

AGENDA REPORT

To: Honorable Mayor Emerick and Council Members
From: Kathy Fiebig, City Clerk
Date: February 16, 2022
Re: Appointment of John Hunter to Planning Commission
For the Agenda of February 22, 2022: Regular Meeting

Background

There are currently two vacancies on the Planning Commission (PC). Karen Higgins has resigned, leaving the remainder of her term to fill, and the other vacancy has existed for well over a year.

Issues and Questions Specified

Per city code and the PC by-laws, the Commission shall consist of nine (9) members as follows: the mayor, one councilman who shall be appointed by the City Council and seven members who shall be appointed by the Mayor subject to the approval of the City Council.

Per MCL 125.3815, in a city with less than 5,000 residents, two members may live outside the city limits as long as they are registered electors of a local municipality. Mr. Hunter lives outside the city limits and is registered to vote in Evert Township. Rebecca Tea, current PC member, also resides outside the city limits and is a registered elector.

Alternatives

1. Do nothing

Financial Impact

None. Mr Hunter has agreed to take and complete the Michigan State University Citizen Planner course, and the cost of such training is in the current budget.

Recommendation

Appoint Mr. Hunter to the Planning Commission to a three year term on the Planning Commission. Term will expire in 2025.

Attachments

1. Michigan Planning Enabling Act (excerpt)

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CITY OF EVART

City Attorney Report

January 15, 2022 – February 17, 2022

Research and Review Charter Amendment language and Resolution regarding Ballot

Review multiple documents and draft Purchase Agreement regarding MacLellan.

Research and numerous emails to, and from, Steve Eades, at MacLellan regarding tax issue.

Review old lease, and building inspection report with MacLellan regarding numerous issues surrounding the sale

Review and opinion of both the Assessors Contract and DDA Director contract

Review Survey and Draft Deeds regarding land swap with Evart Industrial Properties, Inc

Contact with Pepper and research regarding setback on DDA properties

Review, and opinion on, mineral lease

Contact with City Clerk and opinion on appointment of Library Board member

MICHIGAN PLANNING ENABLING ACT (EXCERPT)
Act 33 of 2008

125.3815 Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements.

Sec. 15.

(3) The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

(4) Members of a planning commission shall be qualified electors of the local unit of government, except that the following number of planning commission members may be individuals who are not qualified electors of the local unit of government but are qualified electors of another local unit of government:

(a) 3, in a city that on September 1, 2008 had a population of more than 2,700 but less than 2,800.

(b) 2, in a city or village that has, or on September 1, 2008 had, a population of less than 5,000, except as provided in subdivision (a).