

# *City of Falcon Heights Planning Commission*

City Hall  
2077 Larpenteur Avenue West

Tuesday, January 25, 2022  
7:00 p.m.

## **A G E N D A**

No in person meetings. Please join us on Zoom via the link  
<https://us02web.zoom.us/j/84331307561>

A. CALL TO ORDER: 7:00 p.m.

B. ROLL CALL:           John Larkin \_\_\_\_                               Scott Wilson \_\_\_\_  
                              Joel Gerich \_\_\_\_                               Scott Phillips \_\_\_\_  
                              Laura Paynter \_\_\_\_                               Jim Mogen \_\_\_\_  
                              James Wassenberg \_\_\_\_  
                              Council Liaison Wehyee \_\_\_\_  
                              Staff Liaison Moretto \_\_\_\_

C. APPROVAL OF MINUTES

1. September 28, 2021

D. PUBLIC HEARING

1. None

E. NEW BUSINESS

1. Discussion - Officer Position Nominations (Chair, Vice-Chair, Secretary)
2. Discussion - Advertising of Open Positions
3. Discussion - Adopt the Standing Rules
4. Discussion - 2022 Priorities

F. INFORMATION AND ANNOUNCEMENTS

1. Staff Liaison Report
2. Council Liaison Report

G. ADJOURN

Next regular meeting date: TBD

**City of Falcon Heights  
City Hall  
2077 Larpenteur Avenue West**

**Minutes  
Planning Commission Meeting  
Tuesday, September 28, 2021  
7:00 PM**

**A. CALL TO ORDER:**

The meeting was called to order at 7:00 PM.

**B. ROLL CALL:**

Present: Wilson, Gerich, Paynter, Wassenberg

Absent: Larkin, Mogen, Phillips

Absent Liaison: Council Melanie Leehy

Present Staff Liaison: Paul Moretto

**C. APPROVAL OF MINUTES:**

July 27, 2021

**The minutes were approved by roll call,4 -0**

**D. PUBLIC HEARING**

1. None

**E. NEW BUSINESS**

1. Vacant Home Ordinance Review Draft

a. Discussion:

The commission focused discussion on the differences, benefits and considerations given to a registration ordinance compared to a more restrictive ordinance. The commission favored an ordinance that was more educational and complementary, such as a registration for vacant homes. There were discussion point concerning the need for both commercial and residential. Generally, the commission would like to start with residential. It was agreed that the commission would like to revisit this issue in the near future with a revised draft from the small group who is tasked with reviewing and bring another draft to the commission.

**F. ANNOUNCEMENTS**

1. Liaison Moretto announced updates on the Amber Union project.
2. Councilmember Leehy: NA



## ITEM FOR DISCUSSION

<b>Meeting Date</b>	January 25, 2022
<b>Agenda Item</b>	Agenda E-1
<b>Attachment</b>	NA
<b>Submitted By</b>	Paul Moretto Community Development Coordinator

<b>Item</b>	Election of Officers
<b>Description</b>	<p>The Commission must nominate and elect officers for 2022. Historically, most Commissions consist of a Chair, Vice Chair, and Secretary. Brief descriptions of these positions are as follows:</p> <p>Chair – Conducts the meeting, opens/closes public hearings, calls for votes, consults with staff regarding agenda topics</p> <p>Vice Chair – fills duties in the Chair’s absence</p> <p>Secretary – takes official minutes during meetings and sends to staff for review and approval at next meeting</p>
<b>Budget Impact</b>	None
<b>Attachment(s)</b>	MA
<b>Action(s) Requested</b>	Staff recommends nominating and electing officers for 2022.



## ITEM FOR DISCUSSION

<b>Meeting Date</b>	January 25, 2022
<b>Agenda Item</b>	Agenda E-1
<b>Attachment</b>	NA
<b>Submitted By</b>	Paul Moretto Community Development Coordinator

<b>Item</b>	Approval of Standing Rules
<b>Description</b>	<p>Introduction to the current Planning Commission Standing Rules:</p> <p>In the belief that the best decisions are made by the best informed decision makers and that the public decision process is best served when the public has every opportunity to present views, the following rules are established to govern regular and special commission meetings as well as formal public hearings. There are several goals behind these rules.</p> <ol style="list-style-type: none"> <li>1. In general, free and open discussion by all interested parties should be an essential part of the decision making process.</li> <li>2. The commission process should have as little procedural overhead as possible.</li> <li>3. Time is better spent on substantial matters rather than pro forma matters.</li> </ol> <p>The Standing Rules were slightly revised in 2021.</p>
<b>Budget Impact</b>	None
<b>Attachment(s)</b>	<ul style="list-style-type: none"> <li>• City of Falcon Heights Planning Commission Standing Rules, Revised 2021</li> <li>• Sikkink’s Seven Motion System</li> </ul>
<b>Action(s) Requested</b>	Staff recommends approving the standing rules for 2020.

**Falcon Heights City Code**  
**Sec. 2-118. Planning commission.**

- (a) The commission shall be the city planning agency authorized by Minn. Stats. § 462.354, subd. 1.
- (b) The duties of the planning commission are:
  - (1) To guide future development of land, services, and facilities;
  - (2) To ensure a safe, pleasant and economical environment for residential, commercial, and public activities; and
  - (3) To promote the public health, safety, and general welfare of the community.
- (c) These duties are to be carried out by:
  - (1) Establishing community objectives and policy;
  - (2) Making recommendations to the council regarding petitions and applications for rezoning, special use permits, etc.;
  - (3) Reviewing and making recommendations on all matters relating to or affecting the physical development of the city.

(Code 1993, § 2-4.05; Ord. No. 98-02, § 3, 4-8-1998)

**City of Falcon Heights  
Administrative Manual and City Policies  
Section II: Commissions**

**B. PLANNING COMMISSION**

1. Purpose. The commission shall be the city planning agency authorized by Minnesota Statutes, Section 462.354, Subd. 1, which includes guiding future development of land, services, and facilities to ensure a safe, pleasant and economical environment for residential, commercial, and public activities; and to promote the public health, safety, and general welfare of the community by:
  - a. establishing community objectives and policy;
  - b. making recommendations to the council regarding petitions and applications for rezoning, special use permits, etc.
  - c. reviewing and making recommendations on all matters relating to or affecting the physical development of the city.
2. Composition & Qualifications. The commission shall consist of not less than seven nor more than nine members to be appointed by the mayor and approved by the council as follows:
  - a. Members of the commission shall be appointed according to their ability to contribute to and perform the functions, powers and duties imposed upon the commission.
  - b. Members of the commission shall be eligible voters residing within the city.
3. Terms, Vacancies, Oaths. The term of office of all commission members shall be three years. Except for appointments to fill a vacancy, an appointment in any year shall be deemed effective as of January 1 of such year for purposes of computing the term. No member shall serve more than two consecutive three year terms or more than eight consecutive years on the Planning Commission and until an existing term of office expires.

Members shall hold office until their successors are appointed. All members shall serve without compensation, but may be reimbursed for expenses as authorized and approved by the city council.

4. Removal. Commission members shall be subject to removal for cause, by a four-fifths vote of the city council. Failure to attend meetings regularly shall be one basis for removal.
5. Organization, Officers. Each commission shall elect a chairperson from among its appointed members for a term of one year. The commissions may create and fill such other offices as determined necessary.
6. Meetings, Records, Reports. The commissions shall hold scheduled meetings, not less than one per calendar quarter. They shall adopt rules for the transaction of business and shall keep written public records of resolutions, recommendations and findings. On or before February 15 of each year, the commissions shall submit to the council work reports for the preceding calendar year.
7. Commission's Duties. In fulfillment of its purpose the commission's duties and responsibilities shall be to:
  - a. exercise duties given planning agencies by law and any duties conferred upon it by the zoning code and by the city council.
  - b. periodically, but at least once every two (2) years, review the comprehensive plan, any additions or amendments, and any capital improvement program the council has adopted to implement the plan; and if deemed necessary, revise the comprehensive plan, adopt the amendments or the new comprehensive plan, amend the capital improvement program, and make recommendations to council.



**FALCON HEIGHTS PLANNING COMMISSION**  
**PLANNING COMMISSION STANDING RULES**

**January 25, 2022**

**INTRODUCTION**

In the belief that the best decisions are made by the best informed decision makers and that the public decision process is best served when the public has every opportunity to present views, the following rules are established to govern regular and special commission meetings as well as formal public hearings. There are several goals behind these rules.

1. In general, free and open discussion by all interested parties should be an essential part of the decision making process.
2. The commission process should have as little procedural overhead as possible.
3. Time is better spent on substantial matters rather than proforma matters.

**MEMBERSHIP**

The formal commission membership consists of seven commissioners. All seven have one vote each and all can introduce motions. For purposes of leading the meeting, the chair, or in the absence of the chair, the vice-chair will be considered the chairperson. In the absence of the chair and vice-chair, the Commission shall name an acting chair for the duration of the meeting.

**RULES**

Agenda

1. To be considered, an item must be on the agenda and the agenda must be distributed to all the commission members and any other persons having responsibility for an item at least three working days prior to the meeting. Distribution may be made by electronic media, including the city website. An agenda can be modified with addenda by a majority vote but this should be used only for minor items or items with extreme time constraints.
2. Since there will be audience and possibly cable TV viewers not familiar with each item, the chair, or person appointed by the chair, will give a brief explanation of each item as it is addressed.

3. The order of items on the agenda need not be followed absolutely. The chair may adjust the order in the interest of:
  - a. Filling in time before a scheduled item, i.e., a public hearing.
  - b. Grouping several items to best make use of consultant time.
  - c. Accommodating individuals who have attended the meeting specifically to provide input on an item.

#### Process - Regular and Special Planning Commission Meetings

1. For these proceedings the commission will use the 'open discussion' procedure. That is, discussion is open to any member before or after a motion is made. This privilege is also extended to the Staff Liaison and any of the consultants who may have an interest in or can contribute to the item at hand.
2. At the discretion of the chair, this privilege is also extended to those members of the audience who wish to provide input. The chair may also rule out of order any input felt to be redundant, superfluous or irrelevant.
3. The chair can make liberal use of the "unanimous consent" procedure. That is, items that in the judgment of the chair are likely to be unanimously approved, can be introduced for approval with the statement "If there are no objections, ... stands approved (or denied)." If any commissioner has an objection, then the item reverts to the standard motion procedure. This "unanimous consent" procedure cannot be used for items requiring formal votes, i.e. resolutions.
4. The standard motion procedure is changed to not require a second. A motion need only be made to be considered. This also applies to amendments.
5. To eliminate confusion, only one amendment will be considered at a time and that amendment must be germane to the motion. An amendment cannot itself be amended. If a change to an amendment is deemed appropriate, the amendment should be withdrawn and reintroduced accordingly.
6. The general mode of voting will be by acclamation but with enough clarity that the individual votes can be recorded in the minutes. If in doubt, the secretary can request a clarification.

Planning Commission Standing Rules

7. If the commission action is the result of a resident request and that request is denied in whole or in part, reasons of fact supporting the denial will be made part of the public record.

8. No commission meeting will extend beyond 10:00 P.M. except by unanimous vote. This rule is not subject to the modification or suspension provisions of the Standing Rules.

Process - Public Hearings

Since a public hearing is a more formal procedure and often requires certain procedures and actions to be legal, the meeting rules are changed accordingly.

1. The primary aim of a public hearing is to take input from the public. To accomplish this in the most effective manner the chair will introduce the hearing with an explanation of the issues. This explanation will be given by the chair or a person designated by the chair. The use of explanatory visual aids is encouraged.

2. Following the explanation, input from the public will be taken. Prior to accepting input, though, the chair will state the areas where input will be appropriate, the maximum time of FIVE MINUTES to be allotted to any individual presenter and any other procedural rules deemed appropriate to guarantee that all concerned parties have a fair and adequate opportunity to be heard.

3. At the discretion of the chair, all individuals wishing to speak must fill out and submit an identification form and speak into a recording microphone. Individuals not wishing to speak in public may provide a written statement. The commission may take up to 15 minutes to review written statements presented at the meeting. If the commission decides to not act on the issue at the public hearing meeting, it may by majority vote extend the time where written input will be taken to a day no later than 1 week before the next meeting where a deciding vote is planned.

4. All speakers are expected to be business-like, to-the-point and courteous. Anyone not abiding by these rules will be considered out-of-order.

5. The commission will refrain from initiating a discussion during the public input phase of the hearing except to clarify points brought up. These 'point of information' requests should be held to a minimum.

6. Once the public testimony phase is complete the chair will announce the public hearing to be closed and the commission will revert back to its open discussion mode of operation. From this point on, public input will only be appropriate when solicited by the commission.

7. Voting on any motion that results from a public hearing must be by roll call.

8. It shall be the intent of the commission to vote on the issue at the same meeting as the public hearing and as close in time to the public hearing as possible. Should it be necessary to defer voting until a later date, that procedure will be clearly explained to the audience.

9. No public hearing will extend beyond 9:30 p.m.

10. If the motion contains conditions, as may occur in conditional use or variance requests, those conditions will be conveyed in writing to the requestor.

11. If the public hearing is the result of a resident request and that request is denied in whole or in part, reasons of fact supporting the denial will be made part of the public record.

#### ADOPTION/MODIFICATION/SUSPENSION

These rules with the exception of the mandatory 10:00 P.M. adjournment, can be adopted, modified or suspended in whole or in part by a 3/4 vote of the commission. If suspended, they are automatically reinstated at the next meeting. Should they be suspended or a situation occurs that is not covered by the standing rules, Sikkink's Seven Motion System (attached) will apply.

#### ANNUAL REVIEW

These rules will be reviewed annually in January.

#### INTERPRETATION

The chair will interpret the rules. However, the chair's interpretation can be appealed by any commission member and can be overruled by a majority vote.