Village of Cement City, Michigan

Planning Commission Minutes

November 06, 2018

Called to Order: 7:00pm

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

Others Present: Mel Cure

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.

 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 and approved.

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 and approved

**New Business:**

1. Council was presented a pre-emptive marijuana ordinance (from the Village attorney, Fred Lucas) that gives the Village authority to regulate marijuana businesses that may request conditional use permits to dispense and/or sell marijuana within the Village.

Motion on the floor to send suggested wording to the Village Council for approval and noting the proposed ordinance shall be a living document in that it will and shall be amended as needed according to newly voted in State Proposal 18-1 (when certified) and as necessary to provide for the welfare of the citizens of the Village of Cement City, MI.

**Motion: Dave Vescelius**

**Seconded: Rob Williams**

Ayes all, motion approved

1. Discussion about the former Norman A. Miller Elementary School now known as “BammPlex”. Village Zoning Inspector, Eric Trumble is working with Columbia Zoning Inspector, Ray Taylor, over legalities of the possible use of the former school.

Arnett questioned whether Bamm and associated dba’s, et. al., had done their due diligence to have the property released from the State of Michigan as designated Public Education Property. That information wasn’t available.

It was brought to the Planning Commission’s attention, that Kyle Bamm and his associated dba’s, had never requested from the Planning Commission nor the Village Council, any Conditional Use permits in regards to how the property was intended to be used.

Therefore, it is to recommended to the Village Council, that Kyle Bamm and any other co-owners of the property (130 E. Jackson St, Cement City, Michigan 49233) currently known as “BammPlex” and all included dba’s of said owners, present to the Village Council of Cement City, Michigan, the business plan for the proposed use of the (above) mentioned property. Additionally, those owners mentioned (above) must submit conditional use permit for each new and unrelated use of the property used to create income for the property owners. This must be done to protect the Village from liability. The former agreement should also be rescinded (if possible) due to lack of initial information for use of the mentioned (above) property. It is once again suggested, an attorney approved letter, stating the intent of the Planning Commission’s motion, should be sent to Mr. Kyle Bamm and other co-owners (if any), should the Council adopt this motion.

**Motion to Adjourn:** Dave Vescelius

**Seconded:** Jeff Cratsenburg

Adjourned: 7:25pm