

**Planning Commission  
City of Frankfort  
Minutes  
September 15, 2011  
Special Meeting**

**Call to Order: 9:30 a.m.**

**Roll Call and Recognition of Visitors:** Campbell, Fairchild, Ogilvie, Penne, Storrer, [vacancy (2)]

**Public present:** Josh Mills, City Superintendent

**Quorum present**

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**No Public Comments & Correspondence**

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**Motion to renew the temporary special use permit for the Bayview Grille from September 15 through October 15, 2011 moved Storrer, seconded Fairchild. Roll call: all ayes; motion passed.**

**Discussion:** Ogilvie explained that the motion was moved and seconded at the Regular Planning Commission meeting of September 13, 2011 and tabled due to a lack of a quorum. This is the third temporary special use permit issued to the Bayview Grille. **Pat Storrer** asked what will happen if he does not comply within this last 30 days. **Mills** responded that his first option within 30 days is to submit a new site plan and special request to deviate from what was originally approved; the other option would be to come before the Planning Commission and agree to fulfill the conditions of the special use permit. If the Planning Commission decides to approve it and establish a time extension, an irrevocable letter of credit for the cost of the work associated with it would be required. If the owner fails to do either of those two, once the 30 days is up he will be issued a civil infraction and fined \$50 the first day. It is Mills' discretion if it is daily or weekly and indicated that he would issue a \$50 fine the first week and if no action, \$250 fine the second week, \$500 fine the third week and increase the frequency going forward. **Ogilvie** referred to a letter from the city attorney stating that this is a clear violation to the special use condition imposed with no subsequent effort made, with one possible exception, to meet it. **Mills** responded that he was required to submit a final sign permit; he has an application but **Mills** has yet to see it. If the Planning Commission approves this 30-day extension, **Mills** will submit a letter with the ramifications. In addition, the special use permit that was granted on May 13, 2010 could be terminated after a notice and hearing. **Ogilvie** asked if it would affect the site plan permit. The estimated costs to put in a curb and sidewalk was \$7000-\$8000. **Mills** stated that there is a court date with the owner over signage in the middle of the road after repeated warnings. **Ogilvie** stated that he is looking forward to a positive outcome.

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**Public Input- None**

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**Motion to adjourn moved Fairchild; seconded Campbell; all ayes; motion passed**

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**Meeting adjourned at 9:47 a.m.**

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