MEETING MINUTES (Final)

Birchwood Planning Commission Regular Meeting

City Hall - 7:00 PM Regular Meeting 9/28/2023

Submitted by Michael Kraemer – secretary

COMMISSIONERS PRESENT: –– Andy Sorenson - Chairman, Joe Evans, Michelle Maiers-Atakpu, Michael Kraemer, Michael McKenzie

COMMISSIONERS ABSENT

OTHERS PRESENT: Lucy Voltz – on behalf of Ellen J Maas Estate property at 127 Wildwood Ave.

TO ORDER: Meeting called to order by Chairman Andy Sorenson at 7:00 PM.

1. PUBLIC FORUM
   1. Lucy Voltz presented a letter addressed to the Mayor and Council dated 8/28/2023 – RE: Response to 127 Wildwood Ave Conditional Use Permit (CUP) Application. Ms Voltz addressed concerns the Ellen J. Maas Estate custodians have with a number of the current actions and conditions created and proposed by the construction on the property at 127 Wildwood Ave. These included but are not limited to actions such as construction crews trespassing on adjacent properties, erosion and sediment being caused to their property and lack of communication and notification of proposed construction activities.
2. APPROVE AGENDA
   1. Michael McKenzie requested an Item D be added to the agenda to discuss and request a joint meeting/work session with the Council, City Planner, City Engineer, and City Clerk in the near future to discuss internal communications and coordination processes, City policy and protocols, and code enforcement jurisdictions.
      1. Motion by Evans and 2nd by Sorenson to add Item D to the Agenda. Vote: Yes – 5, No – 0. Motion passed.
   2. Motion by Evans and 2nd by Maiers-Atakpu, to approve agenda as amended. Vote: Yes – 5, No – 0. Motion to approve amended agenda passed.
3. REGULAR AGENDA
   1. Item A – Review/Approve June 22, 2023, Meeting Minutes
      1. Maiers-Atakpu, moved, 2nd by Sorenson, to approve the minutes. Vote: Yes – 5, No – 0, Motion to approve the minutes passed.
   2. Item B – Discuss Planning Commission Meeting Dates for November and December of 2023
      1. Discussion: In an effort to avoid holiday conflicts and allow City staff adequate time for packet preparation it was proposed to move the November and December planning commission meeting dates.
      2. Motion by Evans and 2nd by McKenzie to move the November Planning Commission meeting date to November 16, 2023, at 7:00 PM. Vote: Yes – 5, No – 0. Motion passed to move the meeting date.
      3. Motion by Maiers-Atakpu and 2nd by Sorenson to move the December 2023 Planning Commission meeting date to December 21,02023 at 7:00. Vote: Yes – 5, No – 0. Motion passed to move the meeting date.
   3. Item C – Fence Ordinance Update Review
      1. Discussion: The Commission members had some items for consideration related to the fence ordinance as proposed.
      2. ACTION TAKEN: In light of a proposed joint Council, Commission, City Engineer, City Planner, and City Administrator meeting/work session where protocols and processes for code language edits will be discussed, it was decided to table any action on the proposed Fence Ordinance until after the meeting/work session. ITEM C WAS TABLED.
   4. Item D - Council/Planning Commission/Staff joint meeting/work session – Topic: City communication and coordination.
      1. ***PLANNING COMMISSION ACTION:***
         1. The Planning Commission thought it would be helpful if all the city staff were also present at the joint meeting/work session so all could hear the discussion and recommendations at the same time.
         2. The following are some Planning Commission suggestions for the joint meeting/work session discussion:
            1. Review the job description, role, duties, authority, and responsibility of City staff (including the City Planner, City Clerk, City Engineer, City Building Official) and the role of the Planning Commission and City Council as it relates to the following:

Administration of permit applications for completeness and time lines. (Are our current checklists adequate to eliminate false starts and re-dos. Who determines if variances or CUP are required?)

Administration of construction and permit follow up, enforcement, and closeout. (Are we monitoring in-field compliance with plans and specifications? Are we monitoring construction activities like erosion control?)

Administration of our variance and CUP application processes. (Are they as thorough as they need to be as it relates to application completeness, timeline monitoring, compliance review, follow up during construction, enforcement and closeout. Is it as streamlined as it could be? Who is monitoring timelines? Who is monitoring in-field compliance?)

Periodic City Code review? (Do we have a policy for periodic code review and upgrades? Who can propose suggested edits, additions, deletions? What is the venue and protocol for such suggestions?)

City policy and enforcement protocol (timeliness, completeness) related to meeting agendas, public notifications, supporting document submittal, etc. (Do we enforce packet submittal deadlines? Should we?)

1. ADJOURN 8:18 PM
   1. Motion by McKenzie, 2nd by Evans to adjourn meeting. Vote: Yes – 5, No – 0. Motion passed.