

VILLAGE OF LEXINGTON
Planning Commission Regular Meeting
Village Hall
7227 Huron Avenue, Lexington, MI
August 7, 2023 7 p.m.

Regular Meeting called to order at 7:00 p.m. by Chairman Ziegler

Roll Call: Vicki Scott, Clerk

Present: Ziegler, Stencel, Regan, Roehl, Morris, Fulton, Huepenbecker

Absent: Picot, Kaatz

Others Present: D. Klaas, P. Muoio, L. Adams, K. DeCoster

Approval of Agenda:

Motion by Huepenbecker, seconded by Fulton, to approve the agenda as presented.

All ayes

Motion carried

Approval of Minutes:

Motion by Fulton, seconded by Stencel, to approve the minutes of the Regular Meeting of July 5, 2023, as presented.

All ayes

Motion carried

Public Comment:

- Kathy DeCoster (5203 Mail Lot #181) – commented on the code of ethics.

Zoning Administrator's Report:

Klaas explained the zoning administrator's report and answered questions.

Motion by Huepenbecker, seconded by Fulton, to approve the zoning administrator's report as presented.

All ayes

Motion carried

Old Business:

1. Gielow Amended Plans –

Klaas presented a letter from George Kurk, the property owner just south of Gielow's, permitting them to run a drainpipe across their property into the pond. Klaas will pursue a more legally formalized arrangement for an easement. He noted that the Commission gave Gielow's preliminary approval for Phase I of the project.

Huepenbecker inquired about the timeline required for finalizing the plans, particularly concerning the construction of the walls. Klaas clarified that they have a 180-day window starting from the submission date of the preliminary plans. Both engineering teams are collaboratively addressing the checklist requirements. Then, the final plan needs to be reviewed by Adam Young. Morris mentioned there is a fee for convening a special meeting.

2. Fee for appealing to the ZBA –

Huepenbecker stated that at the last meeting she suggested a fee of \$200 for an appeal to the ZBA. She reviewed a survey of other communities with a similar poverty percentage as the Village, showing the median and average fee to be higher than \$200.

Motion by Huepenbecker, seconded by Roehl, to recommend a fee of \$200 for appealing to the ZBA to Council.

Morris stated \$200 could be a financial hardship to some citizens and suggested including something to exempt residents who are at or below 200% of the poverty level.

Amended Motion by Huepenbecker, seconded by Roehl, to recommend to Council a \$200 fee for appealing to the ZBA, and residents who can verify they are at or below 200% of the poverty level will be exempt from this fee.

Roll Call:

Ayes – Huepenbecker, Roehl, Regan, Fulton, Morris, Stencel, Ziegler

Nays – None

Motion carried.

3. Decreasing the membership on ZBA from five to three members

Huepenbecker stated that there have never been more than three members since the time Council voted to raise the number of members from three to five on the ZBA. The Council did not pass the language stating that one member shall be from Council and one from the Planning Commission. Discussion followed. The Planning Commission prefers to keep five members on the ZBA and increase the publicity of the opening.

4. Harbor Update

Huepenbecker reminded members of the meeting tomorrow at 10:00 a.m. with Edgewater Resources. Fulton stated that under the Enabling Act, the Planning Commission is required to review the final plan; however, the Edgewater summary does not state that. Discussion followed.

Ziegler stated Dave Picot would be gone until October and asked to be relieved as the Planning representative on the Harbor Committee. The alternate is Doug Roehl.

Motion by Morris, seconded by Fulton, to appoint Doug Roehl as the primary representative and Steve Stencel as the alternate on the Harbor Committee.

All ayes

Motion carried

5. RRC Update

Huepenbecker stated Larry Adams has been working on the Council training portion. Huepenbecker has been working with the ZBA on the bylaws. Lori Fisher is working on updating the CIP plan. Huepenbecker has updated Trillo.

New Business:

1. Commission Unity

Ziegler stated this item can be combined with the next item on the agenda.

2. Code of Ethics to accompany the Oath of Office –

Huepenbecker explained in working with the Zoning Board of Appeals on bylaws one item suggested was a code of office in conjunction with the Oath of Office. Members reviewed a sample from the Michigan State University Extension. Morris asked about enforcement and consequences. Discussion followed, and Morris offered to work on one that might work for all the committees and Council.

Morris stated it is important for all committees and Council to be united when presenting things in public.

Motion by Huepenbecker, seconded by Fulton, to table the code of ethics to the next meeting.

Discussion:

All Ayes

Motion carried

Public Comment

- Kathy DeCoster (5203 Main Lot #181) – commented appreciates the zoning administrator, questioned why Planning did not address his report regarding dumpster screening and conflict of interest having a Council person sit on the ZBA.
- Peter Muoio (7276 Lester) – commented on the Harbor Project rumors about a boardwalk affecting residents on Old Orchard Bluff.
- Denny Klaas (5408 Union) commented that when changing an ordinance, we need to reach out to an outside entity for review, such as with our planner or legal counsel, to ensure it is enforceable.
- Doug Roehl (5410 William Dr.) commented on changing the rules for keeping people silent when discussing issues that affect that person.

Adjournment - Motion by Huepenbecker, seconded by Ziegler, to adjourn at 8:24 p.m.

Respectfully submitted,
Vicki Scott