MINUTES

PLANNING COMMISSION
THURSDAY, JULY 2, 2015 6:00 PM

PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDBURG, OH 43068

A. CALL TO ORDER

PRESENT: McKenzie, Cullinan, Comeaux
ABSENT: Wren

2. APPROVAL OF MINUTES

Chairman McKenzie: Approval of the minutes. Are there any requests for changes to the minutes from our last meeting?

Mr. Snowden: Mr Chairman, would you like me to explain how the minutes are going to be shown to be approved in the system, or would you like me to wait until we get to the discussion item?

Chairman McKenzie: Sounds fine to me to do it right now.

Mr. Snowden: Ok. There was a question asked; how will folks now when our minutes are approved? When we did paper copies it was a matter of getting signed and then posted. As you now it was a matter of getting paper copies signed and getting them to the clerks office. After the minutes are approved by the commission, Dr. McKenzie and my signatures will be affixed to them and reposted. So that way folks will now they are finalized at that point. What that means is Dr. McKenzie and myself, and our other two chair people, Mr. Comeaux from DRB, are going to need to make appointments with me to get with the clerk and get a signature recorded so they can scan in it. I will contact the respective chair folks following this meeting. I just found that out late last week that that's what we are going to be doing. So that is how the folks will know that the minutes are final.

Chairman McKenzie: So for clarification, we come in and provide an electronic signature, which the clerk will then affix, after we approve it?

Mr. Snowden: Correct.

Chairman McKenzie: Alright. And did I have any changes to the minutes from the last meeting? The one email was already taken care of. So hearing that, those minutes are approved.

3. APPROVAL OF AGENDA

Chairman McKenzie: Approval of agenda, are there any changes to the agenda for tonight? Hearing none, those are approved.

4. SWEARING IN OF SPEAKERS

Chairman McKenzie: There are no speakers for tonight.

5. PUBLIC COMMENT

Chairman McKenzie: There are no public comments.

B. UNFINISHED BUSINESS

Chairman McKenzie: I do not know that we are carrying any unfinished business forward.

Mr. Snowden: No Mr. Chairman.

C. NEW BUSINESS

Chairman McKenzie: Nor that we have any new business tonight.

Mr. Snowden: We do not.

D. OTHER BUSINESS

Chairman McKenzie: So now it's just other business, which is the Discussion of Rules and Administrative Procedures.

A. Discussion: Rules & Administrative Procedures

Chairman McKenzie: So Mr. Snowden, I believe you have something.

Mr. Snowden: Mr. Chairman, if you just would allow me to make a short presentation to the board, answering some questions that you posited to me, and have been posited to me by other board members and others staff members about the commission, and at that point we can open it up to the commission to make a few minor decisions related to procedures. The chairman and I sat down a couple of weeks ago and went over some things that he was concerned about and there was some other concerns that have been raised to me from the general public and other city staff about exactly how all of our boards and commissions are doing certain procedures. So, some of those are questions that need to get answered by the City Attorneys. Per Section 7.01 of the Charter, it says that the Commission must quote, "Meet once per month". Upon consultation with the City Attorney... As you know the Commission had not met for two years prior to us being here, two months ago. What the City Attorney's office says is that the Commission may cancel the meeting if there is no business to be had. It is not his interpretation that the Commission needs to sit here, approve the minutes agenda, public comment, and promptly adjourn, just for the sake of the Charter section. It's his view that it is to be interpreted as the Commission needs to be holding meetings regularly. His statement is that, as we have done in the past, the Commission and staff will generate a meeting list towards the beginning of the year, in the January meeting, for approval, and then the Commission may elect to cancel it's meetings at any time if there isn't any business to be had. The second item related to meeting schedule, is the monthly break. The current break schedule, by tradition, as we have talked about, is August, for both Planning Commission and Design Review Board. Dan and I are also finding that, the BZBA excuses itself from the December meeting given that that's close to the Christmas and New Year's holidays. And, generally there is not a lot of development happening in the third week of January. Everyone is sorta focused on the holiday. Dan and I knocked around, between ourselves, presenting to the Design Review Board and/or Planning Commission, to possibly move their meeting to the first week in January. And the reason for that is, one, it could fall as near as January 2nd or January 3rd. So folks may or may not be in town for that. Second of all, there is not a tremendous amount of development happening. We are getting some Design Review Board requests for August. So that is sorta what has prompted the possibility. This is something that always has been done by tradition. I would just suggest that we talk about that when we talk about our Rules Document that I will go over in just a moment. Oath, Dr. McKenzie and I had been reviewing some materials from the American Planning Association that were advisory documents. And it's essentially a book about being a planning commissioner. And it's a great training tool and I will be happy to share that information. One of the items that was brought up out of the review of that material was that the Commission does not need to follow courtroom procedures, and I think it's pretty clear that the Commission does not do that and does not need to. The question was brought up whether the Commission needs to administer an Oath to our staff, and/or any folks speaking to the Commission. This is something that is also done at Design Review Board. And it's also something done at BZBA. Upon consultation with the City Attorney's office, the City Attorney's office recommended that all of our boards continue this practice. And his rationale for that is, we wanna make sure that folks are under oath when they speak to our Boards and Commissions, in the case that what they say, might later turn out to not be true. It helps him if any of the decisions of our Boards and Commissions ever were elevated to City Council, and then onto the Court System for litigative purposes. So, it's his position that we continue this upon research of other similar communities. We have communities that do, we have communities that don't. That was his recommendation, so I, in turn, am recommending that we continue that practice. An item raised from our very first meeting, was whether or not Dr. McKenzie, as the Chairman of our commission should have a vote. The Charter, the Zoning Code, are silent on this issue. Robert's Rules, as we discussed, states that the Chairman does not vote. Upon consultation with the City Attorney and my own review of our existing regulations, staff would probably recommend that the Chairman does have a vote. That's staff's recommendation. And that, that be specifically enumerated in the Rule's Document. In the sample document in front of you, I specifically enumerated that under item 4.A., 5., the announcements, so last time at the meeting, under "Unfinished Business", staff made an announcement about Rochelle, and some details, which was not contained on the agenda of that evening. There should be, in the opinion of staff, a place to make general administrative announcements, not related to our cases or any activities of the commission. If that's "Other Business", staff would suggest the Commission designate that in Rules Document. If "Other Business" needs to change to "Other Business and Announcements", staff feels the Commission needs to entertain that, or if an "Announcements" section should be added. This would be the type of thing, "Hey the men's restroom in the hallway is closed, please use the one upstairs." That type of information. That could change in between the time when agendas are draft version and finalization. Additional members, as you know we have a four member commission. As you know, Mr. Wren is absent tonight, and that means there is still one position able to be filled. Staff was contacted by Mr. Keith Noble. And, Dan and myself have scheduled a meeting with him on this coming Monday at 9:00 a.m., to discuss his qualifications and his interest in the commission. And, from there we will forward that information to the Mayor's office. And based on my review, the Mayor's office will be making that. It's the Mayor's office turn to appoint, that's correct. So, we will review and forward that information. If anyone wanted to be a part of that, please let me know. But, I feel like we can manage that. If you are interested, please feel free to let us know. To entertain other applications, we haven't heard from anyone else. Lastly, two more items. Second to last, staff, mainly me, would like to, given we are moving forward with the commission, would like to schedule some regular meetings, a standing meeting with our chairman in order to get feedback and help guide this process as we are sorta organizing and drafting these "Rules Documents." So, Dr. McKenzie, if you would be open to it, I would love to get something on the schedule, once a month, prior to our meeting, to discuss any issues, go over any details, if that would be acceptable to you. I know we have done that informally.

Chairman McKenzie: That is acceptable to me.

Mr. Snowden: Training, as Mr. Comeaux knows, he has been on our boards and commissions for a lot of years, we haven't done a lot of training. I am looking at doing training with all of our board members in January or February. That will be coinciding with new city council members coming online in January. The clerks office does training with them and I would like to schedule training with everyone around that time. Types of things we would be going over would be exactly what we are talking about tonight, except just reviewing that quickly for any new people. That could be a good time to have a business meeting where the commission discusses any issues that are happening with administrative procedures, give staff any feedback. Discuss sort of the ins and outs, the do's and don'ts of certain things. The updated Supreme Court cases that are effecting how decisions are made in planning and zoning. So, I am looking at January or February. Does the commission feel that they would like to substitute a meeting for that, or does the commission feel they would rather staff schedule that at a time like on a Saturday. It's gonna be scheduled on a Saturday probably for council. So, if it's something you want to think about and get back to me...

Mr. Cullinan: For me that is far enough out and if we want to try to make the January meetings skip, we can do that too.

Mr. Snowden: I put down January or February as a target date to get something scheduled. And that's it for my presentation, other than in front of you, you will see a sample rules document. That is based off of some of the best practice documentation that I reviewed with the Chairman for Planning Commissions. I did update the sample rules to reflect our specific situation, but it definitely needs more work. It's a rough draft. I would just ask that the Commission look at this and that we discuss it further at the next meeting. And with that I will turn it back over to the chairman for additional questions, comments, discussion, feedback, etc...

Chairman McKenzie: The chairman just has one little point. At the beginning of the document it says, "Thursdays at 6:30." For this commission has been meeting at 6, so that may be a typo there.

Mr. Snowden: It probably said 6:30 for the hypothetical Planning Commission and the...

Mr. Havener: Would it be easier for the commission members to attend later with the time frame, getting here from work? It's something we threw on, the 6:00 time frame. If there is something that would work better, we could possibly look at working something out with DRB, shifting things around a little bit. But, if 6:00 works, all the better.

Chairman McKenzie: Do any other members here have any problems with the 6:00?

Mr. Havener: I know Mr. Comeaux has to go to the DRB meeting immediately after anyways.

Mr. Cullinan: Right. The only issue would be that both traditionally held on Thursday, so 6:30 and 7:00. It's either 6 and 6:30, or 6:30 and 7. If the agenda ever was sufficient for the Planning Commission, and we need more than half an hour, we would have to move it anyway. I don't think the difference between 6 and 6:30 is that much of a difference.

Mr. Snowden: It looks like our consensus is, we will stick with the 6 p.m. Thursday.

Mr. Comeaux: And you don't want to go after DRB because sometimes those things go for longer and these tend to be more predictable. There is one issue in front of you...

Mr. Snowden: I just wanted to get any feedback.

Mr. Havener: Any other feedback on the switch, we shifted on the month.

Mr. Snowden: The month break being moved to January instead of August.

Mr. Cullinan: Does Council take a break in August as well?

Mr. Snowden: They do.

Mr. Cullinan: I think administratively, I do understand BZBA. They are the third Thursday, correct?

Mr. Snowden: Yes.

Mr. Cullinan: They are bumping right up against the holiday.

Mr. Snowden: Yes, their meeting in December can fall on December 18th. Some folks are looking for vacations to start then and that sort of thing.

Mr. Cullinan: I can see it making sense just from the idea that usually November to the beginning of January is a slower time in development compared to the summer when people have these great ideas and are trying to get after them. So I think from that standpoint it would make more sense to either not meet January or so.

Mr. Snowden: That should probably be, it has been August, in memorial. My suggestion is that whatever Commission decides, we place that in the Rules Document. And then, when the commission adopts the Rules Document as their guiding principals, that will be in there. And the amendment says, it can be amended with seven days notice on the very last item there. That's something the commission can change in the future if they felt it couldn't work or was causing other problems.

Chairman McKenzie: Well, considering that we meet for a half an hour once a month, and at the beginning of the month, it's not anything that seems to be particularly pressing to me anyway. And meeting the first Thursday of August is not a problem for me. Meeting the first Thursday of December is not a problem. I just don't see that it has any relevance either way. I mean, by tradition these things were modeled by Council, so August was off, but there was no rhyme or reason for it. So, I would leave it open to what Commission is use to.

Mr. Snowden: Would... I'm Sorry Mr. Chairman, I didn't mean to speak over you. With regard to the change, it's actually become more of a problem with Design Review Board because we are getting some requests to get on. There was a big scramble for our cases. We ended up having to postpone tonight's meeting, due to one of the board members being out of town. But, there was a scramble for some of the applicants to get on for the July DRB, so they didn't have to wait till September. So, to help staff out with consistency between the two boards, that are existing right now, it would probably be staff's request to go to that. So, maybe just wait until this is adopted, and staff will discuss this with Design Review Board, and when they are comfortable with it, we can make that change. It's just because there was a big scramble with some of the applicants to get on with Design Review Board. And, the problem is that you need to go to Design Review Board in Reynoldsburg to do some pretty small things such as sign face changes.

Mr. Havener: The option B, I know we discussed this too, is the fact that we do only meet once a month, is there really a need to have a month off. I know, Chair, you are basically in agreement that, I think your position is basically, you would be willing to hold it every month and not have that month off since it is just once a month.

Chairman McKenzie: As long as we can cancel meetings for which there is no business.

Mr. Havener: Chances are, you are going to have some meetings off anyways.

Chairman McKenzie: We will probably not meet, at least based on what we have seen so far, we will not be meeting twelve months of the year.

Mr. Cullinan: It probably makes more sense to keep the meetings open, that way if a business wants to apply, they are not pushed off another month, if we didn't meet the three months before that, just because there wasn't any business.

Mr. Snowden: Ok. I will take that to the Design Review Board, and get back to this group. As far as announcements being made, would the commissioners prefer to change "Other Business" to "Other Business and Announcements" or to add a number under the "Call to Order" for staff to make any announcements like I said, "the men's restroom is closed"?

Mr. Cullinan: Well, "the men's restroom" you better put that across...

Mr. Snowden: I will put that across in red ink.

Chairman McKenzie: If I had a preference, I would just like to see whatever it was on the agenda. And not just headed under "Other Business" where I have no idea what you are going to be making announcements for. That was my concern about the first meeting, was that "Other Business", and suddenly you had something prepared to go and I knew nothing about it.

Mr. Cullinan: Maybe you make it a separate heading then. And that way it's not expected that the items needed to be on the agenda to prepare for it. But, I guess "Other Business" is a general term as well.

Chairman McKenzie: I would prefer if there were announcements that they be listed as announcements, not as business, because the business of the Commission is not who is transcribing the minutes, and it's not that we are getting name tags made.

Mr. Snowden: Would the commission prefer that stuff just be sent out via email?

Chairman McKenzie: That would be fine with me.

Mr. Snowden: Great, that solves the problem right there. Very well.

Mr. Havener: Just to throw another curve ball on this meeting agenda, we have had conversations in the past, Eric and I, I know I have dealt with other municipalities and Commissioners and so forth, and what they do is they have meetings during the day. I know that can come in conflict with some board members, due to the fact of the positions they hold, and the companies they work with. But, what I have found in the past, at least in the participation that I was involved in, was usually the employer was very understanding if you are doing something as your civic duty to take the time off necessary to go to the meeting during the day. I just want to throw that out there. I don't know if there would be any reception to that. That's something I think worth entertaining. It frees up everybody's evening. You don't have to be here in the evenings. It doesn't really create any problems with the applicants, they are going to be there no matter what. So it's really strictly up to the commission members. We don't have to make a decision tonight, but if it is something that the commission members would feel comfortable doing with the positions that they hold with their employers, I think we would definitely be open to it.

Chairman McKenzie: Again, I would suggest that maybe the staff could contact members individually by email. We have a member missing tonight that is employed by a corporation.

I'm not in that situation, but then they could get back to you in a public way, and you could judge how able or unable it is for us to accommodate them. My assumption is that historically these are meeting at night, simply as a way of getting volunteers. I mean the odds of having the meeting during the day and the odds of people who work during the day, and volunteering, I think they are minimized in that situation. But in my case, I have a free schedule.

Mr. Havener: The thing what would come into play is we would also need to address with DRB and the other commissions and other boards. Because if this is something we want to do, and something that we want to do collectively rather than just one entity. So, we will look into it and try to come up with a consensus as to what everybody's feelings are.

Mr. Snowden: yeah, I think the chairman statement is probably correct. We need to reach out to everybody individually and see if there's a consensus among the three groups.

Chairman McKenzie: If there is nothing else, I feel the need to close this meeting. So it is now 6:35 and I close the July 2nd meeting of the Planning Commission.

E. ADJOURNMENT

Eric Snowden

Chairman Planning Administrator