MINUTES
CITY OF REYNOLDSBURG
PLANNING COMMISSION
MAY 7, 2015
6:00 P.M.

A. CALL TO ORDER

1. ROLL CALL

Members Present: Mr. Tyler Cullinan
Mr. James Comeaux
Mr. Justin Wren
Dr. Mark McKenzie

Others Present: Mr. Eric Snowden, Planning Adm.

2. APPROVAL OF THE AGENDA

Mr. Snowden: I'll now entertain a motion for approval of the agenda. I would like to make one note about the agenda. Under Section D, Item 1, I would like to add an item, Selection of Commission Chairman and Vice-Chairman and Secretary and I will explain why. Did everyone receive a copy? I have additional copies. Any other additions or changes to the agenda? (No response.) Great. Seeing none, and also seeing that we have no speakers or members of the public in attendance this evening, I will skip Items 3 and 4.

B. UNFINISHED BUSINESS – None

C. NEW BUSINESS – None

D. OTHER BUSINESS

1. Selection of the Commission Chairman.

(Mr. Comeaux enters meeting.)

Mr. Snowden: Mr. Comeaux, just to bring you up to speed, we have moved down to Item D1 on that agenda and there was an amendment to the agenda at my request to add "and Commission Secretary" to that so we will manage those three items together now.

The question was what was the role of the Commission Chairman. The Charter says that the Commission can choose its own Chair Person and Vice Chair Person. In fact it requires them to be chosen under the section of the Charter that refers to Commissions and how they function. The duties of the Commission Chairman would be to preside at the meetings. In addition, to assist staff with scheduling should there be any issues; and other duties as requested whenever the Board required a leadership role, but there are no other prescribed duties in the Charter. Other types of duties that the Commission Chairman could perform would be being present at meetings of the City Council when the items were to be considered by City Council that have been considered by the Board. That would be an as-needed duty and it wouldn't be a required duty.

The role of the Vice Chairman would be simply to fill in for those duties when the Chairman was not available. And the terms would be for one year. So at the beginning of the first month of January of next year, the Commission would need to choose a new Chairman and Vice Chairman.

Lastly the Commission Secretary. The Charter prescribes that the Chairman and the Vice Chairman must be from within the Commission, but it states that the secretary may be from within or without the Commission – that is the exact words. I'm requesting that the Board, as is our practice with all of our Board and Commissions, designate me as the Secretary for the Board, to manage to Board's records, filings and historical minutes as myself and my predecessors have done for many years. That being said, is anyone interested in the positions?

Dr. McKenzie: Is there a current Chairman or Vice Chairman?

Mr. Snowden: Mr. Comeaux was our previous Chairman; however, because this is the first meeting of the Board in such a long time, he would need to be re-elected if he wanted to serve as Chairman again, and we have no Vice Chairman. I think that was Mr. McGrath according to my list, and he's no longer living.

Mr. Comeaux: And, let me say, being late precludes you from being Chairperson, so, therefore, I cannot be the Chairperson apparently. I'll be in time for the next meeting though, Dan, because it starts at 6:30.

Mr. Snowden: And after this is complete, staff would be happy to discuss timing for future meetings.

Mr. Comeaux: No, seriously, I did it more because there were three or four of us that were on it and we were meeting rather infrequently. The composition of the Commission, is it just four members?

Mr. Snowden: I will be going over that in my presentation, but it is five members. We are looking for an additional member to be appointed at this time.

Mr. Comeaux: Is quorum three?

Mr. Snowden: Yes, sir, it is.

(Male speaking off mic, inaudible.)

Mr. Comeaux: That's true. At this point, yeah, I suppose we do need to reappoint somebody to go to the DRB.

Mr. Snowden: The Commission can add that as Item 3. In fact I was thinking about that when I added the Secretary. The Commissioner should probably redesignate, but that could also wait till next month if we wanted to publish it on an agenda. That would be up to the Commission.

Dr. McKenzie: So are we running Robert's Rules of Order?

Mr. Snowden: Dr. McKenzie, what the Charter states is that when there are no prescribed rules in the Charter or in the Ordinances of the City regarding the Board and the Commission has not made its own bylaws, which the Commission can make, then Robert's Rules will apply. Staff is unaware if there are any bylaws of the Commission. No copies have come to staff, so if the Commissioners had bylaws or rules that they wanted that they felt would simplify things in the future, that would be up to the Commissioners as well.

(Male speaking off mic, inaudible.)

Dr. McKenzie: It's just for parliamentary procedure. It's just something that's been adopted by organizations for a long time for running parliamentary procedure. But by Robert's, one of the things they do is that the Chair does not vote. The Chair's running the meeting and that provides enough power that, under Robert's, the Chair does not vote on things. That was the reason for the question, is are we going to have a Chair to have voting powers?

Mr. Snowden: Dr. McKenzie, in Section 7.01 of the City Charter which creates the Planning Commission, it just simply states that the Commission consists of five citizen members and it specifically designates Director Havener, the Development Director's position, as not having a vote. So my interpretation and the previous interpretation of the City Attorney has been that all Commission members have a vote.

Dr. McKenzie: For example, within the rules of Council, they specifically state that Chairs of Committees vote and so they do. But if we were following, without something else to clarify that, and just going by Robert's, typically the Chair does not have a vote and the reason is balance of power. Since the Chair has to recognize people to speak and everything else, to also give that person a vote concentrates a huge amount of power. So it's fine, but I just wanted to get that out in the open whether the Chair would have the voting rights or not.

(Male speaking off mic – inaudible.)

Mr. Snowden: The quorum is designated by the Charter as three members. It just says three members. Dr. McKenzie, why don't you let me take that to the City Attorney and get an interpretation specifically.

Dr. McKenzie: If we're allowed to have it on the rules, then with a Commission of only five members, it does seem like for purposes of quorum, that it would be a good idea to have the Chairman voting, but we should specify that as our rules of Commission that the Chair is going to have the power to vote.

Mr. Comeaux: The Chair did vote. Again, that might have been a function of oftentimes only had three people, so I think to adopt a measure, to approve a measure, we needed three votes.

Dr. McKenzie: Well, the same way as President of Council, or President or anything, the Senate or whatever, when there's a tie, then that person breaks the tie, and it's fine. As I said the rules of Council hold that the Chair of the Committees have voting rights, that it's something that we should have specified that if we want the Chair to vote, we should probably have that in our rules.

Mr. Snowden: Let me, in the time between this meeting and the next meeting of the Commission really dig as deep as I can and see if there are any-- Part of taking on this role is putting the pieces back together of what was once existing. So let me look very deep and see if there are any existing bylaws of the Commission and from there, if there are not, then the Commission is obviously empowered by the Charter to make whatever bylaws they feel necessary. We'll add that topic to the next agenda then.

Mr. Comeaux: I have made a note as such.

Dr. McKenzie: Since no one else is stepping forward, I would like to say that I would be willing, if the rest of the Commission members would agree, to serve as Chair.

Mr. Comeaux: Without having a Chair, it's tough, because it's kind of free-flowing, but I was going to nominate Dr. McKenzie. The fact that he knows as much as the others about Robert's Rules of Order and how to proceed a meeting is good enough for me.

Mr. Wren: I'll second that.

Mr. Comeaux: Okay, so we have a motion and a second.

Mr. Snowden: Any other discussion, gentlemen? (No response.) If not, then I will call the roll.

(Mr. Comeaux voted “yes.” Mr. Cullinan voted “yes.” Dr. McKenzie abstained. Mr. Wren voted “yes.”)

Mr. Snowden: Okay, very well, let the record reflect that Dr. McKenzie has been designated as the Chairman of the Commission. Is there a motion to designate a Vice Chairman?

Mr. Comeaux: I nominate Mr. Wren to be the Vice Chair.

Dr. McKenzie: I will second that.

Mr. Snowden: Any other discussion? (No response.)

(Mr. Snowden called the roll. Mr. Comeaux voted “yes.” Mr. Cullinan voted “yes.” Dr. McKenzie voted “yes.” Mr. Wren abstained.)

Mr. Snowden: Very well. Let the record reflect that our Vice Chairman of the Commission is Mr. Justin Wren.

With that, I was filling for the roll of Chairman as we had none, but I’m going to go ahead and turn things over to Dr. McKenzie as the Commission chooses their Secretary, with the request that the general practice be to designate the Planning Administrator as Secretary.

Chairman McKenzie: So I’ll call for a motion to designate Mr. Snowden as Secretary.

(Male speaking off mic – inaudible)

Dr. McKenzie: Do we have a second?

Mr. Cullinan: Second.

Dr. McKenzie: Is there any discussion on the motion? (No response.) Mr. Snowden would you call the roll?

(Mr. Snowden called the roll. Mr. Comeaux voted “yes.” Mr. Cullinan voted “yes.” Mr. Wren voted “yes.” Chairman McKenzie voted “yes.”)

Dr. McKenzie: So then we’re moving on to Item 2 under D, Staff Presentation.

Mr. Snowden: Thank you very much, Mr. Chairman. Gentlemen, it’s a pleasure to be here with you this evening and thank you for your assistance getting through the beginning of that. Taking care of the procedures is important.

With that being said, we have Design Review Board at 6:30, but I have prepared a short presentation to go over some of the existing procedures of the Planning and Zoning and give you some idea of what you signed up for when you became Planning Commissioners. Can everyone see a screen right now? Very well, I'll proceed.

Reynoldsburg Planning Commission: Let me just go over the powers and duties of the commission. The Commission is created under Section 701 of the City Charter, which is available from the City Clerk's website. If you have any interest, staff always has a copy of that section at the meetings if there were to be any questions. It calls for a Board, as you know, a Commission of five members, designates the Development Director as an ex-officio member, not one of the five citizen members. This section was last amended in 2012. In order to make any changes to the section, that has to be presented to the voters, which I understand Dr. McKenzie served on that Charter Review Commission in the past.

Dr. McKenzie: I did not. I attended it.

Mr. Snowden: The Commission is given some general duties under that section and if you'll allow me just a moment, it says, "The Planning Commission shall assist the Development Director with policy development impacting short and long-range planning issues of the city. The Commission may make such advisory recommendations relative to matters of planning and zoning. The Commission shall conduct studies, prepare advisory plans, reports, maps and overall planning growth of the city."

In the following section it states that Council may give the Commission any other powers that it sees fits. Our zoning ordinance provides the Commission several duties: One is review of plats, typically single family; lot splits under five acres can be done administratively by staff, but anything over that size requires the Commission to review. That's by Chapters 1113 through 1127 of the City Code. It also prescribes a lot of engineering standards that pertain to the plats themselves. In addition, rezonings, also known as "District Amendments" per our code, per Chapter 1151 of the City Code are reviewed by the Commission. Staff should be presenting a rezoning district amendment case at the June meeting of the Commission, so that will be the first one that's been done in the City since approximately 2011 or 2012, so that will be a good learning experience for the Commission. Section 4.11 of the Charter prescribes a specific process for that. Ordinances that rezone in the city have a higher level of review than a typical ordinance.

Talk about the roles of the staff. Obviously many of you know myself and Dan. My role is to prepare – as you know, you've designated me as the Secretary, so to take care of the administrative details of the Commission, also to prepare staff reports, take applications, advise applicants, take care of the administrative permits, advise our other Boards. Those are all in my role.

Dan, as you know, is an ex-officio member of your Commission. In addition to that, among his many roles here at the City, are working with economic development, business recruiting, business retention, assisting me with plan reviews. You name it, he's involved with it if it has to do with the development in the City. And, that being said, we're always available for questions from our Commissioners as well as from the general public.

Just wanted to give you an idea of who else is out there doing similar work. Building Division, under the Chief Building Officer Mr. Fred Sloda, does all the building, residential and commercial, plan reviews and inspections. In addition, code compliance, which also deals in some cases with items of the zoning code, is also dealt with through Mr. Sloda's team and staff, myself and Dan, coordinate with him to make sure that it's done. So that include zoning violations, signs, not having permits, high grass, properties in poor and unsafe condition, etc., etc. And any issues that you were to see, feel free to let us know. We're happy to either pass those along or provide information on it.

Our other Boards, as I stated with the role of this Board, the Design Review Board also reviews building architecture. The Board of Zoning Appeals reviews special permits, variances and site plans, as well as reviews administrative actions of myself, the Planning Administrator. The Design Review Board is a seven member panel. The Board of Zoning and Building Appeals is also a 5 person Board and it's created by the following section of the Planning Commission. So I guess Planning Commission is first, BZBA gets created second. So if you see any of our BZBA members, feel free to let them know that your Commission was created first by the charter.

What to expect from the staff? We went over this when many of you met with us, but staff will distribute packets, provide reviews and reports. Our goal is always to keep Commissioners updated on the process. Staff can also provide opportunities for Commissioners who want additional training on Planning and Zoning or have additional questions. Staff may, from time to time, make general presentations about the ongoing development or specific challenges facing the City in order to gauge informally the Commission's opinion on what staff's policy should be. We know that you expect a lot out of us and it's my responsibility to staff this Commission.

From there, as you know, what we expect from you, we would hope that all the Commissioners would review the materials provided, be prepared to make decisions that are balancing various parties with different interests, and be prepared to – in addition to reviewing development – development review, staff also enjoys getting feedback about general policies of development from the Commission, so feel free to share that either informally or when requested by the staff.

But we're excited. It's the goal of this body to help staff craft and implement our vision of what the City can be. So, with that, I would turn it back over to Chairman McKenzie, and just ask if the Commissioners had any other questions or anything they wanted to speak about tonight.

Dr. McKenzie: Hearing none, I'll ask for a motion to adjourn.

E. ADJOURNMENT

(Male making motion – inaudible, off mic.)

Mr. Cullinan: I'll second.

Mr. Snowden: Thank you very much, gentlemen, and we will see you all on June 4th, I believe.

The meeting was adjourned at 6:26.

Dr. Mark McKenzie, Chair	Mr. Eric Snowden, Planning Adm.

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