Village of Cement City, Michigan

Planning Commission Minutes

Of August 6th, 2018

Called to Order: 7:00pm

Members Present: Rob Williams, Jeff Cratsenburg, Dave Vescelius, Karen Vescelius, Jeff Arnett

Others Present: Mel Cure, Eric Trumble

1. Reviewed Old Business
   * Amend definition of C1 zoning, that will include enclosed and or outdoor storage facilities.
   * Consider Conditional Use Permit for Apartment above “Boss of Cars” body shop.
     1. “Providing a condition to occupy the upstairs of a commercial business in a residential capacity, adhering to all of the residential building codes required for an occupancy permit, as needed for a single-family dwelling.”
   * Amend Zoning Ordinance No. 17, Section 4, Item 19, to include fireworks use as defined by Michigan Fireworks Safety Act, Act 256 of 2011, concerning the use of fireworks within the Village of Cement City and to remove Section4, Item 32 per revised State of Michigan Public Act 256 of 2011.

1A. The Planning Commission recommends the Village Council

“Amend the Zoning language of Ordinance No.17, Section 4, Item 19, to align with the State of Michigan of allowing novelty fireworks (as described by said Act) only during the following times: The day before, the day of and the day after, a Federal/State Legal Holiday. All other times than those stated in Zoning Ordinance No. 17, Section 4, Item 19, shall be subject to legal action from local Law Enforcement.”

Motion on the floor to send suggested wording to the Village Council

**Motion:** Dave Vescelius

**Seconded:** Jeff Cratsenburg

Ayes all, motion approved

**Presented to Village Council for review. – pending.**

* Requested follow-up of Planning Commission – State Law for review by Village Council so that the law can be taken to Village Attorney. Action Item - Jeff Arnett

1B. Add to Zoning Ordinance provisions to include the discharge of any firearm within the Village of Cement City, City Limits. This will include property zoned Agriculture (as allowed by State Law) and adhere to State Firearms Laws involving unlawful discharge of a firearm as per the distances described in State Law (State legal references to be determined and forthcoming).

Motion of the floor to send suggested wording to the Village Council

**Motion:** Dave Vescelius

**Seconded:** Jeff Cratsenburg

Ayes all, motion approved

**Presented to Village Council for review – pending and should be amended**

* Requested follow-up of Planning Commission – State Law for review by Village Council so that the law can be taken to Village Attorney. Action Item – Jeff Arnett

**New Business:**

1. Due to some new revelations concerning the use of firearms for target practice within the Village, there is a desperate need to get some sort of ordinance to be ahead of the game. I have contacted Michigan Coalition for Responsible Gun Owners (MCRGO). Their legal counsel sent me links to the concerning “target practice”. (Note: It was requested that I use the links to send the written law to the Village Council. That was sent to Carol for distribution on 08/25/18
2. Discussion about additional zoning needed to bring Bamm Construction and all of his DBA’s contained on or within the boundaries of the former Miller Elementary School property (Columbia School District), into compliance. Arnett suggested that a letter from the Village Council approved by the Village Attorney (Vescelius), explaining the exact zoning needed to be resolved by Bamm Construction and all of his DBA’s, to first come in compliance with The State of Michigan Laws concerning “old (abandoned) school property” re-zoning. The letter should also contain Village of Cement City zoning restrictions after compliance with the State and officially owned and have a legal document of occupancy by Bamm Construction and his DBA’s.

Because there wasn’t enough information about “E” zoning or State Laws, the Planning Commission did not vote on this matter but recommends that the Village Council pass a Resolution to move forward to have a letter drafted for the information to Kyle Bamm concerning current zoning and recommendations to come into State and Local compliance. The responsibility is upon Kyle Bamm, Bamm Construction, and all DBA’s on or within the boundaries of the former Miller Elementary School property (Columbia School District). Further Discussion will be needed on this issue)

**Motion to Adjourn:** Dave Vescelius

**Seconded:** Jeff Cratsenburg

Adjourned: 8:50pm