



MINUTES

PLANNING COMMISSION THURSDAY, FEBRUARY 2, 2017 6:00 PM

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

A. CALL TO ORDER

PRESENT: McKenzie, Cullinan, Comeaux, King
ABSENT: Welday

2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – November 3, 2016

Minutes stand approved.

3. APPROVAL OF AGENDA

Agenda stands approved.

4. PUBLIC COMMENT

There were no public comments.

B. BUSINESS OF THE PLANNING COMMISSION

1. **Annual Organizational Meeting to Elect a Chairman, Vice Chairman, and a Secretary; and to Appoint a Representative to the Design Review Board**

Chairman McKenzie: So that we know how this goes, we make nominations. Nominations do not have to be seconded. We can make more than one nomination, so more than one person can be nominated. There will be time for debate, which will not be needed if there is only one nomination. Then we will vote and that can be done by voice vote. First up is for Chairman. Are there any nominations for Chair.

Mr. Comeaux: I would nominate Dr. McKenzie for Chair, if he would so accept.

Dr. McKenzie: Any other nominations? Ok, I would be willing to continue as Chair. I just want to state, it is not that big of a deal and I would love to have it chaired as much as possible. Any debate? All in favor say, "Aye." (*Multiple "Ayes" heard.*) Show that Dr. McKenzie was elected as Chair by acclamation. Now we are looking for nominations for Vice Chairman.

Mr. Cullinan: I will nominate Mr. Comeaux.

Chairman McKenzie: Any others? Any debate? All in favor of Mr. Comeaux being Vice Chair for this year say, "Aye." (*Multiple "Ayes" heard.*) Again by acclamation you are Vice

Chairman. Congratulations. Nominations for Secretary. I will nominate Mr. Snowden to serve once again as Secretary. Would you be willing to do that Mr. Snowden?

Mr. Snowden: Gentlemen, it would be my pleasure.

Chairman McKenzie: So people know, it is possible for one of us to serve as Secretary. It may be inside or outside. We could, if we wanted to, also take over as Secretary.

Mr. Snowden: I am happy to assist in any way that I can.

Chairman McKenzie: Any debate? Hearing none, all in favor of Mr. Snowden say, "Aye." (*Multiple "Ayes" heard.*) Congratulations, you have been elected as the 2017 Secretary. Now, to appoint a representative to the Design Review Board. Having been the representative to the Design Review Board in the last year, would you like to share anything about that position?

Mr. Cullinan: Obviously you get to see the applications that are made to Design Review Board, including various signage and other uses with different projects that are about to be happening. It is interesting to see things that are happening in the community and to be a part of the decision making process.

Chairman McKenzie: Did you learn things from having served on that Board? Did you find it valuable?

Mr. Cullinan: It was definitely interesting, especially working in civil engineering, making applications like those to communities and being on the other side of the table.

Chairman McKenzie: Just to point out for the new member, the Design Review Board meets immediately after Planning Commission. We go from 6:00 to 7:00, and the design Review Board begins at 7:00. Any nominations?

Mr. Comeaux: Mr. King, I do not know where your interests and strengths lie.

Mr. King: My strengths are in technology. This is meeting number two so obviously I am still trying to figure it out.

Chairman McKenzie: We have not met for a while and most of us were new members and on the first night that we met again I became Chair. I just wanted to point that out.

Mr. King: It is something that I can do. It is right after this meeting, an hour to an hour and a half?

Mr. Comeaux: I will say it meets more regularly and the meetings tend to be a little bit longer. As our meetings are sometimes not held due to a lack of business, theirs are every month like clockwork.

Mr. Snowden: Just to give you a little insight into the Design Review Board. First of all, by ordinance that creates the Board, the Commission is allowed to appoint one member. Secondly, we have worked, Dan and myself, as this body, to implement some code changes that have reduced Design Review Boards workload a little bit. DRB is really there to review building architecture, some elements of site design, and signage for large scale new projects. Once upon a time, Major Site Plan reviews such as this body does, were previously done by BZBA, and DRB was the only board doing what I would call project or development review by a public body within the City. There are some duplications between the Site Plans that are reviewed by the Planning Commission and what Design Review Board is doing. Just to give you an idea, in the event that somebody that did not already have experience on it was elected, I would probably schedule a time to go over some of the guidelines, introduce them to the Board Members, etc...

Mr. King: Fair enough, I can do that.

Chairman McKenzie: Mr. King is willing to accept the nomination. Any debate? All in favor say, "Aye." (*Multiple Ayes heard.*) All opposed, (*silence*).

Mr. Snowden: Just for clarification, that is a one year appointment to Design Review Board. At the beginning of next year, the Commission will have to elect a new representative for the year. Whereas your appointment to this Commission is for three years per the City Charter.

Mr. Comeaux: When I joined this Commission, I was told it was for a year, but all the other members when their separate ways, so I ended up there. It is good to get on there and see some different things. You will get on there and see different projects coming through the city. Trust me, you will start to look at things differently and with a little more detail.

2. Discussion Regarding the Adoption of Summary Minutes

Chairman McKenzie: I would like to make a small change. At the time I had thought about this, I was not aware of how much negative baggage has become attached to this idea of summary minutes. That is really not what I am asking here. We. By our Rules of the Commission, say that for parliamentary procedure, we defer to Robert's Rules of Order. At present, our meetings by style and content is not consistent with Roberts Rules of Order. We don't need a motion, or anything on this. I would simply ask that by the Rules of the Commission that we have Rochelle, and I have talked to the people in the office, to conform to Robert's Rules of Order in the presentation of the minutes for the Commission. That will in fact get me to what I was thinking of when I used the term "summary minutes." It is not just from the quasi, as I pointed out earlier, verbatim minutes that we have now, in which there have been a consistent stream of omission and things. Possibly because the recording is not audible. What I would ask is that we comply with Robert's Rules of Order. Yes, Mr. Snowden.

Mr. Snowden: Mr. Chairman, I have had an extensive conversation with the City Attorney about this particular item. Can you clarify for me what exactly you are asking? I think that you may know a little more hear than I do. Clarify what changes you are actually proposing. What would be different from the way that we are doing it now?

Chairman McKenzie: The terms are no longer used, but we would be getting away from an absolute verbatim transcription of the conversation. There would be a very detailed description of what was being discussed and decided rather than simply a transcription of the conversation that went into that decision. That is what Robert's Rules of Order has explicitly stated, should be in minutes, for quite a while now. I have a sheet about the Open Meeting Act that the City Attorney refers to. I guess Rochelle had taken my request to him and it would fully fit and meet the requirements of the content of the open meeting minutes. So, there was a reason for doing this. An email had been put up that I thought might be asking for something that we should be doing in the meetings, but I don't think felt comfortable having these conversations, and I thought in part it might be because every word they said might end up in minutes. That was my thinking on it. Really, I think it would just be a good thing if we did follow Robert's Rules of Order. The most recent copy is available in the Clerk of Council's office. They give very detailed examples of what minutes should look like for meetings. Yes Mr. Snowden.

Mr. Snowden: Mr. Chairman, all I can tell you is that myself, Dan, and myself had lengthy conversations with the City attorney on this issue. I don't disagree with anything that you have said, but our City Attorney's recommendation was that we continue operating in the manner that we are operating, in terms of our minutes. Ultimately, if this body makes the determination that, that is what they want, we will comply with that, because that is our role. But, at the end of the day, the City Attorney's job is to advise the City Government, including all of our Boards and Commission, on what he feels is best, and limits the City's liability and any potential concerns. All I can tell you is that he recommended we continue doing what we are doing. He did not see any specific concerns. That is my statement from my conversation with him.

Mr. King: So, one of my thoughts is, what would be an example. I would like to give an example of today. I am running late, I am in traffic, I wish I would have been able to call someone or send a text message or something to say that I am on Main Street and will be a couple of minutes late. If we were to discuss that as I just said, is that something that must go on the record. I am just asking for an introduction to people. How do things run? If you are going to be five minutes late, who's number should you call. If you are going to be a couple of minutes late, you want to have that discussion without being so formal. So, when it comes to meeting notes, I understand that they need to be formal and direct, but at the same time, we sit around here and it presents a presence of, what do we do, what can we say. Are we all sitting here very stiff because everything is so rigid. We might not be as versed as you, and maybe if it was not us, but rather people that come tomorrow, they may not be as versed. So, is it something that would put the Boards and Commission in the position to need a law degree to understand it, to really see what is going on?

Mr. Comeaux: If I may, I think that the distinction is as follows: If we go with the current procedure, let's say you just said 675 words, the minutes would have those 675 words with a few omissions because the microphone cut out. It is my understanding that the change would be, instead of having those 675 words, there would be a sentence or two saying that Mr. King

expressed the concerns as follows. Is this a fair characterization of the difference, Mr. Chairman?

Chairman McKenzie: At least as I understand, it could be. But, that is one of the things is that some people have abused the idea of summary minutes to make things too short. I should point out that legally that we keep the recording of these sessions for one year. So, that is a backup. And, as has been pointed out, if there were any challenge, we would go to the recording, and not to the transcripts. I would prefer, before we take the City Attorney's advice on this, that he be aware of what Robert's Rules of order states, never using the term "summary", versus my inappropriate use of the word summary when I made this request to have it on the Agenda. For example, what really matters when it gets to verbatim is when somebody is testifying to us, and that would still appear as verbatim. The one night when we ran over and we had lots of people talking about the Methodist Church, their presentation to us would still appear in the minutes as verbatim, but it would be the discussion type things that you were talking about that could be simply described, rather than repeated. That is what Robert's Rules of Order is getting to. I would like, before we decide, those people that are not on the Commission, decide that this is not something that we should be doing, be familiar with Robert's Rules and how it would be different, for the most part it would not be very different at all. Everything that we would be having now would still be there. I have had this discussion before with people who are doing the transcriptions, about making us look good in writing. Oftentimes, you do not use grammatically correct English when you are speaking. In fact, somebody who was a big crusader for that would say that the only way you could do it was to talk from a script. You cannot be grammatically correct when you are just speaking. From that standpoint, that is basically what Robert's Rules of Order would be having you do. It would just be tightening up what is said when you are speaking off of the top of your head, as I just changed and edited what I was going to say there. That edit would have been lost. So, once again, my point would simply be to ask that, as consistent with our Rules of the Planning Commission, that we follow Robert's Rules of Order for the minutes. That is all.

Mr. Cullinan: A year or so ago, when we were going through these documents and comparing to other Boards, how do other Boards address the minutes? Is it the same?

Mr. Snowden: Mr. Chairman, if I may...

Chairman McKenzie: Yes, Mr. Snowden.

Mr. Snowden: It is a mixed bag, depending on the history of the Board, the recommendations of the Attorneys, the type of cases they are hearing, length of the overall meeting, litigation that has been generated giving the particular city some insight. This is a difficult situation because at the end of the day, I have to follow what the Commission says, but I also have to follow what my City Attorney is telling me. So, it puts our staff in a very difficult situation. Because, if the City Attorney makes a recommendation to me, that is typically something that needs to be followed. Ultimately, it is your decision, but here is my suggestion, rather than have the Commission take a position and then have to backtrack when there is more press back from the Attorney's office, or whatever, my suggestion would be,

why don't we table this to the next regular meeting of the Commission. Now that we all understand each other and have had a chance to hear our Chairman, and I have had a chance to speak with both you and the Attorney, I can now set up a meeting with our development team and our attorney, and a representative, such as our Chairman, from the Commission, to go over what the Attorney is saying, and try to get everybody of the same page so that we can come back to you with a recommendation. Rather than our staff relaying what the Attorney is saying, let's get proactive and, as long as we do not have quorum, we could have multiple representatives at the meeting. If from that, between now and the next regular meeting, we determine that one of the City Attorneys needed to come and speak to the Commission in a formal setting such as this, we could do that. Again, I am going to do what you ask me to do, but it is putting our staff in a very uncomfortable position between our Attorney's office and the will of the Commission. Rather than cause a friction point, let's get all the players together and then come back to the Commission with more understanding. I hope that was appropriate. From there, I am happy to do what you ask me to do.

Mr. Cullinan: I was thinking along similar lines, it seems like the different parties need to come together and have a discussion. Mr. Snowden can not speak completely on behalf of the City Attorney. I am not opposed to the idea of the summary minutes. I think it makes sense. Not summary, an itemized type, following Robert's Rules of Order. I also want to make sure we are doing things as advised by the City Attorney.

Mr. Comeaux: Mr. Snowden, you had given some insight into how other cities might handle it, to your knowledge, do other Boards and Councils carry on with the minutes in a manner consistent to what we currently do?

Mr. Snowden: The three Planning and Zoning bodies, and City Council, all do the minutes in the same manner, using the electronic system that is provided by the Clerks office, and the Assistant Clerk of Council and the Clerk of Council do the transcription for the minutes from the recordings. I can not answer what the Parks and Recreation Commission or the Civil Service Commission do, but their needs are a little different because the Civil Service Commission is doing a review of city actions and setting a Human resources policy, and the Parks and Recreation Commission is advisory in nature. It does not have a lot of formal decision making to approve or not approve an application. It is there to oversee the department and give advise on needed recreation and parks issues. The three bodies that are within development, that the administrative are run out of the Clerk of Council's office are consistent. It does create some confusion and problems by having a policy for one of the Boards or Commission that is drastically different from the others. It creates some administrative challenges.

Chairman McKenzie: I wish the people would be able to experience the difference between the minutes as we have them now and Robert's Rules of Order. I do not believe we would be having this debate if they had. I don't believe that the other Boards and Commissions would notice a difference if they transitioned to Robert's Rules of Order's format for minutes. They may like those better than what they have now. They are certainly easier to read. We do not have to do it tonight. As I said, this does not even require a motion. It is just a matter of us following the Rules of the Commission if we decide to make that change. I will point out

that now there is a slight difference between what the Council is doing in way of the minutes and what the Boards and Commission are doing. With Mr. Joseph as President, he has advocated for more verbatim transcription for the minutes. But historically, when Nancy was doing the minutes, they were summary. As the President of Council has changed, he has wanted some changes, but they are still closer to Robert's Rules of Order than we are. There is not absolute consistency between City Council and the Boards of Commission now. This was just a matter of bringing this up. As I said, we don't have to move on this.

Mr. Comeaux: I would just like to say two things. If you are going to talk to the City Attorney, you can share these comments with him. What is the nature of these minutes. The nature of the minutes is to establish a record. I get the verbatim transcription. If the nature of the minutes is to remind the committee of what transpired, and I say "committee" because that is how Robert's Rules refers to it, then I would prefer they are summarized. That being said, consistency is the hob gobble of small minds. I see why the City would want to have the same process followed at each. My personal preference is something akin to summary minutes, but I recognize the potential pitfalls in that. If you have ever read corporate board minutes where it say, "And then there was a discussion." My final point would be, if we do go away from the minutes as proposed by Robert's Rules of Order, then we should so reflect in our rules. I do it would be fine to have a conversation and I would support tabling at this meeting.

Chairman McKenzie: We don't have to table.

Mr. Comeaux: That is fine. Whatever needs to be done.

Mr. Snowden: Mr. Chairman, we will work to set up such a discussion and I can work with Dan and Rochelle to see if we could do two formats, one with how we are doing it now, one with how you are proposing, and have you review that and see. That is a very minimal amount of work for her. When we go and speak with the Attorney, we can say this is what we have been doing, this is what people are talking about, then he can respond in terms of actual documents and give him a chance to review it. Instead of just telling him what we are hearing from the Board. Does that seem like a good way to move forward?

Chairman McKenzie: I have no objections. I have read through Robert's Rules on minutes.

Mr. Snowden: It is very possible that when it comes to Robert's Rules of Order, you may know more. When it comes to case law, he may know things that more importantly relate. We just need to get this all down to a solution for which everyone can be happy.

3. Proposed Planning Commission Rules Update

Chairman McKenzie: I pointed out another correction, but really this is mostly Mr. Snowden's thing.

Mr. Snowden: Yes, thank you Mr. Chairman. Gentlemen, from our reorganization meetings for 2015 into 2016, we did not have consistent Commission rules so we worked to get draft rules reviewed and adopted. As part of that, we went through several revisions to get things

where they needed to be. I am happy with the document as it stands. The bottom line here is, if you look at the revised version as it is sitting in front of you now, our Human Resources department went through all of our City job descriptions, and my title as of last December is now Planning and Zoning Administrator. The reasons for that is because it is consistent with our Code and it is consistent with what most other cities are doing. I went through and added the text "Zoning Administrator" to any references to my position. In addition, Dr. McKenzie noted an item under elections where the secretary should have been included.

Chairman McKenzie: Article 4, Section 4.1, first sentence, it just says elect Chairman and Vice Chairman and it neglected to say Secretary. So, we would be adding Secretary as an officer that we would elect on a yearly basis.

Mr. Snowden: Are there any other edits that need to be made that we could make a note of tonight and have a revised draft to you by the next meeting?

Chairman McKenzie: Since we are looking at this, as you may remember, we did not have a Rules of the Commission before we reorganized. I assume your title will never change again?

Mr. Snowden: Most likely not.

Chairman McKenzie: It seems like this is not the ideal way to express these points, such that the change to your title would require us to change the Rules of the Commission. Also, by the way we act now, Mr. Welday wanted to notify us that he was not going to be in attendance tonight, but he did it by email where he notified everyone. Right now you have a new set of regulations that you are changing and going before Council, and I noticed that there was a change in definitions in which you had crossed out Planning and Zoning Administrator and replacing it with Development Department.

Mr. Snowden: No, it is the opposite.

Chairman McKenzie: Adding Planning and Zoning? Ok.

Mr. Snowden: Dr. McKenzie, I believe the title will never change again. I understand your point that when something small administratively changes here, we should not have to reorganize all of our stuff. This is the third time it has changed since 1950, and will probably not change again for a number of years.

Chairman McKenzie: That is fine then. It is just that I did not want to get into this procedure where changing a title requires us to then change our Rules of Commission. If it is something, for example, we could simply say to notify Staff, and take care of it that way.

Mr. Snowden: Whenever you mention a staff member or staff title, it is really that person or their designee. I also had this discussion with our attorney when we dealt with the situation regarding acting upon the language that was in there. It is that individual or his or her designee. For example, I wrote the Zoning Code so that ultimately the person in charge of

the Zoning Code within the City of Reynoldsburg, is the Development Director. The reason for that is that individual is the director of the department. That title encompasses the entire Development Department. I would not get hung up on that, I think the point is that you are giving notification. I am just trying to make it consistent. Again, I do not see that changing for a very long time in a City this size.

Chairman McKenzie: Any further questions or discussions? By our Rules of Commission, these have been introduced now, we have had an opportunity to discuss them, and then we would vote on them at our next meeting, and they would immediately take affect is we adopt them at our next meeting.

Mr. Snowden: I will send out a revision based on the feedback that I receive for Article 4, Section 4.1.

Chairman McKenzie: As a point of ease for reading, because there are so many things in this document, underlining small changes would be beneficial. Because I could not find a copy of the existing one, what was or was not being changed here. A way of indicating changes, other than simply underlining the new sections, would be helpful.

Mr. Snowden: Would yellow highlighting be appropriate? I do not know if anyone on the Board is color blind.

Chairman McKenzie: Color coding would help. I went through the document. I did see the underlining, but there were so many things underlining that I did not know which items were changed.

Mr. Snowden: Once these are approved, I will post both these Rules and those for BZBA, and post them to our website. That is something we need to do, so thank you.

Chairman McKenzie: With no further business before the Commission, I will close the meeting.

C. ADJOURNMENT

Chairman

Planning Administrator