

Minutes

Cascade Charter Township
Planning Commission
Monday, February 5, 2024
7:00 pm
2870 Jacksmith Ave SE

- ARTICLE 1.** Chair Moxley called the meeting to order at 7:00 pm.
Members Present: Noordhoek, Richardson, Bruneau, Moxley, Rissi, Engel
Members Absent: Rowland (absent) and Noordyke (excused)
Others Present: Planning Director Andrea Hendrick, Zoning Administrator (ZA) Madison Smith-Jacoby, and others listed on the sign-in sheet. Supervisor Grace Lesperance, Manager Jade Smith, and Leslie Abdo-Dickinson with Foster Swift attended via Zoom.
- ARTICLE 2. Pledge of Allegiance**
- ARTICLE 3. Approve the current Agenda**
Motion was made by Member Engel to approve the current agenda. Supported by Member Noordhoek. Motion carried 7 to 0.
- ARTICLE 4. Disclose any conflict of interest**
There were no conflicts of interest disclosed.
- ARTICLE 5. Approve the Minutes of the January 22, 2024 Meeting**
Member Bruneau revised Article 5 to remove "inspired the" from the second to last sentence. In the last sentence, "Planning Department" should be changed to "Farmland Preservation Subcommittee". For Article 11 he wanted it clarified that the Bylaws, Code of Conduct, and other documents should be included in the first meeting packet of the year.
Motion was made by Member Rissi to approve the January 22, 2024 meeting minutes with the proposed changes. Supported by Member Engel. Motion carried 6 to 0.
- ARTICLE 6. Acknowledge visitors and those wishing to speak**
There was no one wishing to speak.
- ARTICLE 7. Ordinance Amendment – Chapter 23**
- Reschedule Public Hearing for February 26, 2024
Member Bruneau expressed frustration with the initial scheduling of the public hearing since he anticipated more progress to have been made.
Member Rissi stated that he did not prefer scheduling a public hearing without having any materials available for people to review.

Member Engel sought clarification regarding the lack of documentation regarding the ordinance amendment to Chapter 23. ZA Smith-Jacoby said the documents have not been included in the meeting packet since members have simply been asked to schedule a public hearing.

Members of the Planning Commission, Staff, and Legal Counsel discussed various questions pertaining to the Bylaws, Police Power Ordinance, Michigan Planning and Enabling Act, and the Zoning Enabling Act.

Legal Counsel Abdoo-Dickinson explained that the Zoning Ordinance amendment that's being considered for a public hearing is to make changes to the existing ordinance that would be in conflict or be inconsistent with the new Police Power Ordinance. She further explained that Planning Commissions are established by Police Power Ordinances, not by Zoning Ordinance.

Member Bruneau suggested postponing the public hearing until the Bylaws, Police Power Ordinance, and amended Chapter 23 Zoning Ordinance are better aligned. He also expressed discontent with the Legal Counsel's review of the Bylaws and wished to have a meeting with the attorney.

Motion was made by Member Noordhoek to schedule a public hearing for February 26, 2024, for a Zoning Ordinance Amendment of Chapter 23. Supported by Member Engel. Motion carried 4 to 2 by roll call vote. In favor: Noordhoek, Richardson, Moxley, Engel; Opposed: Bruneau, Rissi

ARTICLE 8. Planning Commission Bylaws

Member Rissi questioned where ex parte communication was defined either in the Bylaws or Code of Conduct. Legal Counsel Abdoo-Dickinson was under the assumption this would be placed in the Conflict of Interest provisions being considered by the Township Board.

Member Bruneau thought section 3.1 in Article 3 of the Bylaws stating "Except for members of the Planning Commission first appointed under the MCL 125.3815" should be removed. Section 2.2 regarding the number of members of the Planning Commission should also be removed since that will be a part of the Police Power Ordinance and pertain to the Board of Trustees. In Article 5 he was under the impression that information and documents were distributed by the Chair as opposed to the Secretary. In Section 2.3 he noticed conflicting information on how vacancies are handled and on eligibility for reelection.

Member Rissi mentioned that when he became a Planning Commission member, he was given binders, maps, and training that newer members have not yet received. He also noticed in Section 3.2 that the previous planning director had suggestions that were not included in the Bylaws.

Member Bruneau wanted the standard meeting format in the Bylaws instead of the Police Power Ordinance.

Member Engel questioned if section 3.3 regarding removing a member from the Planning Commission due to misfeasance, malfeasance, or nonfeasance should be better defined. Legal Counsel Abdoo-Dickinson did not see that as necessary. He also mentioned that some members have abstained from voting and questioned the need for permission from the Planning Commission to do so. Legal Counsel Abdoo-Dickinson stated there could be issues with quorum if members routinely choose to not vote. Typically, members should only abstain if there is a conflict of interest.

Member Bruneau was directed to email Staff regarding concerns related to the Bylaws and will discuss them with Legal Counsel.

Manager Smith said to ensure everything is appropriately scheduled, Member Bruneau should send an email detailing concerns to Staff since they are overseeing the budget, contractors, and consultants.

ARTICLE 9. Acknowledge visitors and those wishing to speak

Manager Smith clarified conversations held regarding the number of members of the Planning Commission. He stated it was not his recommendation to shift the commission from 9 to 7 members, but since the process had already started, he was in support. Based on the other communities he had been a part of he had not seen a 9-member Planning Commission. Manager Smith also encouraged members to report any discrepancies or inconsistencies in policies to Staff. Additionally, regarding onboarding new members to boards and commissions, they will be implementing a consistent enrollment process with training. Onboarding will be unique to each board, commission, and committee.

ARTICLE 10. Any Other Business

Chair Moxley said they have received the updated Master Plan and stated it's very well done. He requested members to submit comments to Danielle Bouchard by Thursday so she could make revisions. He also welcomed Planning Director Hendrick to Cascade Township.

ARTICLE 11. Adjournment

Motion was made by Member Engel to adjourn the meeting. Supported by Member Rissi. Motion carried 6 to 0. The meeting adjourned at 8:51 pm.

Respectfully submitted,

Joe Engel, Secretary