

**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 14th,
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 11th'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.

John Kane, Secretary

Minutes taken and typed by Katie Murray