

**City of Alpena  
Harbor Advisory Committee  
Regular Monthly Meeting  
4:30 p.m., Thursday, January 6, 2022**

**This meeting will be in person at City Hall in the Council Chambers.**

The packet for this meeting can be found on our website at:  
[https://www.alpena.mi.us/government/city\\_boards\\_2/HAC\\_meeting\\_agendas\\_and\\_minutes.php](https://www.alpena.mi.us/government/city_boards_2/HAC_meeting_agendas_and_minutes.php)

The public is welcome to alternately join the meeting from your computer, tablet or smartphone.

**Please join my meeting from your computer, tablet or smartphone.**

<https://global.gotomeeting.com/join/640525389>

**You can also dial in using your phone.**

United States: [+1 \(408\) 650-3123](tel:+14086503123)

**Access Code:** 640-525-389

**Agenda**

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA/ MODIFICATIONS

APPROVAL OF PRIOR MEETING MINUTES-December 2, 2021

BUSINESS:

1. Operations Updates- *Shannon*
  - *SOP – Complimentary Slip Procedures*
  - *SOP – Harbor Advisory Committee Membership and Procedures*
  
2. Critical Issues – *Shannon*
  - *Progress Report*

PUBLIC COMMENT

MEMBER COMMENTS

STAFF COMMENTS

HARBORMASTER'S REPORT

NEXT MEETING: Date: February 3, 2022  
Topics for Discussion: Mater Plan, Standard Operating Procedures

ADJOURNMENT

# City of Alpena Harbor Advisory Committee

## Meeting Minutes 4:30 p.m., Thursday, December 2, 2021

The meeting was called to order at 4:32 p.m.

Committee members present: Ed Retherford, Al Moe, Wayne Lewis, Steve Wilson, Tanner Kostelic, Don LaBarre, Jason Luther

Committee members absent: Jeremy Winterstein

Staff present: Shannon Smolinski, Rachel Smolinski, Steve Shultz, Cassie Stone

Others present: Anne Gentry

APPROVAL OF AGENDA –Motion by LaBarre, Second by Moe, Motion carried.

APPROVAL OF MINUTES – November 4, 2021 -Motion by Wilson, Second by Lewis, Motion carried.

HARBORMASTER’S REPORT: Shannon talked to Paul from Waterways regarding the fixed docks, bathroom renovation and changing out all the utility (electricity and water) pedestals projects and was told that all projects were feasible grant projects. Paul recommended changing out/upgrading all the services (electricity and water) as well as Wi-Fi upgrades. Submittal for grant is in April, awarded in May or June and wouldn’t be constructed until late Fall the following year. A lot of work has been done to the fixed docks this fall once the docks were moved. Five docks were taken apart and stringers fixed. Wood was used from the dumpster pad to replace boards on the docks.

### BUSINESS:

1. Master Plan
  - Survey Results – Members agreed they are not surprised by the outcome. Bathrooms seemed to be more of an issue than first anticipated. Esthetics were also high on the results, but a lot of progress has already been made. Fishing in the harbor was also mentioned in the survey but is not allowed off the docks

at the marina. Lyndsey Ross, the grant coordinator for Trust Fund Passports for Land and Water, stated fishing access inside the harbor is a really good trust fund grant. It may not be something that would happen within five years but something that could eventually be investigated. Shannon stated that she is now part of a Goose Management Committee (that is currently looking for a citizen member to join) that will have their first meeting in January to come up with reasonable, and doable management techniques to manage duck and goose issues at the marina.

2. Operations Updates

- SOP – Complimentary Slip Procedures – Currently the comp slip amount that is not being charged out is \$16,000. After reaching out to other marinas, it was found that this is not common practice and a procedure to allowing comp slips needs to put in place moving forward. It is agreed that law enforcement is needed for safety and possibly the sailing club that is developing interests in using the marina for a lifetime but other than those, members feel like all we have is cost at the marina and the marina is not rewarded in any way by comping out slips that is totaling that amount of money. Going to check with other marinas and see how they are handling law enforcement in their harbors. More discussion on this topic is anticipated at the next meeting.
- SOP – Harbor Advisory Committee Membership and Procedures – Shannon explained that the committee is expected to follow a set of rules and regulations and a plan needs to put into place to follow. These plans should include developing by-laws, explaining member attendance policies and allowing fair and equal representation of all users of the marina if possible, on the committee.

3. Capital Improvement Projects – Projects listed in the CIP for the Marina are explained. Currently the grant is out for rural development to try and do some work at the shop so that project is listed as priority one. Grant is expected to be announced in February. Additionally, a grant application will be submitted to

Waterways for the fixed docks project which is ranked at priority number two. Would like to make the marina wayfinding signage a multi-year project which also includes sidewalk improvements. High efficient lighting covers anything that would not be included in the bollard project for this year for funding for the walk way. Dock repairs is a standard on going every year project and improvements for restrooms are listed.

4. Critical Issues

- Progress Report – Repairs have been done on the fixed docks as we are trying to get them by for one or two more years if we do not receive funding from the grant. The dumpster pad was taken down and cleaned up. There is a 20 yard dumpster there for cleanout of the old shop so it can get it rented out next year. Planning on painting the walls and floor this winter to clean and freshen up. There isn't a lot of expendable income available to be able to use for the Marina.

5. 2022 Meeting Schedule – Motion by Lewis, Second by LaBarre, Motion carried.

PUBLIC COMMENTS: None

MEMBER'S COMMENTS: None

STAFF COMMENTS: None

NEXT MEETING: Set for February 3, 2021, at 4:30 p.m.

ADJOURNMENT: Motion by Lewis, Second by Moe

## COMP DOCKAGE INFORMATION

### **Traverse City:**

Yes, we accommodate 2 vessels in our marina: 1 for the county sheriff's boat and the other for the city fire department. Historically, because we received funds from the State of Michigan in 2002/03, we had one slip dedicated to a DNR boat that the county sheriff shared for free. A few years ago, the DNR decided to no longer occupy that large slip and we couldn't justify giving an entire slip to the county sheriff for free so we instead moved them to our break wall (which has the same rates as our slips) but they take up less space. The city fire department utilizes a "bonus slip" between a finger dock and the sidewalk that is too narrow to rent to typical transient boats.

To answer plainly, the county sheriff uses approximately 24' of the breakwall for free and the city fire department uses a nook of the marina also for free. They have been helpful in emergency situations in the marina and on Grand Traverse Bay due to their ability to have quick response time. From my understanding, there is no official paperwork, but a verbal agreement between departments.

### **Harbor Springs:**

Only comp for police department marine patrol boat.

### **Petoskey:**

Only comp for DNR open bow pontoon boat.

### **Escanaba:**

We here at Escanaba Marina, allow all law enforcement and government agencies free dockage. This includes anything for scientific research as well. There is also a free slip reserved for the local Boy Scouts/Sea Scouts at no charge.

CITY OF ALPENA  
DOWNTOWN DEVELOPMENT AUTHORITY

**BYLAWS**

Adopted August, 1980  
Revised October 16, 1986  
Revised November 10, 1988  
Revised May 18, 1989  
Revised October 17, 1991  
Revised May 20, 1993  
Revised October 17, 1993  
Revised September 19, 1995  
Revised August 19, 2003  
Revised July 5, 2005  
Revised March 4, 2014  
Revised and Restated February 6, 2018  
Revised June 1, 2021

**1. SCOPE**

The rules of procedure for the transaction of business of the City of Alpena Downtown Development Authority (“the Authority”) shall be in accord with:

- a. The Michigan Downtown Development Authority Act, Public Act 197 of 1975, being MCL 125.1651 *et seq.*, as amended;
- b. The Michigan Open Meetings Act, Public Act 267 of 1976, being MCL 15.261 *et seq.*, as amended;
- c. City of Alpena Ordinance No. 110, effective May 8, 1980; and
- d. Other applicable laws.

Insofar as these Bylaws are silent or do not comply with the requirements of the above statutes and ordinances, the above statutes and ordinances shall control.

**2. OFFICERS**

- 2.1 **Election of Officers.** The officers of the Authority shall be elected annually at the organizational meeting from among the duly appointed and serving members of the Authority. An Authority member shall not be elected unless duly nominated. A candidate for election may nominate him- or herself.

Nominations need not be seconded. Voting shall be conducted by voice vote. If no candidate for any office is opposed, a simple voice vote electing the slate of unopposed candidates shall be in order. For any office in which two or more candidates are nominated, voting shall be by roll call, and the votes of the various members shall be recorded in the minutes of the meeting. A candidate receiving a majority vote of the entire membership of the Authority shall be declared elected.

- 2.2 **Term of Officers.** A duly elected officer shall serve for a term of one year (commencing upon the adjournment of the organizational meeting at which he or she is elected), or until his or her successor shall take office.
- 2.3 **Vacancies in Office.** A vacancy in any office of the Authority shall be filled immediately as provided in paragraph 2.1 above. An individual elected to fill a vacancy shall serve through the end of the Authority's next annual organizational meeting, or until his or her successor shall take office.
- 2.4 **Duties of Officers.** The officers of the Authority and their respective duties are as follows:
  - a. **Chairperson.** The Chairperson shall preside at all meetings of the Authority; call special meetings of the Authority when necessary; and, in general, oversee the work and administration of the Authority and the execution of the Authority's will and purposes as determined by the Authority from time to time.
  - b. **Vice-Chairperson.** The Vice-Chairperson shall perform the duties of the Chairperson during the absence or inability of the Chairperson to act.

### 3. AUTHORITY MEMBERSHIP

- 3.1 **Appointment.** All members of the Authority shall be appointed by the Mayor of the City of Alpena and shall be subject to approval by the City Council for the City of Alpena.
- 3.2 **Term.** A duly appointed member of the Authority shall serve for a term of four years following his or her appointment and may be reappointed in the manner set forth in Section 3.1 above for such additional terms as the Mayor desires.
- 3.3 **Removal.** A duly appointed member of the Authority may be removed from his or her position under the following circumstances:



- a. **Voluntary Removal.** If a member of the Authority desires to discontinue serving in that capacity, he or she may voluntarily resign from the Authority at any time by serving written notice upon the Chairperson. An individual serving as an attorney-in-fact for a member of the Authority pursuant to a valid Power of Attorney may effect a voluntary resignation for the member.
- b. **Discretionary Removal.** Attendance and participation at meetings is essential to the role of a member of the Authority. Thus, if a member is absent without excuse for three consecutive meetings, or for four meetings in any twelve-month period, that member's continued membership shall be placed on the agenda for the next regular meeting of the Authority. The Authority shall have full discretion to remove a member under these circumstances by a majority vote as provided in Section 5.6 herein.

For purposes of this section, "absent without excuse" shall mean any absence that is not related to the following:

- Necessary medical procedures for the member of the Authority;
- Absences related to military service of the member of the Authority;
- Absences required by court order, such as jury duty or appearance in court pursuant to subpoena.

In order for any of the above-listed reasons to serve as a valid excuse for the absence of a member of the Authority, the member must communicate the reason for absence to the Executive Director prior to the meeting in question.

- c. **Removal by Death or Incapacitation.** A member who dies or who is declared incompetent by (1) a court of competent jurisdiction or (2) two or more licensed physicians in writing shall be automatically removed from their position with the Authority upon a voice vote of a majority of a quorum of the membership at any meeting held in accordance with these Bylaws.

#### **4. STAFF**

4.1 **Executive Director.** The Executive Director shall:

- a. Maintain the files of the Authority;
- b. Prepare all reports of Authority action;

- c. Prepare the agenda for all meetings, including copies of all reports, exhibits, proposals, and other items to be considered at the meeting, and distribute and post the agenda as required by these Bylaws;
- d. prepare and submit reports on matters to be submitted for Authority consideration;
- e. sign all plans, maps, charts, surveys, studies, plats, and all records, documents, and other papers and reports of Authority action consistent with these Bylaws, except as otherwise directed by the Authority. The meaning of "sign" shall allow for execution by electronic means or typed signature;
- f. Set for public hearing all requests requiring same, and give notice of such hearings as required by law;
- g. carry on all the administrative duties resulting from actions of the Authority;
- h. prepare, sign, and distribute minutes of Authority meetings, including same with the agenda to be distributed for the next regular meeting of the Authority, and present the minutes to the Authority for correction and adoption;
- i. give notice as required by law to all Authority members of all meetings;
- j. give public notice of all meetings as required by law;
- k. present to the Authority all matters which come to the Executive Director's attention and require Authority action;
- l. Prepare an annual budget proposal to be considered by the Authority for adoption, and any proposed budgetary amendments as necessary;
- m. prepare financial statements on a monthly basis in the form required by the Authority, including same with the agenda to be distributed for the next regular meeting of the Authority;
- n. serve as the "clerk" or "secretary" of the Authority according to the meanings of those terms under any applicable law;
- o. Complete other tasks and fulfill other duties as required by the Authority from time to time.

- 4.2 **Status of Executive Director.** The Executive Director is not an *ex officio* member of the Authority, and shall have no vote in the transaction of Authority business.
- 4.3 **Other Staff.** The Executive Director shall have the power to engage other staff, subject to the approval of the Authority. The Executive Director shall manage and oversee other staff, and have the power to reprimand and discharge other staff, on an as-needed basis. The Authority may also act to reprimand or discharge staff.
- 4.4 **Delegation of Duties.** The Executive Director may delegate to other staff or to appropriate volunteers the performance of any duty or responsibility, subject to applicable law. The Executive Director shall remain ultimately answerable for the discharge or performance of any delegated duty or responsibility.

## 5. MEETINGS AND VOTING

- 5.1 **Organizational Meeting.** The Authority shall hold its annual organizational meeting in conjunction with its regular meeting in April of each year. The purpose of the organizational meeting shall be to elect officers as provided in these Bylaws and to conduct such other organizational business as may be necessary or beneficial to the Authority.
- 5.2 **Regular Meetings.** Regular meetings of the Authority shall be held monthly on the 1st Tuesday of each month at 3:00 PM , or at such other times as are approved by the Authority, at which time the business of the Authority, including public hearings, action on all matters required by law, and such other action or business that may be required to give effect to adopted programs of the Authority shall be conducted.
- 5.3 **Special Meetings.** Special meetings may be called by the Chairperson or by the Executive Director on the explicit request of the Chairperson or any four members of the Authority on at least 18 hours' notice to each member of the Authority. For the purposes of this paragraph 5.3, "notice" shall mean either (1) written notice served personally or left at the member's usual place of residence or with the person in charge at the member's usual place of business; (2) telephone notice to the member, if the member personally answers the telephone call; (3) e-mail notice delivered to the member's usual e-mail address for Authority business, if such e-mail notice is reasonably calculated to be seen by the member. Any special meeting shall be a valid meeting for all purposes without such notice if all members of the Authority are present at the meeting or have waived notice of the meeting in writing.

- 5.4 **Strategic Planning Special Meeting.** A special meeting for the purpose of strategic planning for the Authority shall occur annually and shall be called and noticed in accordance with paragraph 5.3 above. The Authority shall evaluate the existing strategic plan and review the need for the strategic planning special meeting at its April meeting each year. The strategic planning meeting may be waived by official action of the Authority as provided in paragraph 5.6 below. However, the strategic plan should be updated at least every five years.
- 5.5 **Quorum.** A majority of the duly appointed and serving membership of the Authority shall constitute a quorum for the transaction of business at any meeting of the Authority.
- 5.6 **Votes Required for the Transaction of Business.** The number of affirmative votes required to transact business at any meeting of the Authority shall be a majority of the those duly appointed and serving membership of the Authority present unless these bylaws require or allow a different number.
- 5.7 **Presiding Officer in Absence of Chairperson and Vice-Chairperson.** In any meeting of the Authority at which neither the Chairperson or the Vice-Chairperson is present, the members present at the meeting and constituting a quorum shall elect for the meeting a presiding officer from among themselves by majority vote of the members present. Any member may call a meeting to order and occupy the chair until a presiding officer is duly elected.
- 5.8 **Submission of Agenda Items.** Resolutions, recommendations, suggestions, requests for action, and other items shall be submitted to the Executive Director at least seven business days prior to the meeting at which such items are to be acted upon if such items are to be included in the Executive Director's agenda. The Executive Director's agenda is deemed adopted as the agenda for the meeting, subject to the addition of any late agenda items at the meeting. Late agenda items may be added upon the unanimous consent of the authority members present at the meeting and constituting a quorum.
- 5.9 **Distribution of Agenda to Authority Members.** The agenda and all attached materials prepared for any regular meeting of the Authority shall, at least three days prior to the regular meeting, be distributed through regular channels to all members of the Authority. The agenda and all attached materials prepared for any special meeting of the Authority shall be similarly distributed at least 18 hours prior to the special meeting. The Authority may at any regular or special meeting vote to waive strict compliance with the agenda distribution requirements set forth in this paragraph 5.9.

5.10 **Posting and Distribution of Agenda to News Media.** The agenda for any regular meeting of the Authority shall, at least three days prior to the regular meeting, be distributed through regular channels to Alpena's traditional print, television, and radio news outlets, and be posted for the benefit of the public at both the Authority's office and the Alpena City Hall. The agenda and all attached materials prepared for any special meeting of the Authority shall be similarly distributed and posted at least 18 hours prior to the special meeting. Distribution to news media and posting for the public is intended in the interest of increased transparency beyond the requirements of applicable laws, and non-compliance with the agenda distribution and posting requirements set forth in this paragraph 5.10 shall not operate to borrow the occurrence of any meeting, or avoid any action taken at any meeting.

5.11 **Order of Business.** The order of business at regular meetings of the Authority shall be as follows:

- a. Call to Order.
- b. Citizens Appearing Before the Authority.
- c. Late Additions to Agenda (requires unanimous consent).
- d. Review and Adoption of Minutes of Previous Meeting.
- e. Public Hearings.
- f. Executive Director's Report.
- g. Correspondence.
- h. Review and Acceptance of Monthly Financial Reports.
- i. Committee Reports (beginning with Committee on Finance & Budget).
- j. Report from the City of Alpena.
- k. Unfinished Business.
- l. New Business.
- m. Adjournment.

In the interests of promoting efficiency in the course of meetings, the Executive Director may in his or her discretion schedule any items of unfinished business or new business relating to other items on the agenda such as any of the various reports to be given together with those items for the Authority's consideration.

- 5.12 **Citizens Appearing Before the Authority.** Citizens appearing at a meeting to address the Authority shall be limited in their comments to three minutes, unless additional time is allowed by the Authority. A request for Authority action made by citizens addressing the authority may only be acted upon by the Authority if the request was submitted to the Executive Director for inclusion in the meeting's agenda in accordance with these Bylaws, or if the agenda is duly amended to allow for consideration of the request. Neither members nor staff of the Authority shall be obligated to answer or respond to questions posed or remarks made by a citizen addressing the Authority. The Authority shall not be obligated to consider or act upon any request made by a citizen addressing the Authority.
- 5.13 **Governing Rules of Procedure.** In all matters of procedure on which these Bylaws and any applicable laws are silent, meetings of the Authority shall be conducted in accordance with the then current edition of *Robert's Rules of Order Newly Revised*, as interpreted by the Authority's counsel if present, or by the meeting's presiding officer if counsel is not present, subject to appeal according to the rules for appealing a ruling of the chair as set forth in said rules.

## 6. COMMITTEES

- 6.1 **Standing Committees.** The Authority shall have the following standing committees:
- a. Finance & Budget.
  - b. Economic Development.
  - c. Design & Beautification.
  - d. Education & Promotion.
- 6.2 **Other Committees.** The Authority may establish other committees as deemed necessary from time to time.
- 6.3 **Chairs of Committees.** Chairs of committees shall be appointed at the discretion of the Chairperson of the Authority or the Executive Director, and may be removed with or without cause, and with or without a hearing or notice, by two thirds of the duly appointed and serving membership of the Authority.

Chairs of committee shall be evaluated for reappointment annually. Chairs of committees need not be members of the Authority.

- 6.4 **Members of Committees.** Members of committees shall be appointed at the discretion of the Chairperson of the Authority or the Executive Director, and may be removed with or without cause, and with or without a hearing or notice, by two thirds of the duly appointed and serving membership of the Authority. Members of committees need not be members of the Authority, but each committee shall have as a member or as its chair at least one member of the Authority. The Executive Director shall serve as an *ex officio* voting member of each committee. Committee membership shall be evaluated annually by the Authority.
- 6.5 **Committee Nominations for Appointment.** Each year, at the July meeting of each respective committee, the committee shall nominate individuals for appointment or reappointment to the committee and shall nominate a chairperson. Those nominations shall be presented to the Authority at its August meeting each year.
- 6.6 **Committee Attendance.** Attendance and participation at meetings is essential to the role of a Committee Member. Thus, if a Committee Member is absent without excuse for three consecutive meetings, or for four meetings in any twelve-month period, that Committee Member's continued membership on the committee shall be placed on the agenda for the next regular meeting of the Authority. The Authority shall have full discretion to remove a member under these circumstances by a majority vote as provided in Section 5.6 herein.

For purposes of this section, "absent without excuse" shall mean any absence that is not related to the following:

- Necessary medical procedures for the member of the Authority;
- Absences related to military service of the member of the Authority;
- Absences required by court order, such as jury duty or appearance in court pursuant to subpoena.

In order for any of the above-listed reasons to serve as a valid excuse for the absence of a member of the Authority, the member must communicate the reason for absence to the Executive Director or the Committee Chairperson prior to the meeting in question.

- 6.7 **Powers of Committees.** The Committees of the Authority shall have no power to "decide" as defined in the Michigan Open Meetings Act or any other

applicable law. Committees shall make recommendations to the Authority, which shall deliberate and reach a decision regarding those recommendations in an open meeting as provided in these Bylaws.

- 6.8 Authority Member Committee Service.** Each member of the Authority shall, at all times during the term of his or her service, serve on at least one standing or other committee.
- 6.9 Resignation from Committees.** A committee chair's or committee member's resignation may be accepted at the discretion of the Chairperson of the Authority or the Executive Director, or by a majority of the duly appointed and serving members of the Authority.
- 6.10 Reports of Committees.** All chairs of committees or their designated deputies shall report to the Authority monthly in conjunction with the Authority's regular meeting. All reports shall be submitted in writing to the Executive Director at least seven business days prior to the regular meeting, for inclusion with the Executive Director's agenda; However, chairs of committees who are members of the Authority may report orally at the regular meeting, except as to items for which Authority action is requested.

## **7. AMENDMENT AND SUPERSESSION**

- 7.1 Amendment.** These Bylaws may be amended by two thirds of the duly appointed and serving membership of the Authority.
- 7.2 Supersession.** These Bylaws supersede all prior bylaws, rules, regulations, and procedures adopted by the Authority.



**By-Laws**  
**City of Alpena**  
**Planning Commission**

The following rules of procedure are hereby adopted by the Planning Commission of the City of Alpena to facilitate the performance of its duties as outlined in PA 207 of 1921, as amended.

**Section 1.0 OFFICERS**

- 1.1 **Selection.** At the regular meeting in May of each year, the Planning Commission shall select from its membership a Chair, Vice-Chair, and Secretary. All officers are eligible for re-election.
- 1.2 **Tenure.** The Chair, Vice-Chair, and Secretary shall take office immediately following their selection and shall hold office for a term of 1 year or until their successors are selected and assume office.
- 1.3 **Duties.** The Chair shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the Planning Commission.

The Vice-Chair shall act in the capacity of Chairperson in her/his absence; and 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.

The Secretary shall execute documents in the name of the Planning Commission, perform the duties hereinafter listed, and shall perform such other duties as the Planning Commission may determine.

**Section 2.0 DUTIES OF THE SECRETARY**

- 2.1 **Minutes.** The secretary shall be responsible for the minutes of each meeting and shall have them spread in suitable volumes.
- 2.2 **Communications, Petitions, etc.** All communications, petitions, and reports shall be addressed to the Planning Commission and delivered or mailed to the secretary.

**Section 3.0 MEETINGS**

- 3.1 **Regular Meetings.** Meetings of the Planning Commission will generally be held the second Tuesday of each month at Alpena City Hall and announced at least three (3) working days prior to the meeting. When the regular meeting day falls on a legal holiday, the Planning Commission shall select a suitable alternate date in the same month.
- 3.2 **Special Meetings.** Special meetings shall be called at the request of the chair or at the written request (to the secretary) of a majority of the commission members. Notice of special meetings shall be given by the secretary to the members of the Planning Commission at least three working days prior to such meeting and shall state the purpose and time of the meeting.

3.3 Public. All regular and special meetings, hearings, records, and accounts shall be open to the public.

3.4 Quorum. A majority of the total number of members shall constitute a quorum for the transaction of business and the taking of official action for all matters except the adoption of a comprehensive plan or any part of a comprehensive plan. All members have the right to vote.

Whenever a quorum is not present at a regular or special meeting, those present may adjourn the meeting to another day or hold the meeting for the purpose of considering such matters as are on the agenda. No action taken at such a meeting shall be final or official unless and until ratified and confirmed at a subsequent meeting at which a quorum is present, by approval of the minutes of that meeting at which a quorum was not present.

3.5 Order of Business: Agenda. The secretary will prepare an agenda for each meeting and the order of business shall be as follows:

CALL TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA:

APPROVAL OF MINUTES:

PUBLIC HEARING:

ACTION ON PUBLIC HEARING:

BUSINESS:

COMMUNICATIONS:

REPORTS:

1. Committees -

2. Staff -

CALL TO PUBLIC:

MEMBERS COMMENTS:

ADJOURNMENT:

3.6 Motions. Motions shall be restated by the chair before a vote is taken. The name of the maker and supporter of a motion shall be recorded.

3.7 Voting. Voting shall be by voice and shall be recorded by yeas and nays. Roll call votes will be recorded only upon request by a member of the Commission.

- 3.8 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.
- 3.9 Parliamentary Procedure. Parliamentary procedure in Commission meetings shall be governed by Robert's Rules of Order, except where state statute or local ordinance direct otherwise.
- 3.10 Audio Recordings of Meetings. (amended by the Planning Commission on 6-12-07)
- (a) All hearings and meetings shall be recorded.
  - (b) All recordings of meetings or hearings shall be maintained at City Hall until such time as the minutes for the particular meeting are formally approved by the Planning Commission, or until such time as either the Planning Commission or City Council completes final action on an issue or case included in the recording upon which it has final disposition.
  - (c) The Planning Commission may require retention of recordings of meetings concerning a particular issue or petition for a longer period of time by a majority vote of its total membership.
- 3.11 Attendance Policy. In the event that a Commissioner has unexcused absences from either three (3) consecutive regular Planning Commission meetings, or from 60% of all (special and regular) Planning Commission meetings in any 12 month period the Chairman shall discuss the attendance record with the member and report his findings along with any extenuating circumstances to the commission. A recommendation for dismissal of the Commissioner shall be automatically forwarded to the Mayor and City Council unless the Commission acts within 60 days of the receipt of the chairman's report to overturn such recommendation upon a finding that the Commissioner will demonstrate satisfactory attendance in the future.

#### Section 4.0 HEARINGS

##### 4.1 Rules of Procedure and Conduct of Public Hearings.

- (a) The Chairperson opens the hearing on time, and announces the subject of the hearing.
- (b) The procedures are summarized for all present. Usually they are also posted on wall or given to people on a one page handout. Be sure each person who speaks identifies themselves.
- (c) The staff presents the essence of the application and any staff reports or other pertinent information.
- (d) Individuals speaking in support are next invited to speak, beginning with the applicant and his/her representative.
- (e) Individuals speaking in opposition usually go next. If several people (from the same subdivision for example) who have the same view are present, it is not unreasonable to ask a single representative to speak for the group. However, do not prevent any one from having an opportunity to speak. Irrelevant and off-the-subject comments should be ruled "out-of-order" by the Chairperson.

- (f) The Chairperson can allow "cross-examination" or rebuttal, but should ensure that all comments are directed through the Chair and not to a particular individual. The hearing body should refrain from debating or arguing with persons. The purpose of the hearing is to gather facts, not to carry on an adversary relationship.
- (g) The Chairperson should announce the close of the public comment portion of the hearing or announce the continuation of the public hearing to another specified time and date if the hour is late or additional pertinent information must be obtained.
- (h) The hearing body then deliberates on the matter.

4.2 Notice of 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 as required by law, and to persons or group representatives most interested.

Upon receipt from the City Clerk of Planning and Zoning cases referred to the Commission by the City Council, the Secretary shall schedule a public hearing for the earliest appropriate scheduled Planning Commission meeting.

Not more than three (3) public hearings will be scheduled for the same Planning Commission meeting.

4.3 Notice of Decision. A written notice containing the decision of the Planning Commission will be sent to petitioners and originators of requests which result in an action or decision by the Planning Commission.

**Section 5.0 MATTERS TO BE CONSIDERED BY THE PLANNING COMMISSION**

5.1 The following matters shall be presented for consideration at a meeting of the Planning Commission:

- (a) Matters designated by the City's Zoning Ordinance to be included in the jurisdiction of the Planning Commission.
- (b) Such other matters as the Planning Director or City Council shall find it advisable or essential to receive consideration by the Planning Commission.

**Section 6.0 MATTERS TO BE ACTED UPON BY STAFF ON BEHALF OF THE COMMISSION**

6.1 The Director shall take action or make recommendations in the name of the Planning Commission in accordance with such plans, policies, and procedures as are approved or established by the Planning 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 Planning Commission, presentation of the matter shall be made at a Planning Commission meeting.

6.2 The responsibilities given in Section 6.1 shall include the review of plans requiring submission to the Planning Commission in accordance with provisions of the Zoning Ordinance.

## Section 7.0 PLANNING COMMISSION STAFF

- 7.1 Authorization. The Planning Commission staff may consist of a Planning Director and such other personnel as may be authorized by the legislative body.
- 7.2 General Responsibility. The Planning Commission staff is charged with the duty of preparation and administration of such plans as are appropriate for the municipality and its environs and are with the scope of the Michigan state planning enabling act(s).
- 7.3 Planning Director's Duties. The Planning Director shall be responsible for the professional and administrative work in directing and coordinating the program of the Planning Commission. The Director's work shall be carried on with the widest degree of professional responsibility, subject to the policy determinations of the Planning Commission and administrative policies of the municipality.
- 7.4 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) Be responsible for formulation of staff policy.
- 7.5 Effectuation of Plans. The Planning Director shall recommend to the Planning Commission whatever action is necessary for effectuating plans with respect to both public and private endeavors through such control techniques as:
- (a) Zoning and subdivision control.
  - (b) Programs for capital expenditures.
  - (c) Long-range comprehensive plans for the guidance of the municipality's growth.
- 7.6 Public Relations. The Planning Director shall:
- (a) Officially present the Planning Commission's recommendations to the legislative body.
  - (b) Officially represent the Planning Commission and its staff at planning conferences, interdepartmental meetings of the municipal government, and serve generally as a liaison between the Planning 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 and approval of planning.
  - (f) Accept other responsibilities as may be directed by the Planning Commission, legislative body, or chief executive.

Section 8.0 AMENDMENTS

8.1 These rules may be amended at any regular or special meeting by a two-thirds vote of the members present.

ADOPTED: October 7, 1986  
AMENDED: December 1, 1987  
January 3, 1989  
July 11, 1989  
December 1, 1992  
April 8, 1997  
November 11, 2003  
October 14, 2004  
June 12, 2007  
December 14, 2021

  
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Paul Sabourin, Chair

12-21-21  
Date