



Wexford Joint Planning Commission

1/2 Cherry Grove Township
4830 E. M-55
Cadillac, Michigan 49601

(231)775-1138x6
www.wexfordjpc.org

Email: planningandzoning@wexfordjpc.org

January 2019 Staff Report

Planning and Zoning:

Note: WJPC has received a notice of intent to plan from the adjacent community of Burdell Township - Osceola County. Staff has requested to be notified via email of any future master planning communications.

We must insure, going forward, that each planning commission representative is consistently communicating with the respective participating municipality.

- ◆ Attend Board Meetings - Communicate
- ◆ Tell them to visit our website: www.wexfordjpc.org
- ◆ Tell them to call STAFF with concerns / questions
- ◆ Invite them to attend our monthly meetings
- ◆ Let them know that YOU are their representative voice
- ◆ Let them know that WE / YOU (the WJPC) works for them (the entire community)

In addition - staff will ensure that every effort is made to communicate with each participating municipality as often as necessary through 'personal' visits when we are able.

Annual Meeting:

The annual meeting will be scheduled for our regular meeting on **February 25, 2019** at 6:30 pm. The notice / invitation along with a copy of the budget and letter will be mailed out to ALL participating municipality board members immediately after this January 28, 2019 WJPC meeting. This will insure that ALL members have a copy prior to their attendance at the respective February board meetings which are all scheduled prior the WJPC annual meeting.

Master Plan:

The recent experience associated with passing an ordinance amendment /rezoning has brought forward the need to analyze several of the process and the documents that created and allow the WJPC to exercise its authority for the benefit of the participating municipalities. After consultation with the planner it is recommended to temporarily suspend any initiative towards master planning until such time as the more immediate issue can be resolved.

Bylaws:

The current bylaws read:

5. **Fiduciary, Office of Record, Attorney**
- c. Attorney: The attorney for the Commission is Richard M. Wilson Jr., Gockerman Wilson Saylor & Hesslin PC, a Mika Meyers PCL law firm, 414 Water Street, Manistee, MI 49660, (231)723-8333, rwilson@mikameyers.com; and Sarah C. Alden, Mika Meyers PLC, 900 Monroe Avenue NW, Grand Rapids, MI 49503, (616)632-8037, salden@mikameyers.com.

Action Item *

Recommend that the WJPC amend / change the bylaws Section 5.c to follow the ordinance and agreement that reads: (*amending bylaws, Section 5.c to read the same as Ordinance and Agreement, Section 4.h:*)

Section 4. Powers and Duties

- h. ***Professional services. The Joint Commission shall, within budgetary appropriations and other funds available to it for such purposes, have the authority to retain the services of such planning, legal, and other professional consultants as it deems necessary.***

Budget

The revised final budget that will be distributed to the participating municipalities with their invitation to the annual meeting is attached as approved by the WJPC at the December 17, 2018 meeting.

Note: With the pending procedural issues related to amending the zoning ordinance in any fashion - and, with the recommendation to suspend master planning until such time as we can re-align the appropriate processes that best serve the WJPC and their participating municipalities - staff believes that adequate funding exists in the budget to re-direct our energies towards serving the more immediate planning and zoning needs of the participating municipalities.

Legal Update: (re: ordinance amendment process)

Staff, Chris Grobbel (*the Planner of Record*), Richard Wilson (*the attorney of record*) and Catherine Kaufman at Bauckham, Sparks, Thall, Seeber & Kaufman (*MTA legal firm*) engaged in a one hour conference call on Friday, January 18th, 2019 for the purpose of discussing the awkward procedural elements that (among other things) requires a **majority vote** from *each* of the participating municipalities - thus requiring a 'unanimous' vote to approve *any* zoning ordinance amendment. ***In essence - the procedure spelled out in the zoning ordinance also grants any one municipality complete veto power over the other ten.***

The 'legality' of the above described procedure was not fully resolved, however staff believes that there is clearly a consensus of the WJPC and the participating municipalities that this process is not working well or likely to adequately meet member Townships' needs going forward. The '*reality*' of this situation seems to steer us towards not only the continuation of joint planning but also towards the individual zoning desires of each participating municipality.

Very truly yours,



Robert (Bob) Hall
Planning and Zoning Administrator

Land Use Permit Activity

ZBA-2019-01	2212-12-1302	Squier, Kevin	RAD	RR	SLA	Residential Acc. Bldg.
LUP1	2412-01-4125	Lavalley, David / Kellogg, Craig	RAD	R1	WEX	Accessory Building
LUP2	2210-23-3101	American Tower Corporation	OTHER	RR	SEL	Comm Tower Antenna
LUP3	2110-15- 4302-01	American Tower Corporation	OTHER	RR	CHE	Comm Tower Antenna
LUP4	2211-ASR-06	Simmons, Robert - Riggs Group	Porch	R1	BOO	Porch enclosed

Line Item-Description	2017/2018	2018/2019	2019/2020 PROPOSED
000-800 - Bank Fees	\$0.00	\$50.00	\$50.00
705 – Meeting Per Diem / ALL	\$3800.00	\$6500.00	\$6500.00
<i>Consolidated PC, ZBA, & Exec. / Ad-hoc: anticipating additional Master Plan meetings</i>			
727 – Office Supplies / Postage	\$1800.00	\$1000.00	\$1500.00
<i>Additional Master Plan Mailing Outreach anticipated</i>			
727.01 – Administrative Fee / Fiduciary*	\$2500.00	\$2500	\$2500.00
<i>Cherry Grove Twp. Holds WJPC accounts - handles bills and payroll</i>			
801 – Internet / Web / Office Supplies (IT)	\$0.00	\$500.00	\$775.00
<i>Anticipated upgrades to Microsoft programs each three years / current programs are 2016</i>			
801.01 – Audit*	\$800.00	\$3000.00	\$2500.00
<i>Reduction in fees after initial acct. set up with Fiduciary</i>			
827 – Contract w/ Planning and Zoning	\$6240.00	\$13500.00	\$18550.00
<i>Original budget did not anticipate additional hours for staff, community outreach, intergovernmental participation, PC and ZBA meeting participation / 2.2hr. week average</i>			
827.01 – Recording Secretary	\$800.00	\$600.00	\$800.00
<i>Anticipating 2 extra WJPC master Plan meetings</i>			
827.03 - Contract w/ Attorney	\$13000.00	\$5500.00	\$7500.00
<i>Anticipated Master Plan and Ordinance amendment review to be initiated by the WJPC</i>			
827.04 - Contract w/ Planner of Record	\$10000.00	\$9000.00	\$22500.00
<i>Anticipated Master Plan updates to include legal requirements / zoning ordinance amendments</i>			
827.05 – Contract w/ Asst. Zoning Administrator	\$0.00	\$7800.00	\$10000.00
<i>Increase of \$1.00/contract hour -this is based on an average of 14.9 contract hours per week</i>			
860 – Mileage - All	\$4275.00	\$4625.00	\$4625.00
<i>Anticipating additional Master Plan Meetings of the entire membership and staff of the WJPC</i>			
900 - Publishing	\$700.00	\$775.00	\$3000.00
<i>Anticipating additional Master Plan advertising / publicity</i>			
910 - Insurance*	\$3385.00	\$2600.00	\$2700.00
<i>Projection based on previous billings</i>			
940 - Rent*	\$1200.00	\$2400.00	\$2400.00
958 – Dues/Memberships	\$650.00	\$650.00	\$650.00
<i>Discontinued MAP (Michigan Assoc. of Planning) membership - subscribed to Planning & Zoning News</i>			
960 – Training / Conference / Education	\$850.00	\$1000.00	\$2250.00
<i>Increase training to WJPC membership</i>			
Participating Municipality Share		\$50000.00	
From Permits / Licenses / Enterprise Fund [cash on hand]		\$38800.00	
TOTAL BUDGET PROPOSED		\$88800.00	

* Static – cannot change this fixed amount

2019-2020 BUDGET
For participating municipality
review - as approved by the
WJPC on December 17, 2018