

VILLAGE OF CALUMET PLANNING COMMISSION
MINUTES

Calumet Village Town Hall • 340 6th Street • Calumet, MI 49913
Wednesday, June 2, 2021, 5:30 pm

I. Call to order

The meeting was called to order by Chair Colleen Kobe at 5:31 pm.

Roll Call

Present: Commissioners Colleen Kobe, Virginia Dwyer, Christopher Green, Pete Hahn, and Andrew Ranville
Absent: None
Vacant: None
Also present: Village Manager Caleb Katz
Virtual attendance: Sara Kopriva, Professional Planner, Beckett & Raeder, Inc
Pledge of Allegiance
Commissioner Green designated to take Meeting Minutes for this meeting.
Chair Kobe will take Action Items

II. Acceptance of this meeting's agenda

Moved by Commissioner Green and seconded by Commissioner Dwyer to accept the agenda as proposed with the addition of a review of the DDA's draft Development Plan & Tax Increment Financing Plan under New Business.

Vote to approve this meeting's agenda:

Ayes: 5 Nays: 0

Motion carried unanimously (5/0).

III. Agenda

A. Emails, Letters, and Petitions from the Public

None.

B. Approve Previous Meeting Minutes

- 1) Minutes of 12 May, 2021 Moved by Commissioner Ranville and seconded by Commissioner Dwyer to accept the minutes with spelling corrections.

Vote to approve the minutes:

Ayes: 5 Nays: 0

Motion carried unanimously (5/0).

- 2) 10 February, 2021

Moved by Commissioner Ranville and seconded by Commissioner Dwyer to accept the minutes.

Vote to approve the minutes:
Ayes: 5 Nays: 0
Motion carried unanimously (5/0).

C. Updating the Zoning Ordinance with Beckett & Raeder

Reviewed Chair Kobe's 'Calumet Zoning Ordinance Edits' regarding comments and questions on Article 3 of the proposed new Zoning Ordinance with consultant Kopriva. Most items of concern did not require action after clarification and explanations by Kopriva.

Items 8 and 9, paragraph 3.5.3: agreed to remove height requirements.

Item 10, paragraph 3.7.1: Removed "not" in the second to last sentence so it now reads: It is the intent of this district to accommodate the manufacturing and processing of products from raw materials.

After discussion, added medical and recreational marihuana facilities to 3.7.2 Regulated Uses in the Light Industrial & Warehousing District, by Special Land Use Permit (SLUP)

Also reviewed Article 4. No action items resulted.

D. Discussion: Conflict of Interest updating the Zoning Ordinance, being a member of the Planning Commission, and owning a business in Calumet

Discussion on whether Commissioner Hahn's ownership of a building in the proposed new Flexible Residential Zone and the possibility of his business relocating to there; is this a Conflict of Interest? Commissioner Dwyer posed the question to Village attorney, Pat Greeley. Correspondence was read and is included as addendum to these minutes.

Motion by Commissioner Green: Commissioner Pete Hahn has a potential Conflict of Interest with respect to the Flexible Residential Zoning definition and shall be excused from voting on Flexible Residential voting. Motion seconded by Commissioner Ranville.

Roll Call Vote on Commissioner Hahn's Conflict of Interest:

Ayes: Chair Kobe and Commissioner Dwyer
Nays: Commissioners Green and Ranville
Motion fails

Meeting had reached its agreed upon time limit. Remaining agenda items were not addressed and proceeded to adjournment.

E. Master Plan

Not addressed

F. MSU Extension Book Reviews: chapters 1-3

Not addressed

G. New Business

DDA's draft Development Plan & Tax Increment Financing Plan - Not addressed.

H. Summarize Action Items from this Meeting

Review new Zoning Ordinance chapters 5 and 6.

I. Next Regular Planning Commission Meeting: Wednesday 7 July, 2021, 5:30 pm

J. Next *Special* Planning Commission Meeting: Tuesday 22 June, 2021, 5:30 pm

K. Adjourn

Moved by Commissioner Green and seconded by Commissioner Ranville to adjourn.

Vote to adjourn:

Ayes: Chair Kobe, Commissioners Dwyer, Green, Hahn, and Ranville
Nays: None

Motion carried unanimously (5/0).

Meeting adjourned at 7:31 pm

Christopher Green, Planning Commission, secretary

8 June, 2021

From: virginia dwyer <virgdwyer@hotmail.com>
Sent: Thursday, May 13, 2021 9:30 AM
To: Village Of Calumet Administrator <manager@villageofcalumet.com>;
petrahahn@charter.net
Subject: Possible Conflict of Interest

I would like the following possibly conflict of interest question addressed by our attorney to avoid any future problems.

The Village of Calumet Planning Commission is working on a new zoning ordinance. The possible zones are proposed to change from four to six. One of the new zones is flexible residential which would allow commercial businesses in residential areas on corner lots.

Commissioner Peter Hahn recently bought a house in a now residential zone that is proposed to change to flexible. He's planning to run his hammered copper business in this house. Without this change he would be required to option a special use permit. These changes in zoning are likely to happen.

Does Peter Hahn have a conflict of interest in discussing and voting on these proposed changes since this will directly affect his business venture?

Thank you.
Get Outlook for iOS

On May 13, 2021, at 11:00 AM, Village Of Calumet Administrator
<manager@villageofcalumet.com> wrote:

Pat,

Please see request below from the Planning Commissioner Virginia Dwyer. The Chair would also like to know the answer just out of an abundance of caution.

Thanks
Caleb C.D. Katz, Esq.
Village Manager
Village of Calumet
340 6th Street
Calumet, MI 49913
(906) 337-1713

From: Patrick C. Greeley <PGreeley@kendrickslaw.com>
Sent: Thursday, May 13, 2021 11:04 AM
To: Village Of Calumet Administrator <manager@villageofcalumet.com>
Subject: Re: Possible Conflict of Interest
Caleb,

Remind me, does the village have any policies/ordinances on conflicts of interest?
Thanks.
Pat
Sent from my iPhone

From: Village Of Calumet Administrator <manager@villageofcalumet.com>
Sent: Thursday, May 13, 2021 11:04 AM
To: Patrick C. Greeley <PGreeley@kendrickslaw.com>
Subject: RE: Possible Conflict of Interest

I do not believe so. We usually rely on MML, State etc.,
Thinks

From: Patrick C. Greeley <PGreeley@kendrickslaw.com>
Sent: Thursday, May 13, 2021 12:17 PM
To: Village Of Calumet Administrator <manager@villageofcalumet.com>
Subject: FW: Possible Conflict of Interest
Hi Caleb,

The following message is protected by attorney/client privilege.

Summary:

No definitive answer. There is a possibility of a conflict, but a court is likely to determine there is not. Get additional opinions, i.e., Michigan Municipal League. The cautious approach is for the commissioner to not vote.

Planning Commission needs to adopt bylaws to address Conflict of Interest.

Thanks.

Pat

Patrick C. Greeley

Attorney at Law

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