



CITY OF MADISON HEIGHTS

TRAINING ROOM - FIRE STATION #1 - 31313 BRUSH STREET

PLANNING COMMISSION MEETING AGENDA

SEPTEMBER 20, 2022 AT 5:30 PM

CALL TO ORDER

ROLL CALL

ADDITIONS/DELETIONS

APPROVAL OF MINUTES

- [1.](#) August 16th, 2022 PC Meeting

PUBLIC HEARING

- [2.](#) **Text Amendment ZTA 22-02: Caregiver Marihuana Grow Overlay District Amendments**

Public hearing to discuss a proposed text amendment to Section 10.350, Caregiver Marihuana Grow Overlay District requirements. The amendment requires registered primary caregivers to be located in an M-1, Light Industrial, or M-2, Heavy Industrial zoning district and located at a parcel identified within the Caregiver Marihuana Grow Overlay District.

MEETING OPEN TO THE PUBLIC: Items not listed on agenda

UNFINISHED BUSINESS

NEW BUSINESS

- [3.](#) Updated Boards and Commissions Handbook

MEMBER UPDATES

PLANNER UPDATES

ADJOURNMENT

NOTICE: Persons with disabilities needing accommodations for effective participation through electronic means in this meeting should contact the City Clerk at (248) 583-0826 or by email: clerks@madison-heights.org at least two working days in advance of the meeting. An attempt will be made to make reasonable accommodations.



CITY OF MADISON HEIGHTS
PLANNING COMMISSION MEETING MINUTES

August 16, 2022
Fire Station #1 – Training Room
31313 Brush Street, Madison Heights, MI 48071

1. CALL TO ORDER

Chair Champagne called the meeting of the Madison Heights Planning Commission to order at 5:32 p.m.

2. ROLL CALL

Present: Chairperson Josh Champagne
Mayor Pro Tem Mark Bliss
Mayor Roslyn Grafstein
City Manager Melissa Marsh
Member Melissa Kalnasy

Absent: Member Eric Graettinger
Member Cliff Oglesby
Member Grant Sylvester

Member Melissa Kalnasy

Also Present: City Planner Matt Lonnerstater
Assistant City Attorney Tim Burns
Business Services Coordinator Mary Daley

3. EXCUSE ABSENT MEMBERS

Motion by Commissioner Bliss, supported by Commissioner Marsh to excuse Commissioner Graettinger.

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

4. CHANGES TO THE AGENDA

Motion by Commissioner Bliss, supported by Commissioner Kalnasy to add the election of Vice Chair to New Business.

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

5. APPROVAL OF MINUTES

Motion by Commissioner Marsh, supported by Commissioner Conn, to approve the minutes of the regular Planning Commission meeting of June 21, 2022.

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

6. PUBLIC HEARING - Rezoning PRZN 22-03: 29022 Stephenson Highway (Caregiver Marihuana Overlay District)

Planner Lonnerstater provided an overview of the city-initiated rezoning: At the meeting on May 17th, the Planning Commission voted to recommend that City Council approve the rezoning of three parcels of land at 29022 Stephenson Hwy from M-1, Light Industrial, to B-3, General Business. On top of that B-3 zoning, we also have a caregiver overlay district. The caregiver overlay district which was created a few years ago, allows for the establishment of one marihuana caregiver per parcel anywhere within the “green zone.” When this map was created it was based on the previous marihuana ordinances which are the adult use and medical marihuana ordinances.

When the City created the Caregiver ordinance, the boundaries of the Caregiver Overlay District were intended to mirror that of the Allowed Parcels Map. The Overlay District map is technically a standalone map with separate zoning regulations. Thus, the Caregiver Overlay District text does not state that caregivers must be located within an underlying M-1 or M-2 district, but only that, “a registered primary caregiver shall not cultivate medical marihuana at a parcel that is not located within the Caregiver Marihuana Grow Overlay District.”

In this specific case, City Council recently rezoned the subject parcels from the M-1 to B-3. By rezoning the parcels to B-3, City Council effectively removed the properties from the Allowed Parcels Map associated with the Medical Marihuana and Adult-Use Marihuana Facilities Ordinances. However, the subject parcels still technically remain in the standalone Caregiver Overlay District. City staff is requesting that the subject parcels be removed from the Caregiver Marihuana Grow Overlay District in order to reflect their new underlying B-3 zoning district.

The members engaged in some discussion. There is currently no caregiver at that parcel. If this is approved and then approved by Council, a Caregiver will no longer have the ability to occupy this parcel as it will be removed from the Caregiver Overlay District. The owner was notified of this rezoning.

Rather than doing this one parcel at a time, the permanent solution would be to add language to the Caregiver ordinance that says property must be M-1 or M-2 as well as be located in the “green zone.” The uses need to align with the zoning district and the adjacent land uses.

Planner Lonnerstater will discuss a text amendment with Staff and ensure a public notice is issued 15 days prior.

Chair Champagne opened the public hearing at 5:57 p.m. to hear comments on PRZN 22-03. Seeing there were no comments, Chair Champagne closed the public hearing at 5:58 p.m.

Motion by Marsh, seconded by Grafstein to recommend that City Council remove three parcels of land at 29022 Stephenson Highway, from the caregiver overlay district for the reasons as reflected in the Staff report and as represented in the map in the staff report entitled “Proposed amendment PRZN- 22-03 draft.”

Ayes: Bliss, Grafstein, Kalnasy, Marsh, Champagne

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

MATTERS FOR CONSIDERATION

7. PUBLIC COMMENTS: For items not listed on the agenda.

Chair Champagne opened the public comment period at 5:59 p.m. to receive comments for items not on the agenda. Seeing no public comments, the period was closed at 5:59 p.m.

8. MEMBER UPDATES

There were no member updates.

9. PLANNER UPDATES

City Planner Lonnerstater announced there is a joint meeting/community workshop next Wednesday of the DDA, Planning Commission, ZBA, and City Council at 5:30 pm. This will be the first of two workshops focusing on future improvements in the City. The workshop will be held in the Fire Station Training Room. The commission Chairs will each open their meetings if they have a quorum.

10. ADDITIONS TO THE AGENDA (APPOINTMENT OF VICE CHAIR)

Motion by Grafstein, seconded by Marsh to appoint Eric Graettinger to the Vice Chair position contingent upon his acceptance. The Clerk's office will notify him of this appointment.

Ayes: Bliss, Grafstein, Kalnasy, Marsh, Champagne

Nays: None

Absent: Graettinger, Oglesby, Sylvester

Motion carries unanimously.

11. ADJOURNMENT OF MEETING

Meeting adjourned by Chair Champagne at 6:35 p.m.



MEMORANDUM

Date: September 12th, 2022
 To: City of Madison Heights Planning Commission
 From: Matt Lonnerstater, AICP – City Planner
 Subject: Zoning Text Amendment (22-02) – Caregiver Marihuana Grow Overlay District

Introduction

City staff proposes the attached text amendment to limit primary caregiver marihuana grow operations to properties that are zoned M-1, Light Industrial, or M-2, Heavy Industrial, and located at a parcel identified within the Caregiver Marihuana Grow Overlay District.

Background

In 2019 and 2020, the City of Madison Heights adopted the Medical Marihuana Facilities and Adult-Use Marihuana Facilities ordinances. These marihuana ordinances explicitly restrict the establishment of medical and recreational marihuana facilities (Class C growers, processors, provisioning centers and retailers) to properties that are zoned M-1, Light Industrial, or M-2, Heavy Industrial and identified by an official map published by the city (referred to herein as the ‘Allowed Parcels Map’). The Allowed Parcels Map, therefore, only includes parcels that have a base zoning district of M-1 or M-2.

Following the adoption of the Medical Marihuana Facilities and Adult-Use Marihuana Facilities ordinances and the associated Allowed Parcels Map, Madison Heights created a new zoning overlay district known as the Caregiver Marihuana Grow Overlay District. The Caregiver Overlay District allows for the establishment of individual registered marihuana caregivers on parcels identified within the associated Overlay District map. While the boundaries of the Caregiver Overlay District were intended to mirror that of the Allowed Parcels Map, the Overlay District map is technically a stand-alone map with separate zoning regulations. Currently, the Caregiver Overlay District text does not state that caregivers must be located within an underlying M-1 or M-2 district, but only that, *“a registered primary caregiver shall not cultivate medical marihuana at a parcel that is not located within the Caregiver Marihuana Grow Overlay District.”* Therefore, it is possible for a property to be rezoned out of an industrial district and remain within the Caregiver Marihuana Grow Overlay District. A separate action and motion must be made to remove a property from the overlay district.

To ensure that marihuana primary caregivers only operate on properties with industrial zoning designations and to provide consistency between all three marihuana ordinances, staff recommends the attached minor zoning text amendment. The proposed text amendment states that registered primary caregivers shall be located within an M-1 or M-2 Industrial District and shall be located at a parcel identified within the Caregiver Marihuana Grow Overlay District.

Next Step

After the required public hearing, staff recommends that the Planning Commission recommend approval of text amendment ZTA 22-02 to City Council.

NOTICE OF PUBLIC HEARING

Notice is hereby given that the Planning Commission for the City of Madison Heights will hold a public hearing on **Tuesday, September 20th, 2022, at 5:30 p.m.** in the **Training Room of Fire Station #1 at 31313 Brush Street, Madison Heights, Michigan 48071** to consider the following text amendment:

Zoning Text Amendment 22-02

An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinances for the City of Madison Heights, by amending Appendix A (Zoning Ordinance), Section 10.350 – *Caregiver Marihuana Grow Overlay District Requirements*. The amendment aims to clarify that the cultivation of medical marihuana by a registered primary caregiver shall only take place on parcels with an underlying zoning designation of M-1, Light Industrial, or M-2, Heavy Industrial.

For further information, please contact the Community Development Department at (248) 583-0831. Please refer to the Agenda Center at <https://madisonheights-mi.municodemeetings.com/> for the posted agenda and any meeting updates.

Public Comment:

Send your public comment through email at: MaryDaley@Madison-Heights.org and your comment will be read at the meeting. Written comments may also be mailed prior to the meeting to 300 West Thirteen Mile Road, Madison Heights, Michigan, 48071. All comments will be heard at the public hearing.

City of Madison Heights
Mary Daley
Business Services Coordinator

Madison Park News 08/24/22

City of Madison Heights
Oakland County, Michigan
Zoning Text Amendment 22-02

An ordinance to amend Ordinance 571, being an ordinance codifying and adopting a new Code of Ordinance for the City of Madison Heights, by amending Appendix A, Zoning Ordinance, Section 10.350, Caregiver Marihuana Grow Overlay District.

ARTICLE XII. PRIMARY CAREGIVER MARIHUANA GROW OVERLAY DISTRICT is hereby amended as follows:

[...]

Sec. 10.350. Caregiver Marihuana Grow Overlay District requirements.

The following standards and requirements shall apply to any location at which the cultivation of medical marihuana is conducted by a primary caregiver.

- (a) ~~A registered primary caregiver shall not cultivate medical marihuana at a parcel that is not located within the Caregiver Marihuana Grow Overlay District.~~ Registered primary caregivers authorized under this article shall be located in an M-1, Light Industrial, or M-2, Heavy Industrial zoning district and shall be located at a parcel that is identified within the Caregiver Marihuana Grow Overlay District.
- (b) The cultivation of medical marihuana by a caregiver shall comply at all times with the MMMA and the MMMA General Rules, as amended.
- (c) Not more than one registered primary caregiver shall be permitted to operate at any one parcel located with the Caregiver Marihuana Grow Overlay District.
- (d) The cultivation of medical marihuana by a primary caregiver shall be conducted entirely within an "enclosed, locked facility" (as that phrase is defined by the MMMA), up to 12 marihuana plants for each registered qualifying patient with whom the registered primary caregiver is connected through the registration process established by the Department of Licensing and Regulatory Affairs, and up to 12 additional marihuana plants for personal use, if the primary caregiver is also registered as a qualifying patient under the MMMA. The number of marihuana plants shall not exceed the number of marihuana plants permitted by the MMMA in total aggregate at any location or multiple locations whether located in the city or outside of the city.
- (e) No sign identifying the location by word, image or otherwise, or indicating that the cultivation of medical marihuana is taking place on the premises, shall be permitted; nor shall any vehicle having such a sign be parked anywhere on the premises.
- (f) Distribution of marihuana or use of items in the administration of marihuana shall not occur at or on the parcel where medical marihuana is cultivated. A qualifying patient shall not visit, come to, or be present at the parcel where medical marihuana is cultivated to purchase, smoke, consume, obtain or receive possession of any marihuana.
- (g) No on-site consumption or smoking of marihuana shall be permitted within the parcel (or on the property) where medical marihuana is cultivated, except for lawful medical marihuana consumption by the primary caregiver if registered as a qualifying patient under the MMMA.

- (h) Medical marihuana shall not be grown, processed, handled or possessed at the location where medical marihuana is cultivated beyond that which is permitted by law.
- (i) A certificate of occupancy, together with a required site plan review, shall be obtained from the city and all necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of a building or structure in which equipment and devices that support the cultivation, growing or harvesting of marihuana are located or used.
- (j) If marihuana is grown or located in a room with windows, all interior lighting shall be shielded to prevent ambient light from creating a distraction for adjacent properties.
- (k) Related merchandise or products shall not be sold or distributed from the property.
- (l) There shall be no exterior storage or parking of materials or equipment.
- (m) No nuisance shall be generated by any heat, glare, noise, smoke, vibration, noxious fumes, odors, vapors, gases or matters at any time.
- (n) The entire parcel and all enclosed, locked facilities shall be available for inspection upon request by the zoning administrator, building official, fire official or law enforcement official during reasonable business hours.

[...]



MEMORANDUM

Date: September 12th, 2022
To: City of Madison Heights Planning Commission
From: Matt Lonnerstater, AICP – City Planner
Subject: Updated Boards and Commissions Handbook

Introduction

City staff has recently updated the Boards and Commissions Handbook, which serves as a reference guide for advisory and regulatory bodies. The Handbook provides an overview of basic laws and procedures during a member's term and clarifies the roles and responsibility of Board/Commission members in relation to City Council, City staff, and the public.

Noted updates include:

- Board and Commission members will need to sign that they received a copy of the handbook.
- Alternate Members can participate in conversations but cannot make motions, support motions or vote on motions unless they are filling the absences.
- Many Board and Commissions, except those deemed as needed by staff or serving a regulatory purpose, should submit an Annual Work Plan to be approved by City Council. Work plans are due by January each year and should consist of up to three priorities. An example is included in the handbook.

Next Step

Please sign and date the top sheet of the updated handbook and return to Planner Matt Lonnerstater no later than **Friday, October 28th**. The sheet may be turned in at the Community and Economic Development Department at City Hall or scanned/emailed to MattLonnerstater@madison-heights.org.

City of Madison Heights

Boards and Commission Handbook

New Member Review

The Boards and Commission Handbook is a reference guide for advisory and regulatory bodies. It is intended to provide an overview of basic laws and procedures during a member's term and to clarify the role and responsibilities of the Board and Commission members in relation to the City Council, City staff, and the public.

I, _____, confirm that:

- I was provided with a copy of the Board and Commission Handbook.
- I have read the entire Handbook, including any updated as of signing these documents.
- I agree to follow the guidelines and regulations provided in this Handbook and as required by the State of Michigan or Madison Heights Code and any other policies needed/statutes. However, if there is a conflict between this Handbook and any procedures a single Board or Commission shall adopt, this Handbook shall govern.
- I understand this Handbook is intended as a tool to provide guidance on processes and procedures and to draw my attention to the primary rules of serving on a Board or Commission under the guidance of the City Council.
- No legal advice is intended through this Handbook.
- I am responsible for re-visiting this Handbook through my term to review protocol and regulations and for guidance.
- I am invited to consult with the Staff Liaison or City Clerk anytime I have questions or concerns about these guidelines and my services on a Board or Commission.

Signature

Date

I serve on the following Boards and/or Commissions _____

This page is due to the City Clerk's Department within 60-days of appointment.

Thank you for your attention to this important information and for volunteering to serve as a Board or Commission member.

Introduction

Welcome, and thank you for taking an interest in your local government and helping us work to achieve great things in the City of Madison Heights. Your appointment to a city board or commission requires no prior experience in public service; we have put together this outline to help you navigate your new role. In addition, this document will introduce you to some of the key information you will need to serve on your board or commission.

The City of Madison Heights appoints over 135 people to 24 boards and commissions that advise and assist in carrying out local government functions. These boards and commissions provide a critical reservoir of knowledge and community input that inform City policy, activities, decisions, and operations.

The City of Madison Heights is a Council-Manager form of government. Under this system, the City Council (including the Mayor) sets policy, while the City Manager is the chief executive who implements the policies and manages the daily operations of the City. This is somewhat analogous to a corporation governed by a board of directors but managed by a CEO. Over 160 full-time and 148 part-time City employees work to deliver exceptional services to the residents.

Most boards and commissions are created by City resolution or ordinance and serve as advisory bodies to the City Council or City Manager. They provide information, analysis, and recommendations to inform the City Council's and City Manager's decisions on matters pertaining to the board or commission's specialized knowledge. A few boards and commissions have specific authority to make binding decisions in certain areas, such as the Zoning Board of Appeals. These bodies generally derive their decision-making authority from state laws.

Regardless of the specific duties, each board and commission plays an integral part in City Government. Appointees to boards and commissions perform a public service to their community and have both an obligation and an opportunity to provide useful and appropriate input to help shape their government. This requires a thorough understanding of their board or commission's role and a willingness to engage constructively with other board members and staff.

Although much of learning how to do this will happen while serving the board or commission, it is hoped that this document will provide useful introductory guidance.

Application Submission

While applicants are not required to interview nor appear before City Council before an appointment, the submission of a complete application is required either on the [City Website](#) or to the Clerk's Office located at 300 W 13 Mile Rd, Madison Heights, MI 48326. Applicants are presented to Council for consideration twice a year for re-appointment and appointment to vacancies. Applications are kept on file for one year after submittal. We request that a separate application be submitted for each board you wish to serve.

Applicant Selection

Appointees to the Crime Commission, Elected Officials Compensation Commission, Downtown Development Authority/Brownfield Redevelopment Authority, Planning Commission, and Parks & Recreation Advisory Board are the Mayor's nominations confirmed by a majority vote of the City Council. All other boards and commissions are appointed by City Council but do not require nomination from the Mayor. City Council tries to appoint members to boards or commissions that have the interest and/or background in the boards/commission the applicant is seeking. Preference is usually given to renewing members; however, attendance is considered a factor before re-appointment.

Process for New Appointments

Appointees who have been confirmed will receive a letter/email from the City Clerk's Office notifying them of their appointment and including contact information for the staff liaison to the board or commission and the term starts and end date. In addition, the staff liaison to your board/commission will contact you regarding any upcoming meetings and provide you with any information you may need pertaining to your appointment.

Before your first meeting, you should familiarize yourself with the bylaws of your board or commission and review the upcoming agenda materials. You may also wish to review materials or videos from prior meetings. See the Online Resources section below for links to access these materials. Your staff liaison should also be able to provide you with a schedule of meetings and any other pertinent information.

General Duties and Responsibilities of Appointees

In the broadest sense, the role of an individual appointee is to bring their experience and wisdom to the body and deliberate with other members to reach decisions that fulfill the purpose of the particular board or commission. Here are some general tips and expectations for appointees:

- Act courteously during meetings and treat other members of the body, the public, and City staff with respect. Disagreements are inevitable, but appointees should remain civil and focus on issues rather than personal differences.
- Observe good parliamentary practice. The Chair's role is to run an efficient meeting while allowing all points of view to be heard and a full discussion to occur orderly. Assist the Chair by being concise in making your points and not interrupting others. The City follows Roberts Rules as such a quorum is required to have a formal meeting, while motions must be made before discussion on a topic and discussion must be related to the motion at a Council Meeting, the point of the board or committee is often to plan and takes on a more "workshop/discussion role". In these cases, an agenda must be adhered to, and discussion must be related to the agenda topic.

- Arrive to meetings on time and let your staff liaison and Chair know if you will be absent. Unexpected absences can cause a meeting to be canceled if not enough members are present to establish a quorum. If a quorum is not present, the commission will be unable to conduct regular business, so as a courtesy to your fellow commissioners and the public, please provide advanced notice of any absences. Three or more unexcused absences in a calendar year shall be grounds for the removal of a board member for neglect of duty.
- Come prepared. Review proposed minutes, agenda packets, and other information ahead of time to allow for informed deliberation and discussion.
- Represent your board or commission appropriately. As an appointee, people may perceive you to speak on behalf of the City or your board or commission outside of regular meetings. Do not speak for your board of commission unless appropriately authorized to do so. Make clear when speaking in your personal capacity if there is any doubt.

Duties of Specific Members and Information about Member Types

Enabling legislation and bylaws are important documents that delineate member types, below are short descriptions of the various attendees who regularly participate in meetings other than general members.

Chair and Vice-Chair

Boards and commissions often elect members to offices such as the Chair, secretary, or vice-chair to carry out specific functions to serve the rest of the board or commission. Major systems of parliamentary procedure define some of these functions, such as the Chair's duty to preside over and keep decorum during meetings.

The Chair position exists to structure productive meetings, encourage the input of ideas, promote inclusiveness, and facilitate the overall decision-making process. They do not have greater power than other members. They should:

- Preside at all meetings, submit motions to vote, and generally do all things ordinarily required of a Chair, such as call a meeting to order, and ensure compliance with the Open Meetings Act and Robert Rules of Order.
- Ensures that consideration of items on the agenda moves along without delay and makes sure that public comment is received but not allowed to disrupt the meeting; this includes setting an acceptable time limit, is necessary.
- Clarifies all ideas as they are discussed, and repeats motions made in a way so all members understand the motion they will be asked to vote on and ensures that actions are properly moved, seconded, and voted upon by only voting members.
- In the absence of the Chair, the Vice Chair shall act as presiding officer and shall have the same responsibilities.

Alternate Members

Most boards and commissions have alternate members who serve on the boards or commissions in the absences of regular voting members. While alternate members are encouraged to attend all the meetings to stay up to date on issues, they are not voting members and are considered members of the public in the event a full board or commission is in attendance.

When acting in place of an absent board or commission member, the alternate shall have all the rights and responsibilities of a regular voting member. However, when attending in an alternate capacity without filling a vacancy, the alternate board member is a member of the public and shall only speak during a meeting open to the public. Unless they are filling the vacancy of an absent member, the alternate shall not make motions, second motions, or participate in the general discussion on motions and/or agenda items.

Staff Liaison(s)

The staff liaison is the link between City staff and the Board and Commission members. The City Manager shall assign a staff liaison to each Board and Commission to provide support, coordination, and guidance. The Staff Liaison ensures that required Board and Commission meetings occur and prepares the meeting agendas. The staff liaison is also responsible for coordinating, distributing, and posting all committee agendas in pursuance to the Open Meetings Act. Staff liaisons will provide direction, guidance, and clerical, organizational, and administrative support to commissions as needed. The staff liaison also facilitates the transmission of boards and commission interests, concerns, and recommendations to the City Manager. Staff Liaisons will ensure there is a quorum before the Chair calls a board or commission meeting to order and adjourn a board or commission meeting in the event there is a lack of a quorum.

City Council Liaison(s)

The City Council relies upon the expertise and recommendations of the Boards and Commissions in advising the Council as it sets City policy. The Council liaison function serves to facilitate and enhance this work. Their principal function is to provide a wide range of information to the advisory body, such as information about Council discussions, policies, and actions. This helps provide a historical perspective and place the board and commission work in context. However, the boards and commissions should act independently in formulating recommendations for the City Council to consider. Therefore, it is inconsistent for liaisons to direct, guide, or unduly influence the policy-making work of the City's advisory bodies. Historically, Boards and Commission members have valued consistent participation by Council liaisons.

Use of Subcommittees

Boards and Commissions may consider dividing into subcommittees to address specific issues when needed. These subcommittees should only be utilized short-term for specific topics or priorities. Sub-committees should be used judiciously as the entire Board and Commission should participate in most agenda topics. Sub-committees work independently and bring a report and recommendations back to the board or commission. The subcommittee must be composed of less than a quorum of the body and typically disband when the work on a single item is finished. Subcommittee meetings need not be noticed or open to the public. The Board and

Commission usually vote on assignments to subcommittees and clarify the topic or event to be discussed.

As stated above, the subcommittees are not subject to the notice and posting requirements of the Open Meetings Act so long as the committee:

- Consists of less than the number of members which would constitute a quorum;
- Is advisory such as the committee has not been delegated any decision-making power and will be returning to the entire board on its recommendation

Governing Rules

A few key resources provide structure for operating a healthy board and commission. It is important to be knowledgeable about the legislation surrounding boards and commissions.

Open Meetings Act

City boards and commissions are expected to conduct themselves according to the procedures contained in the Michigan Open Meetings Act ("OMA"). This means that City boards and commissions deliberate and make all their decisions during a public meeting, potentially including a full discussion of the reasons for those decisions. Commissioners should avoid emailing, talking, or otherwise communicating with a majority of other members outside of a public meeting about how they will vote reasons for voting a particular way, or the pros and cons of an issue that may come before the commission.

Sometimes, a discussion between commissioners outside of a public meeting may be necessary (for example, when developing draft policy /idea recommendations for presentation to the full commission). In such cases, the discussions should involve as few commissioners as possible and never involve a quorum. If the matter warrants substantial discussion with multiple commissioners outside of the regular meeting schedule, a subcommittee may be appropriate, the meetings of which would be posted and open to the public.

Basic Rights of the Public during a meeting governed by the *Open Meeting Act*:

- ✓ The public can attend without a requirement to sign in or identify themselves
- ✓ The public can address the assembly under the rules prescribed for public comment
- ✓ The public can get a full picture of the decision-making process; assemblies avoid exchanging written notes, secret ballots, electronic messages, and telephone calls during meetings

Freedom of Information Act

In general, records of the City are subject to disclosure under the Michigan Freedom of Information Act (FOIA). Email communications about board or commission business are generally considered to be public records subject to disclosure under FOIA. For this reason, email correspondence regarding the board or commission's business should generally copy the staff liaison so that the City has a record of the correspondence. Commissioners are otherwise responsible for retaining and producing emails and other records, including text messages related to board or commission business, that they have in their possession upon request by the City's FOIA Coordinator or the City Attorney's Office.

Local Rules Relating to Meeting Documents

Meeting Notices

Advanced Public Notice of meetings is provided, at a minimum, by physically posting a notice ~~or~~ and listing the meeting on the City Website. Posting is typically required to be made no less than 18 hours before a meeting.

There are two types of meetings: regular meetings and special meetings. Boards and commissions schedule regular meetings at the start of each year, if applicable. When necessary, commissions may reschedule regular meeting dates by vote at a meeting throughout the year. Special meetings supplement the regular meeting schedule and often focus on specific topics. Scheduling either type of meeting includes many common key points.

Key Points for Scheduling Meetings:

- ✓ Avoid scheduling meetings for dates identified as Regular City Council meeting days, City holidays and /or other recommended holiday observances.
- ✓ Advanced notice of meetings is required for all meetings: regular meetings and special meetings. Work with your staff liaison to make sure these are published and distributed appropriately.

Agendas & Agenda Packets

Agendas are critical documents for keeping meetings on topic and progressing in an orderly manner. With the exception of subcommittee meetings, agendas are required to be posted online for all meetings at least 18 hours ahead of each meeting. Staff liaisons help boards and commissions publish agendas online ahead of meetings.

Agenda packets are the supporting documents relating to items on the agenda and encompass any materials distributed to members for review and action. Under record retention rules, the City keeps all agendas and agenda packets created as a part of the permanent record of each meeting.

Meeting Minutes

Staff liaisons prepare minutes and the proposed minutes will be available for public inspection and for review by members of boards and commissions as well as the general public within 8 business days after the meeting to which the minutes refer. Boards, commissions, and committees review, correct, and approve proposed minutes at the next regular meeting.

Both regular and special meetings are documented by minutes, whenever a meeting is held. Minutes provide a record of the date, time, place and attendance of members at a meeting along with a record of any decisions made or roll call votes conducted at a meeting. Minutes are not a transcription or a set of notes recording discussions leading up to decisions. For convenience, minutes are typically available on the City Website.

ANNUAL WORK PLAN AND PERFORMANCE MEASURES

Unless the Board or Commission is deemed "as needed by staff" each Board or Commission should prepare an annual work plan proposal for the upcoming year, to be submitted to the Council. The annual report should include the results of the prior year's activities. When applicable, the City Council would like to see metrics of community involvement and participation in meetings and activities included in the work plan. Council expects boards and commission to work on items in the approved work plan. In addition, Council may refer additional items to the boards and commissions in response to new developments.

Boards and Commissions should refrain from expending their time and that of the staff liaison on items that the City Council has not approved. If the board and commission would like to add an issue for review after an annual work plan has been approved the City Council, a prompt request by the board and commission Chair or staff liaison to the City Manager is required and the item will then be submitted to the City Council as a whole.

An annual work plan template is attached as Attachment A.

Conclusion

Hopefully, the information contained in this document will assist you in preparing to serve on a City board or commission. If you have additional questions, there are many people who can help, including your staff liaison, the City Clerk's Office, and the Chair and other members of your board or commission.

Online Resources

The City post meetings publically available on the website calendar www.madison-heights.org

Additional information is available on the Boards and Commissions Page. <https://www.madison-heights.org/581/Boards-Commissions>

Attachment A

Board and Commission Work plan Guidelines and Process

The City Council will vote on the board and commission work plans annually. Work plans are due by January each year and should consist of up to three priorities. The City Council will ask the Board or Commission Chair to present the work plan to the City Council. Work plans should include if there is intent to use subcommittees or additional City staff to assist in the Board or Commission work for the year ahead.

To guide the work of developing the board or commission annual work plan, a short checklist is provided below:

- Review purpose of the Board or Commission
- Discuss any City Council priorities for the Board or Commission
- Discuss existing and possible projects, priorities and goals
 - Order from high priority to low priorities
- Finalize draft work plan for City Council review
- Use approved work plan as a guide to focus the board and commission work throughout the term of the work plan. (Initially 1 year for 2023 and 2 years after that with updates after the first year.)
- Present report to the City Council annually and include:
 - List of priorities, projects and goals
 - Status updates
 - If items are not complete, include why and any other additional details to share with the Council.

Sample Format:

Boards or Commission Name					
Name of Project, Goal	Benefit if completed	Timeline for Completion	Resources needed (staff support, subcommittee, fundraising)	Measure of Success	Priority