

The

City Council/Planning Commission Workshop

Tuesday, October 12, 2021 6:00pm

Present: Kevin Nyenhuis, Wendy Ward, Gwen Roden, Lon Pardun, Kristina Smitten, Gerry Mroska (zoom), Tim Casey, Jennifer Henry, Scott Spisak, Sandy Sanderson, Charlie Anderson (zoom), Anna Hagstrom.

Citizens Present: Cecily Harris, Scott Spisak

Mayor Nyenhuis called the workshop to order at 6:00pm.

Pardun began by thanking the Commission for their work on the STR ordinance, as the City just won the lawsuit that was filed against it regarding the Pine Cone Trail STR.

Kristina Smitten began by reviewing the role of the Planning Commission in regards to the Comprehensive Plan and Metropolitan Land Planning Act. She explained that many zoning requests are a balancing act between the Comprehensive Plan and Zoning Ordinance and in those situations the Comprehensive Plan takes priority. There are also areas of the Zoning Code that are outdated, of which the Short Term Rental and Wireless Communications Ordinance are two great examples. The issue is that many of these outdated pieces are not addressed until they actually become an issue. Kristina noted that the Commission is an advisory group, however they need to advise within the confounds of the law.

Mayor Nyenhuis stated that normally in a workshop setting, there is no citizen comment taken however he would like to take a role from the Council as to whether or not to take comment at this meeting. Lon noted that the citizens in attendance are a previous Planning Commission member and a resident who has applied for a Commission position.

*Mayor Nyenhuis took the role as to whether to allow citizen comments.*

*Anderson yes*

*Pardun yes*

*Ward yes*

*Roden yes*

*Nyenhuis yes,*

Scott Spisak noted that Kristina Smitten presented one statute regarding the Planning Commission, however there are many statutes that apply to the role of a Planning Commission.

Smitten provided the Council and Commission members several documents that discuss State Statute, Planning and Zoning rules from the League of MN Cities, along with a chart that outlines the role of the Comprehensive Plan.

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Discussion was held as to the disconnect between the Zoning Code and Comprehensive Plan and the fact that many of the Zoning Ordinances are out of date. The Council recognizes the current Commission has a high level of expertise with many areas and appreciates the conflict the Commission has with that disconnect.

Sandy Sanderson reviewed the duties of the Commission and the balancing act of following the Comprehensive Plan but still addressing the needs and want of the community.

Pardun discussed the various committees of the City, and reviewed the Citizen Committee resolution that was passed back in 2009 and the reason that resolution was needed. Pardun discussed the creation of the infrastructure committee. It began several years ago when a cell tower company approached the Church to place an antenna on church property. This led to the City looking at a location on City property, of which Council member Anderson became a part of. All of this was done without looking at updating the wireless ordinance prior to moving forward. Pardun noted that this particular issue was not handled the proper way and believes caused a lot of miscommunications between the Council and Planning Commission.

Nyenhuis questioned how issues that are important to this town come up but are not address specifically in the Comp Plan, such as the STR ordinance. Sanderson noted that the STR ordinance could be related to housing and tourism, which are addressed in the Comp Plan.

Smitten also noted that many times when committees are formed to address certain issues and that topic is eventually sent to the Commission, then residents can begin to lobby the Commission to take a specific stance on that issue. When the Commission takes a neutral stance on that topic, then residents can tend to get upset or offended. This tends to have a very big impact on the members of the Commission.

Tim Casey questioned the concept of these citizen committees and if any resident can start a committee. Ward loves and respects Comprehensive Plans and went through Marine's comp plan to call out needs of the community that are addressed in the Comp Plan but have not been followed through with. This is the reason she is looking to create these new committees.

Pardun believes the Council decides on issues based upon items that need to be addressed at the current time. This is how the school committee was formed, when the school closed. Pardun is afraid that these committees will be formed by volunteers who put in a lot of time and effort to make suggestions to the Council and if those ideas are not embraced by the Council, these volunteers will be offended and feel that their ideas were not heard or appreciated. The other issue is many of these committees tend to linger past their need.

Mayor Nyenhuis believes Pardun is looking at committees as a reactive idea versus Ward looking at committees as proactive. The outline of how these committees are formed and the process is laid out in the resolution that was passed in 2009.

Hagstrom noted she sees that the committees that tend to be the most effective are committees that address issues that have happened. For instance, the school committee had a very specific charge and was very successful but the Village Center committee seemed to have many different ideas and if those ideas were not embraced by the City Council, the members were very disappointed.

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Roden noted that each of these committees are supposed to have a clear task to accomplish, and once that happens that the committee should be disbanded. There seems to be a disconnect between the Council and the committees as to when the charge is complete.

Mayor Nyenhuis noted that there are some committees, such as Green Step, that do not have an end date but continue to morph and do valuable work for the City. Pardun agrees but believes that is a conversation that the Council should address at a later date. Sanderson believes that these committees should be brought forth to the Planning Commission with a head's up as to whether the Commission may need to be involved down the road and keep them in the loop but not necessarily be a part of those committee decisions.

Smitten believes this communication between the Commission, Council and committees is very important so the Commission can prioritize their work.

Pardun reviewed the work plan of the Commission and believes the last workshop was beneficial with deciding what priorities are important for the Commission to work on. Ward would like to see an official document with those priorities listed out. Pardun would like to see that work plan come from the Commission based upon what they think is the most important to get done, much like the Long and Short term goal plan the Council has. Tim Casey suggested the Commission address this at the next meeting and then bring forth those priorities to the Council. Smitten believes input from the Council would be beneficial as to what the Council's priorities are. Ward noted the request she made several months ago to hold a meeting at the beginning of each year to discuss what goals the Council wants accomplished that year and three to five years out. This will help the City plan budgetarily also.

Mayor Nyenhuis suggested these types of workshops between the Council and Commission should happen annually to touch base on these issues.

Anna Hagstrom believes there needs to be autonomy with the Council and Commission with issues that the Commission is tasked with. She feels with the STR process, the Commission had done so much work only to have the Council go in a different direction. Pardun believes this happened the other way also, where the Council thought the process was going in one direction and the Commission took it in another direction. This is where communication is key.

Pardun then reviewed the process for seating new Commission members. In the past, the Commission reviews the applicants and then presents their recommendation to Council for appointment. Ward disagrees and believes the appointment should be open to the community and the Commission members should be appointed by the Council. Roden believes that it is very important that each applicant is vetted by the Commission members prior to the Council making any decision. Anderson believes there should be a process that incorporates both ideas, however does not know how that looks at this time.

Smitten believes the openings should be open to the entire community and not hand picked by a Commission member, however if there is an opening and the Commission is aware of someone who they believe would fill a void then it is beneficial for the Commission to recommend that person.

Cecily Harris, resident, stated that many times interviews are held with many different roles within the Council and Commission.

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The City posts the position asking for a letter of interest and a resume. Pardun believes that the Commission should review the resumes and then if interviews are needed, then those should be conducted by members of the Commission and Council.

Sanderson suggested maybe having additional members be appointed as alternates to fill in.

Mayor Nyenhuis understands the value of the Planning Commission and thanked the Commission for their time now and moving forward.

Ward thank the Commission for their work,

*Nyenhuis moved and Roden seconded to adjourn at 7:33pm.*

*Ward yes*

*Anderson yes*

*Pardun yes*

*Roden yes*

*Nyenhuis yes*

*All in favor, motion passed.*

Minutes taken by Lynette Peterson, City Clerk