhere to the ordinance that applies to hotels, which it was determined this could be approved under, there would need to be one parking space per sleeping room and one for every two employees. There is also some mixed messages about whether there will be individual kitchens or catered meals for workers.

Kathy Noel has previously met with Greg Wright and Rick Bernhardt regarding their utility hookups. Individual hookups will be their own responsibility, but it should be feasible to add them to the existing lines. They have suggested that there will not be a sprinkler system in this development, but commissioners doubt that such a development would meet code without sprinklers.

Meeting adjourned at 7:30 PM.

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John Kane, Secretary

Minutes taken and typed by Katie Murray

KINROSS CHARTER TOWNSHIP  
PLANNING COMMISSION  
SPECIAL MEETING

April 20, 2022

4884 W. Curtis St.

MEMBERS PRESENT:

Kathy Noel  
Arthur Brood  
John Kane  
Judy Wright  
Carolyn Hall  
Barb Hampton  
Nate Beery

MEMBERS ABSENT: None

Also Present: Sarah Schmaltz, Herman Caulkins

CALL TO ORDER:

Chairman Brood called the meeting to order at 6:30 p.m.

APPROVAL OF AGENDA:

MOTION #1: by Barb Hampton to approve the agenda. Seconded by Carolyn Hall. Motion carried.

APPROVAL OF MINUTES:

MOTION #2: by John Kane to approve the minutes. Seconded by Judy Wright. Motion carried.

CHAIR'S COMMENTS: None.

PUBLIC COMMENTS:

None

NEW BUSINESS:

1.MOTION #3: by Arthur Brood to approve the request by Sarah Schmaltz to start a Child Care business. Seconded by Kathy Noel. Motion carried.

OLD BUSINESS:

1. Temporary Worker Housing: Mr. Jason McDaniel owner of Southeaster Disaster Relief Services, LLC. and his Senior Manager Todd were present to answer questions that the Planning Commission members had about this project. Questions were wide ranging covering subjects such as: Performance bond; Housing area security; Project layout and staging; Utilities use and provision; Building pads and roads; Vehicle traffic flow to avoid conflict with local school buses; and End of period clean-up. All questions were answered to the satisfaction of commission members.
2. MOTION #4: by Arthur Brood to approve SDRS request to provide temporary worker housing. Seconded by Kathy Noel. Motion carried by unanimous acclaim.

ADJOURNMENT:

There being no further business Chairman Brood adjourned the meeting at 7:35 p.m.

John A. Kane, Secretary

**PLANNING COMMISSION  
REGULAR MEETING**

**May 9, 2022**

**4884 W. Curtis St.**

**MEMBERS PRESENT:**

Kathy Noel  
Arthur Brood  
Carolyn Hall  
Nate Beery  
Judy Wright

**MEMBERS ABSENT:**

John Kane  
Barbara Hampton

Also present: Katie Murray

Chairman Brood called the meeting to order at 6:30 PM.

**MOTION #1:** by Judy Wright to approve the agenda. Seconded by Carolyn Hall. Motion carried.

**MOTION #2:** by Nate Beery, second by Carolyn Hall, to accept minutes of the special meeting on April 20<sup>th</sup>, 2022. Motion carried.

**CHAIRMAN'S REMARKS:**

Arthur Brood will not be available at the regular time for June's meeting. Assuming his re-election as Chairman, June's meeting is likely cancelled unless pressing business arises.

**NEW BUSINESS:**

**MOTION #3:** by Kathy Noel, second by Judy Wright, that existing officers be retained. Motion carried.

**OLD BUSINESS:**

**Ticket Book:** Members of the planning commission were finally able to see the finalized ticket book. All present found the final product met with their approval.

**Ordinance 1.121:** Edits will resume at the bottom of Section 4.

Judy Wright suggests that public and residential property should be split into distinct items. Arthur Brood raises the issue that this leaves no allowances for vehicles which have broken down in public spaces and require repair before they can be removed. Allowances can be made by the police and zoning administrator, but Arthur suggests a provision for repairs necessary for safe removal. Kathy Noel suggests that it be reworded to 'no major repairs', with major being defined as taking more than 48 hours. That settles, it is agreed that the second sentence of subsection B can be given its own item at C.

Nate Beery questions the use of both 'work' and 'operations', however 'work' alone was previously deemed to be too limited in scope to cover all possible use cases. Item 3 under the new subsection C can be consolidated to "Work that does not violate any

Kinross Charter Township Ordinance”.

All instances of ‘thereof’ and ‘thereby’ in the ordinance can be removed, as they serve no apparent function.

Judy Wright points out that the section on exemptions currently restates the function of the entire ordinance. This is unnecessary, and can be eliminated by moving the segment about farming operations to the beginning of the ordinance to replace it while adding a clause about zoning administrator review.

In Section 7, Arthur Brood finds the listing of specific businesses to be limiting. Carolyn Hall is unclear on why this section is titled ‘construction’. By rephrasing to ‘any licensed activity’, it seems reasonable to move this section into subheading B under Section 5, as it covers exclusions.

The use of the word ‘plaintiff’ underneath the attorneys’ fees section makes it difficult to parse. Replace with ‘township’ feels preferable and easier to understand.

All other aspects of the ordinance are found to be in keeping with prior ordinance changes as well as the ticket book that has been printed.

Meeting adjourned at 7:30 PM.

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John Kane, Secretary

Minutes taken and typed by Katie Murray

**PLANNING COMMISSION  
REGULAR MEETING**

**July 11, 2022**

**4884 W. Curtis St.**

**MEMBERS PRESENT:**

Kathy Noel  
Arthur Brood  
Barbara Hampton  
Carolyn Hall  
Nate Beery  
Judy Wright

**MEMBERS ABSENT:**

John Kane

Also present: Katie Murray

Chairman Brood called the meeting to order at 6:30 PM.

**MOTION #1:** by Carolyn Hall to approve the agenda. Seconded by Kathy Noel. Motion carried.

**MOTION #2:** by Nate Beery, second by Judy Wright, to accept minutes of the meeting on May 9<sup>th</sup>, 2022. Motion carried.

**CHAIRMAN'S REMARKS:**

**NEW BUSINESS:**

**OLD BUSINESS:**

**Ordinance 1.121:** Commission members identified several typos that will need to be corrected in the final version of the ordinance.

**MOTION #3:** by Kathy Noel, second by Carolyn Hall, to accept the ordinance with the aforementioned corrections. Motion carried.

**Ordinance Review:** Commission members determined the next ordinance in need of review would be 1.122.

Judy Wright suggests removing section 2 to eliminate redundancy. The use of the word 'appurentence' is determined to be unnecessary, as 'any portion of the structure' is easier to understand.

Because E appears to be a more detailed restatement of C, Kathy Noel suggests rephrasing C to cover more ground and eliminate E. Filler words are also removed from further sections.

Clarification is made regarding the specifics of dilapidation, vacancy, and exposure.

A suggestion is made that the title of the ordinance could or should be changed to 'dangerous structure ordinance', as so much of the ordinance itself refers to 'structures' rather than

‘buildings’. Returning to earlier points in the ordinance, it appears that ‘building or structure’ is always specified together. Therefore, ‘building’ could be used once in the definition of a structure, and could be otherwise eliminated as redundant.

Meeting adjourned at 8:00 PM.

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John Kane, Secretary

Minutes taken and typed by Katie Murray

**PLANNING COMMISSION  
REGULAR MEETING**

**August 8, 2022**

**4884 W. Curtis St.**

**MEMBERS PRESENT:**

Kathy Noel  
Arthur Brood  
Carolyn Hall  
Nate Beery  
Judy Wright

**MEMBERS ABSENT:**

John Kane  
Barbara Hampton

Also present: Katie Murray

Chairman Brood called the meeting to order at 6:30 PM.

**MOTION #1:** by Judy Wright to approve the agenda. Seconded by Arthur Brood. Motion carried.

**MOTION #2:** by Carolyn Hall, second by Kathy Noel, to accept minutes of the meeting on July 11<sup>th</sup>, 2022. Motion carried.

**NEW BUSINESS:**

**Fee Schedule:** Concerns have been raised that the current fee schedule is not clear enough regarding the fact that demolitions incur the same fees as construction. Judy suggests adding a note at the bottom, and Arthur concurs that this would be acceptable and would not require a motion as it does not represent any actual change.

**OLD BUSINESS:**

**Ordinance 1.122 Review:** Unnecessarily repetitive language was identified for removal. The specific meaning of ‘superintending controller’ was looked up in order to determine that the language should be kept without modification or simplification. Rather than listing out specific fees, the ordinance should reference the fee schedule so that only the fee schedule ever requires modification.

Meeting adjourned at 7:30 PM.

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John Kane, Secretary

Minutes taken and typed by Katie Murray

**PLANNING COMMISSION  
REGULAR MEETING**

**September 12, 2022**

**4884 W. Curtis St.**

**MEMBERS PRESENT:**

Kathy Noel  
Arthur Brood  
Carolyn Hall  
Nate Beery  
Judy Wright  
John Kane  
Barbara Hampton

**MEMBERS ABSENT:**

Also present: Katie Murray

Chairman Brood called the meeting to order at 6:30 PM.

**MOTION #1:** by Barbara Hampton to approve the agenda. Seconded by Judy Wright. Motion carried.

**MOTION #2:** by Kathy Noel, second by Carolyn Hall, to accept minutes of the meeting on August 8<sup>th</sup>, 2022. Motion carried.

**NEW BUSINESS:**

**OLD BUSINESS:**

**Ordinance Review:** Since 1.122 has been completed, members of the commission went through the other ordinances to find any still in need of edits.

Many members of the commission do not have the latest version of certain ordinances in their ordinance books.

Ordinance 55 seems to be riddled with typos, and uses second person pronouns despite those being inappropriate for this document. The actual content of the ordinance seems fine.

Further review of all ordinances finds that ordinance 1.132 was never actually finalized, as work was interrupted in favor of the ticket book.

Once all commission members have updated versions of all finalized ordinances, and 1.132 is finalized, the ordinance review should be complete. Planning meetings can therefore be held less regularly going forward.

Meeting adjourned at 7:30 PM.

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John Kane, Secretary

Minutes taken and typed by Katie Murray

**PLANNING COMMISSION  
REGULAR MEETING**

**November 14, 2022**

**4884 W. Curtis St.**

**MEMBERS PRESENT:**

Kathy Noel  
Arthur Brood  
Carolyn Hall  
Nate Beery

**MEMBERS ABSENT:**

Judy Wright  
John Kane  
Barbara Hampton

Also present: Katie Murray

Chairman Brood called the meeting to order at 6:30 PM.

**MOTION #1:** by Kathy Noel to approve the agenda. Seconded by Nate Beery. Motion carried.

**MOTION #2:** by Kathy Noel, second by Carolyn Hall, to accept minutes of the meeting on September 12<sup>th</sup>, 2022. Motion carried.

**NEW BUSINESS:**

**Budget Worksheet:** The budget for wages for the next fiscal year should be increased. The rest of the budget can be carried forward from the current fiscal year. The worksheet can be submitted to the accounting department without requiring official action.

**OLD BUSINESS:**

**Ordinance Review:** Editing of Ordinance 1.132 revealed further issues. In retrospect it would appear that work on the ticket book derailed work on the ordinance itself, as the ticket book was a higher priority.

All defined terms appearing in the definition section of the ordinance should be capitalized throughout. While the references to district court can in some cases be replaced with references to the township, there are other locations within the ordinance where keeping the court terminology makes more sense. Certain paragraphs will need to be rephrased, particularly when removing all references to a municipal citation in order to replace the language with ‘ordinance violation citation’.

With regard to ordinance 55, the current language implies that the township would require an update every time any employee is hired or fired, including seasonally. This language should be adjusted to clarify that new forms will need to be submitted following significant changes, with changes of 50% or more to the number of employees being considered significant.

Meeting adjourned at 8:30 PM.

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John Kane, Secretary

Minutes taken and typed by Katie Murray

## Planning Commission

### Regular Meeting

December 12, 2022

4884 W. Curtis Street

#### Members Present:

Arthur Brood

Kathy Noel

Barb Hampton

Judy Wright

#### Members Absent:

Carolyn Hall

Nate Beery

John Kane

Chairman Brood called the meeting to order at 6:30 PM.

**Motion #1:** by Barb Hampton, second by Kathy Noel, to approve the December 12, 2022, agenda as presented. Motion carried.

**Motion #2:** by Kathy Noel, second by Judy Wright to approve the minutes of November 13, 2022, as written. Motion carried.

All members read the draft of Ordinance 1.132.

**Motion #3:** by Arthur Brood, second by Barb Hampton, to approve the draft copy of revised ordinance #1.132 with a correction of *commended* to **commenced** in Section #3 AND *court* to **Kinross Charter Township Police Board** in Section 5 item C. 1). Motion carried.

Meeting adjourned at 7:20 PM.

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John Kane, Secretary

Minutes taken and typed by Judy Wright