

**City of South Lyon  
Planning Commission Meeting**

August 26, 2010

Chairman Weipert called the meeting to order at 7:06 p.m.

All present recited the Pledge of Allegiance to the Flag

PRESENT: Commissioners Kurtzweil, Mosier, Weipert, Bradley, Chubb, Chaundy and Leimbach were present. Commissioners Culbertson and Lanam were excused.

Also present were Ben Tallerico (Planning Consultant), and Kristen Delaney, Director of Community and Economic Development.

**APPROVAL OF AGENDA:**

It was suggested to add Complete Streets and Safe to School under the tabled items.

**Motion by Bradley, supported by Chubb**

**To approve the Agenda August 26, 2010, as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**APPROVAL OF MINUTES:**

**Motion by Leimbach, supported by Kurtzweil**

**To approve the Minutes for July 22, 2010 as amended.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

**PUBLIC COMMENT**

Karl Richards, 390 Lennox, South Lyon

Mr. Richards stated he did some research and found out that, even though there was not much participation, a lot of people have complaints about the Planning Commission. He felt it was not the Planning Commission's fault. He stated he would send a letter for review but he wanted to bring up a couple of points. During the last five years there had not been many plans under review. As a think tank group, and a recommending body to City Council, he would like to hear what plans the Commissioners had to raise half a

million dollars in the next four years, without raising taxes. He believed the Commission should create a newsletter letting people know what had been going on in the community. He would also like to see a town meeting. He stated a lot of people are apathetic and a town meeting would be beneficial and the recommendation to Council would be better coming from the Commissioners.

## **OLD BUSINESS**

### Medical Marijuana Dispensary Ordinance Discussion

Weipert stated City Council put a moratorium on medical marijuana for six months. The Commission asked for three months but agreed that six months made more sense. The Michigan Municipal League was having a class and a lot of the Council members wanted to attend that before they discussed the issue. She would like to schedule a joint meeting with Council in late September or early October.

Weipert went to the Green Oak Township Planning Commission meeting and learned they have a clause that says they could not do anything against Federal Law and they added a clause as an exception for the state medical marijuana. They had a group for compassionate care that had other technical questions about distribution and sharing. Tallerico stated he did not see much community participation only special interest groups from other areas.

### Vacant, Abandoned and Foreclosed Structures Registry Discussion

Delaney stated there had been concerns about enforcement issues. She provided a recap of discussed with other communities. She asked if the Commissioners wanted to keep working on the registry or focus more on blight.

Leimbach stated the city was piling up on vacant homes. Having some sort of record of who was responsible is helpful. It could get worse with people walking away from their homes. At some point the city was going to have to deal with vacant homes. Kurtzweil agreed. The numbers were not good. Banks were not foreclosing. The unemployment rate was not good. The housing market was not surviving. She believed it would get worse. She did not understand the problem with addressing this issue.

Bradley stated City Council asked the Planning Commission to look at this issue so he did not understand either. Weipert stated one of the Council members suggested breaking it into two parts; blight and registry but she had the sense that was not a consensus.

Chaundy stated it was hard to find out from the banks who were responsible for maintenance. Leimbach spoke with a bank representative who said the issue of who held the note was a different issue. Kurtzweil stated the deed holder was responsible. They mortgage note holder was not the owner of the deed in all cases. Chaundy asked with forty to forty-five homes who keeps track? Leimbach stated that was why the registry was so important. Kurtzweil stated all she heard was obstacles. She would donate her time and set up the lists and charts so David Murphy could have all the information. Bradley stated it would be some work up front but then it would get easier.

Weipert suggested separate the registry and noted Ms. Delaney provided a letter with the blight ordinance and we could look at updated that. Delaney reviewed the information and offered to do more research if needed. Weipert stated she was curious to know when something was a measurable problem. Tallerico discussed using other criteria so there would be one problem to base fines.

Delaney suggested providing Council with pictures and a mock registry to make the point more forcefully. Tallerico suggested only imposing fines for properties not registered. Kurtzweil liked that idea. Weipert stated Council was concerned about how much they should charge and suggested some examples of fees would be helpful.

There was a general discussion regarding timelines and doing some sort of internal inspection for water damage or infestations.

Kurtzweil asked why the city could not outsource code enforcement as a recoverable cost. She asked what the city manager did not understand about this issue. Delaney asked if she was going back to interior inspections.

Leimbach stated another problem was people leaving their homes and taking the appliances, and stripping the home of materials. Mosier stated if they were the homeowners there was nothing the city could do to stop that.

Kurtzweil thought on a certificate of occupancy, when a home was sold, and there was damage to the home, the certificate of occupancy would force the bank to fix the problems before it could be occupied. Weipert stated that would be an inspection at the time of registry, and another before it could be occupied. The different standard was because the home had been abandoned and vacant.

Delaney asked if they wanted the weekly inspection. The Commissioners agreed no. Kurtzweil stated the whole issue was about stabilization of housing prices.

Delaney reviewed the decision to keep the registry simple, review blight and change the inspections.

Leimbach stated it was difficult for him to grasp what Council did not understand about this issue. Kurtzweil agreed. Bradley noted it was an idea out of thin air. Delaney noted they were still tweaking the policies too.

## **OLD BUSINESS**

### Annual Report to City Council

Weipert suggested reviewing what the Commission had worked on over the past year. Also what the charge and responsibilities were of the Planning Commission. She

suggested adding what the mission was and what they were trying to accomplish.

There was a general discussion regarding the purpose of the Commission.

Kurtzweil stated going back to the blight issue she found it interesting that all those other very nice communities were doing registries and she did not understand what Council was saying. Do they not want us to do this? Bradley suggested waiting until the joint meeting so they could ask that question directly to Council. Weipert stated they were not coming from the same place on this issue. The Planning Commission had been discussing it for a year.

Leimbach asked if the Council would get the annual report before the joint meeting. Tallerico stated if they held two meetings in September it was possible.

Tallerico suggested sending Council a summary of the last meeting so they did not have to wait for approved minutes.

Weipert asked if the annual report could have a summary of what ordinances were sent to Council and what was in-acted and what was not. Tallerico replied yes.

Leimbach suggested mentioning the joint meeting with the Downtown Development Authority. Weipert suggested mentioning the special presentation and who was invited to attend. Weipert asked if they should add a section on what was planned for the future. Tallerico replied yes.

There was a general discussion regarding the Downtown Development Authority and the funding for the Main Street Project.

#### Mater Plan Discussion

Delaney stated the city manager would like the Commissioners to go through the Master Plan and see what everyone would like to do and work on for the next couple of years. Tallerico stated he could provide recent examples to show how Master Plans have changed over the last ten years. Weipert replied great.

#### **TABLED ITEMS**

##### Annual Retreat

Tallerico asked to add Complete Streets to the next agenda so he could provide an update on state legislature action.

#### **STAFF REPORTS**

Delaney gave an update on the Downtown Development Authority and the small town initiatives. Tallerico commended Ms. Delaney for her work with the Downtown Development Authority.

Delaney also provided an update on the Farmer's Market.

**ADJOURNMENT**

**Motion by Bradley supported by Chaundy**

**To adjourn the meeting at 9:00 p.m.**

**VOTE**

**MOTION CARRIED UNANIMOUSLY**

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Pam Weipert, Chairperson

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Jennifer Knapp, Recording Secretary

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Keith Bradley, Secretary