

**FRANKFORT PLANNING COMMISSION – REGULAR MEETING**  
**Meeting Minutes**  
**November 11, 2008**

**Call to Order:** 7:02 p.m.

**Roll Call – Present:** Clingman, Condon, Duncan, Hommel, Johnson, McLaughlin, Ogilvie, Storrer, and Superintendent Mills. **Absent:** Larsen.

**Ogilvie:** Declared a quorum present.

**Ogilvie:** Pointed out that today is Veterans' Day, which this year recalls the 90<sup>th</sup> anniversary of a solemn day in history.

**Ogilvie:** Introduced and welcomed Lisa Davidson, our new recording secretary

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**Approval of Minutes – October 14, 2008**

**Storrer** delivered completed minutes at the meeting, because the minutes (previously) delivered in commissioner packets were incomplete.

**Moved McLaughlin, seconded Hommel,** to approve the completed version of 10/14/08 minutes, with corrections. Ayes: All. Nays: None. Motion approved.

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**Approval of Agenda**

**Moved McLaughlin, seconded Hommel,** to approve agenda. Ayes: All. Nays: None. Motion approved.

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**Public Input – General Issues**

**Suz McLaughlin, 670 Crystal Avenue:** was interested to read in last week's Record-Patriot about County Planning Commission releasing their Statement on Principles.

**Ogilvie:** Was there anything unusual about the Statement of Principles?

**McLaughlin:** No, though I do believe some of it was a bit conflicting and probably reflects some of the issues going on at the county level.

**Susanne Glynn, 105 Forest Ave:** Has been attending meetings of Intergovernmental Communications Committee (ICC, an outgrowth of 2007 Intergovernmental summit). ICC is drafting a user-friendly ordinance for wind energy and has in mind a project just outside Frankfort. Alternative energy forms, including wind, should be included in the Frankfort Master Plan.

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**Chair Report**

**City of Frankfort Zoning Attorney Selection:**

**Ogilvie:** I was asked by Mayor Elias for input on Zoning Attorney selection. Prepared a lengthy report, of which you received a copy of my summary. I aimed to be as impartial and objective as possible, based on candidate responses to the Council's RFP/Q. I concluded that Olson, Bzdok & Howard, is the best choice, conditional on resolving a potential conflict of interest involving Tobin et al vs. the City. My second choice was Running Wise & Ford PLC.

**Ogilvie, responding to Unknown Questioner:** I was asked to make a recommendation personally and not on behalf of the Planning Commission.

**Ogilvie, responding to Johnson, clarified** that his "points" system was based on de-merits, with a non-answer to a required RFP question scoring 5 and a best-quality answer scoring 1. Recommendations were based on the two candidate firms with the lowest number of points.

**Storrer, Johnson, Duncan commended Ogilvie's** thoroughness and impartiality.

**Ogilvie, responding to Duncan,** on how the Planning Commission would check candidate firm references, stated that this is up to the City Council.

**Ogilvie:** I looked at their candidate firms' listed references. They were asked to provide references. Several of them provided complete references and others provided none.

**Council Member Glynn,** advised that the decision on zoning attorney appointment is scheduled for a special City Council meeting on November 19, 2008.

**Council Member Stransky,** hoped that Ogilvie could attend that meeting. While he (Stransky) did his own analysis and came up with the different set of priorities, he appreciated Ogilvie's thoroughness and viewpoints. Superintendent Mills has also been requested to attend.

**Ogilvie:** I appreciate the opportunity to contribute the City's Zoning Attorney selection.

#### **Request for Proposal/Qualifications for Planning Consultant(s):**

**Ogilvie:** With the diligent assistance of Storrer, an 11-page RFP/Q was prepared and delivered to Superintendent Mills for distribution. Included in commissioner packets was a copy of the 3-page executive summary which includes the overall vision of what we are looking for. We tried to be specific and thorough, with a minimum of "weasel words". The following schedule was advised: (1) RFP/Q prepared and dated 11/7/08; (2) RFP/Q distributed 11/7/08; (3) responses due 12/4/2008; (4) complete the selection process by 12/31/08; (5) Consultant produces Phase I report (recommendation) by 3/31/09; (6) Consultant produces (his) final Phase I accounting by 3/31/09.

**Ogilvie:** Confirmed that printed advertisements were placed in local and Traverse City newspapers, with an electronic advertisement to be placed tomorrow (11/12/08) on the front page of the Frankfort website, with link to the full RFP document.

**Ogilvie:** Confirmed the following distribution list for the RFP/Q: (1) Northwest Michigan Council of Governments, Traverse City: attn Patty O'Donnell; (2) Russell L Clark, AICP, RLA; R Clark Associates, Traverse City; (3) Larry Nix, PCP, Williams & Works, Grand Rapids; (4) Joe VanderMeulen, Ph.D, Land Information Access Association, Traverse City; (5) Kurt Schindler, MSUE Regional Land Use Educator, MSU Ext., Wexford County, Cadillac; (6) Mansfield & Associates, Traverse City.

#### **Workshop: Wind Energy Siting and Policy Issues:**

**Ogilvie** advised that he and Superintendent Mills enrolled for a 12/2/08 "Wind Energy Siting and Policy Issues" workshop, sponsored by MSU Extension and the Michigan Farm Bureau. Much information has been posted on the MSU Extension Service website on their Wind Energy link. With the Governor signing of

a Renewable Energy package into law in October 2008, it is clear that wind energy is now an important issue to the government of Michigan.

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#### **Sub-Committee Reports – Items affecting Master Plan, Land Use Plan, and Zoning Ordinances.**

**A) Ordinances Drafting Subcommittee:**

**Johnson** advised, the Sub-committee is scheduled to meet 9am on 11/21/08.

**Condon** asked to be on Sub-Committee

**B) Community Fact Book Subcommittee:**

**Hommel** advised nothing to report. Has lost touch with Sub-committee member Cody Mallory and is trying to regain contact. Mallory is back in school downstate.

**C) Budget Subcommittee:**

No report.

**D) Grant Writing and Fundraising Subcommittee**

**McLaughlin** advised couldn't progress until budget is approved by City Council.

**E) Public Forum Report Subcommittee**

**Storrer** advised, no further progress.

**Ogilvie** commented that he been using Storrer's time on the RFP/Q.

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#### **Report from Zoning Board of Appeals (ZBA)**

**Hommel, Planning Commission Liaison with the ZBA** No meeting to report.

**Ogilvie:** It should be noted that one of the parts of Planning and Zoning is to have a member on the ZBA. Following is the citation for this authority: *MCL 125.\_\_, The Michigan Zoning enabling act, Effective Date July 1, 2006, as Act 110, as amended, at Article VI. Sec.601 (4) "One of the regular members of the zoning board of appeals shall be a member of the zoning commission or of the planning commission if the duties and responsibilities of the zoning commission have been transferred to the planning commission."*

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#### **Old Business**

##### **Master Plan Budget:**

**Ogilvie** reported that the Master Plan budget passed by the Planning Commission did not get to the 10/21/08 City Council meeting. It will be submitted to the Council's 11/18/08 meeting.

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#### **New Business**

**Winter Meeting Schedule for Working with Planning Consultant:**

**McLaughlin:** asked whether we should commit to having twice-monthly meetings during December, January, February, March, to make the best use of our Planning Consultant's time.

**Duncan and Ogilvie:** agreed, it is a good idea

**Ogilvie:** maybe it would be better to set up Sub-committees. Nevertheless, we should leave this to the selected consultant to decide. Any decision on our part at this stage would be premature.

**Duncan:** asked whether any commissioners leave for the winter.

**Answer:** No.

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**Public Input - Agenda items only**

None.

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**Moved Johnson, seconded Duncan,** to adjourn meeting. Ayes: All. Nays: None. Motion approved.

**Meeting adjourned at 7:30 p.m.**

**Next Meeting: 12/9/08 7.pm Regular Meeting**

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