



PLANNING COMMISSION AGENDA

COUNCIL CHAMBERS

MONDAY, FEBRUARY 3,
2025

6:00 PM

1. Call to Order/ Approve Agenda
2. Routine Business
 - A. Election of Officers for 2025
 - B. Review and Approval of By-laws
3. Approval of the Minutes
4. Public Hearings
 - A. Resolution 2024-XXX Approve the Preliminary Plat for Eastman Disbursal Addition at 301 Central Ave
5. Requests to be Heard
6. Items for Discussion
 - A. Planning Commission Operational Basics
 - B. 2025 Work Plan
7. Board & Commissions Updates & Reports
8. Adjournment

Please contact the Departments of Community & Economic Development at 507-334-0100 if you need special accommodations to participate in this meeting.

Para pedir este documento en otro idioma, envíe un correo electrónico y adjunte el documento a accessibility@faribault.org.

Si aad u codsato dukumeentigan oo ku qoran luqad kale, fadlan e-mail u soo dir oo ku soo lifaaq dukumiintiga accessibility@faribault.org.



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planning Manager
MEETING DATE: February 3, 2025
SUBJECT: Election of Officers for 2025

Background:

Every year the Planning Commission must nominate and elect a Chair and Vice Chair.

Chair

1. Preside over the meetings. (Call the meeting to order, introduce items for discussion, entertain motions, call votes, etc.).
2. Ensure meeting protocols are followed. Maintain meeting decorum and order.
3. Encourage the participation of all Commissioners.
4. Coordinate with City Staff as needed on issues such as upcoming agendas, attendance of commissioners, and other issues affecting the Commission.

Vice Chair

1. Fulfill the responsibilities of the chair if the chair is unable to do so.

Recommendation:

Nominate and elect commission members to fill the Planning Commission Chair and Vice Chair positions.

Attachments:



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planning Manager
MEETING DATE: February 3, 2025
SUBJECT: Review and Approval of By-laws

Background:

The Planning Commission should review its by-laws annually and make any changes as needed. If changes are made, staff will draft the amendments and return to the next Planning Commission meeting.

Recommendation:

Review the by-laws and recommended by-law changes, if needed.

Attachments:

1. 2024 Amendment of Planning Commission Bylaws - Executed

FARIBAULT PLANNING COMMISSION BY-LAWS

Section 1. Regular Meetings

The Planning Commission shall hold regular meetings on the first and third Monday of each month at 6:00 p.m. or as otherwise established by the Planning Commission. At such meetings, the Commission shall consider all matters properly brought before it. Notice of meetings shall be in accordance with law. A regular meeting may be canceled or rescheduled by the Commission at a prior meeting. A regular meeting may also be continued to a later date at the discretion of the Commission. All meetings shall be held in the City Hall unless otherwise determined by the Commission.

At the first meeting of the year, the Planning Commission shall set forth a schedule of meetings for the upcoming year, including the annual meeting of the Planning Commission. The annual meeting is not required to be the first meeting of the year and shall take place within the first quarter of the year.

Section 2. Special Meetings

The Chair of the Commission or a majority of the Planning Commission may call a special meeting. Such meeting shall be called with a three-day notice to all Commission members and members of the media. Notice of meetings shall be in the form of an agenda packet, either mailed, hand-delivered, or electronically delivered to all members of the Commission and the media. Notice of such meeting shall be posted on the City Hall bulletin board. If time will allow, there shall also be published notice in the official newspaper of the City. All meetings shall be held in the City Hall unless otherwise determined by the Commission.

Section 3. Annual Meeting

The Planning Commission shall hold an annual meeting each year as set at the first meeting of the year. Said meeting shall be to elect officers and representatives for the year, review the annual report from the previous year, set goals for the upcoming year, and any such other business as shall be scheduled by the Planning Commission.

Section 4. Quorum

A majority of the members of the Planning Commission shall constitute a quorum for the transaction of business. No official action may be taken in the absence of a quorum except to adjourn the meeting to a subsequent date. Vacancies on the Planning Commission, as outlined in Section 13, shall be taken into consideration when determining the number of members needed for a quorum and may reduce the number required accordingly. In no case shall the number of members required for a quorum be less than three.

Section 5. Voting

At all meetings of the Planning Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice unless a roll call vote is requested by any member of the Commission. The affirmative vote of a majority of the Planning Commission members shall be necessary for the adoption of any recommendation or action.

If any member of the Planning Commission has a conflict of interest in any matter that is on the agenda, they shall follow the steps for recusal listed below:

1. Advise the City Planner of the conflict as early as possible. The City Planner may consult the City Attorney when necessary.
2. Disclose the interest as early as possible (orally and in writing).
3. Do not attempt to influence others.
4. Do not participate in any discussions, when possible, leave the room when the Planning Commission is discussing the matter.
5. Follow the statutory procedures provided for the contracting exceptions.
6. Abstain from voting or taking any other official actions unless the City Attorney determines that there is no prohibited conflict of interest.

The Secretary shall record in the minutes that such member(s) recused themselves from discussion because of a conflict of interest. The recusal of any member for conflict of interest shall not result in the lack of a quorum when one existed prior to the voluntary removal of the member.

Section 6. Order of Business

The Chair or presiding officer of the Commission shall preserve order and decorum, act as parliamentarian, and decide questions of order. A designated member of City staff shall prepare a written agenda in advance of all regular meetings. The order of business shall be 1) Call to Order; 2) Approval of Minutes; 3) Public Hearings; 4) Requests to be Heard; 5) Items for Discussion; 6) Routine Business; and 7) Adjournment. Any other item of business shall be placed on the agenda in an order deemed prudent by the designated staff member.

Section 7. Minutes

A designated member of City staff shall prepare written copies of the minutes of each meeting and shall distribute copies of the minutes to the Planning Commission members prior to the next meeting of the Planning Commission. One or more copies of the minutes shall be available at the office of the City Administrator for review by the public. Upon the appearance of a quorum at a Planning Commission meeting, the Chair shall inquire of the Commission whether they wish to approve, disapprove, or amend the minutes of the previous session or sessions of the Commission as prepared by the Secretary. Any error or omission in the minutes may then

be corrected by the Commission. The designated City staff member shall also keep a permanent record of all minutes of all meetings of the Planning Commission.

Section 8. Rules of Procedure

All meetings of the Planning Commission shall be conducted in accordance with the rules of parliamentary practice as included within Robert's Rules of Order, except as otherwise contained herein.

Section 9. Officers

The officers of the Planning Commission shall consist of a Chair and Vice-Chair elected by the Commission at the annual meeting for a term of one year. The election procedure shall be by a vote of the simple majority. No member may serve more than two full consecutive terms as chairman.

Section 10. Duties of Officers

The duties and powers of the officers of the Planning Commission shall be as outlined herein. The Chair shall preside at all meetings, call special meetings in accordance with these by-laws, sign all documents of the Commission, see that all actions are properly taken, and to review all agendas prior to the meeting. In the absence, resignation, or disqualification of the Chair, the Vice Chair shall perform all the duties and be subject to all the responsibilities of the Chair. A designated City staff member shall serve as Secretary and keep a permanent record of the minutes of all meetings, serve notice of meetings as required by law or these by-laws, prepare the agenda for all meetings, be the custodian of all records, and handle funds allocated to the Commission.

Section 11. Representatives

The Planning Commission may select representatives to serve on other committees, task forces, or boards.

Section 12. Attendance

Each member of the Planning Commission who knows that they will not be able to attend a scheduled meeting of the commission shall notify the designated City staff member at the earliest possible opportunity and, in any event, before 4:30 p.m. on the day of the meeting. The City Planner shall notify the Chair and all members of the Commission if projected absences will produce a lack of quorum.

Commission member attendance is vital to Planning Commission business. As such, regular attendance by all members is necessary. Therefore, the commission is authorized to consider recommending the removal of a member to the City Council if:

- A commissioner fails to attend 1/6th of regularly scheduled meetings in a calendar year without providing prior notice to the Chair or City Planner, or
- A commissioner fails to attend 1/3rd of regularly scheduled meetings in a calendar year with or without providing prior notice to the Chair or City Planner.
- Any member consecutively missing 1/4th of the number of regularly scheduled meetings without prior discussion and agreement by a majority of the commission will be subject to review.

Section 13. Vacancies

Should any vacancy occur among the members of this Planning Commission by any reason, immediate notice thereof shall be given to the City Administrator by the City Planner. Should any vacancy occur among officers of the Commission, the vacant office shall be filled in accordance with Section 9 of these By-Laws, such officer to serve the unexpired term of the office in which such vacancy shall occur. If the office of Chair is vacated, the Vice-Chair shall become the Chair.

Section 14. City Code Recognized

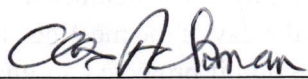
Chapter 20 of the Faribault Code of Ordinances establishing this Planning Commission is hereby recognized.

Section 15. Amending By-Laws

These By-Laws may be amended at any meeting of the Planning Commission provided that notice of said proposed amendment is given to each member in writing at least five days prior to said meeting.

These By-Laws shall take effect upon adoption and all prior rules and By-Laws are rescinded.

Adopted this 4 day of MARCH, 2024.



Chair



PLANNING COMMISSION MINUTES

COUNCIL CHAMBERS

TUESDAY, JANUARY 21, 2025

6:00 PM

Meeting Items

1. Call to Order/Approve Agenda

The regular meeting of the Planning Commission was called to order by Chair Chuck Ackman at 6:00 p.m. Commissioner's in attendance were Samantha Green, Barton Jackson, Ed Migilio, Michael Salt and Steve Wright. Also in attendance were Harry Davis, City Manager, Leslie McGillivray-Rivas, City Planner I, and Kari Casper, Administrative Assistant, II.

2. Approval of the Minutes of December 16, 2024.

A motion was made by Samantha Green, seconded by Barton Jackson to approve the meeting minutes of December 16, 2024 as presented. The motion passed unanimously.

3. Public Hearings

A. Resolution 2024-XXX Approve the Preliminary Plat for Eastman Disbursal Addition at 301 Central Ave

Mr. Davis began by stating that he anticipates receiving more information from the applicants regarding the Preliminary Plat for Eastman Disbursal Addition at 301 Central Avenue. He stated that the applicant waived the review period for his application. The Chair asked for a motion to continue this Public Hearing until the next scheduled Planning Commission meeting. A motion was made by Samantha Green, seconded by Ed Migilio to continue the Public Hearing. The motion passed unanimously.

4. Requests to be Heard

None.

5. Items for Discussion

None.

6. Routine Business

None.

7. Board & Commissions Updates & Reports

None.

8. Adjournment

A motion was made by Barton Jackson, seconded by Samantha Green to adjourn the meeting at 6:02 p.m. The motion passed unanimously.

By: _____
Kari Casper, Recording Secretary



REQUEST FOR PLANNING COMMISSION ACTION

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planning Manager
MEETING DATE: February 3, 2025
SUBJECT: Resolution 2024-XXX Approve the Preliminary Plat for Eastman Disbursal Addition at 301 Central Ave

Background:

Faribo Downtown Central LLC requests preliminary plat approval to split 301 Central Ave from one parcel into three parcels following common walls. Although this item was publicly noticed in the newspaper and letters sent to properties within 350-feet, the applicant needs additional time to submit documents required as a part of the plating process. This item will be brought to the next regularly scheduled meeting.

Recommendation:

Continue the public hearing and discussion on this item to the next scheduled Planning Commission meeting.

Attachments:



Planning Commission Work Session Memorandum

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planning Manager
MEETING DATE: February 3, 2025
SUBJECT: Planning Commission Operational Basics

Background:

This agenda item is to cover some of the basics regarding various aspects of Planning Commission operations. Please see the attached PowerPoint and ask questions of staff during the meeting presentation.

Attachments:

1. Planning Commission Basics



Planning Commission Operational Basics

PLANNING COMMISSION ANNUAL MEETING
FEBRUARY 3, 2024



Topics

- Introduction
- Open Meeting Law
 - Social Media
- Gift Law
- Conflicts of Interest
- Data Practices
- Meeting Procedures



Introduction

Planning Commission Role:

- Appointed by Council
- Advise/recommend direction to City Council
- Guidance to staff and other commissions/task forces
 - For example, a Comprehensive Plan update
- Assist in setting policy
- Ambassadors
 - Be careful of what you post online! Avoid “letters to the editor”!
 - Avoid the perception of favoritism and conflicts



Open Meeting Law

- What counts as a meeting:
 - **Quorum or more of members**, which members **receive or discuss information** on a matter **that is or will come before** the body
 - **Not necessary that action be taken** for it to be a meeting
 - Not chance or social gatherings (but can't be used as a cover to have a meeting)
 - Usually not seminars or conferences
 - Any meetings must be open to the public, with public access to agenda materials
- General Rules:
 - Avoid discussions with each other outside of a public meeting
 - Direct questions/comments to staff



Open Meeting Law

Email and Social Media

- Email and social media discussion can violate OML where quorum is involved and topic is city business
- Email responses, Google forms, Google docs, OneDrive, Dropbox—all count
- It is city policy to NOT discuss development matters on social media
- Consider if purpose of communication is to evade public discussion on the issue



Open Meeting Laws

Questions?



Gift Law

- Prohibits local officials from accepting gifts from “interested persons” (Persons having a financial interest in a decision, but does not need to be financial)
- Contact staff if this happens
- Exceptions
 - Services of insignificant monetary value
 - Plaques or mementos recognizing work
 - Trinket or memento costing \$5 or less (“cup of coffee”)
 - Informational material of unexceptional value



Conflicts of Interest

- Do not participate in matters in which you have a personal financial interest
 - Could include:
 - Property ownership
 - Bias
 - Zoning (development entitlement)
 - Contractual and non-contractual conflicts
- Notify staff of possible conflict (whether it meets the definition or may be a “perceived” conflict of interest)
- What to do:
 - Disclose interest as early as possible (orally and in writing)
 - Do not attempt to influence others
 - Do not participate in any discussions (leave the room when PC is discussing project)



Gifts and Conflicts of Interest

Questions?



Data Practices

- Applies to all data (written or electronic information) maintained by City, including data in possession of Commissions
 - Staff reports, agendas, emails, phone calls/voicemails, **notes written down before/during/after meeting**, etc
- Government Data on Personal Devices
 - Subject to data request
 - Where data is stored does not matter
- Any data requests—direct to staff



Meeting Procedures

(Simplified) Robert's Rules of Order

- Guiding Principles:

- The Chair should remain largely impartial and facilitate the meeting.
- Everyone has the right to participate in discussion if they wish, before anyone may speak a second time.
- When the Chair has acknowledged someone to speak, they are the only person allowed to speak. Only urgent matters may interrupt a speaker.
- A motion must be worded “I move to ...” and be seconded and acknowledged by the Chair to move to discussion.
- Only one motion can be discussed at a time. A motion may be amended.
- Voting on a motion may be done by voice vote, hands, or a ballot.



Data and Meeting Procedures

Questions?





Planning Commission Work Session Memorandum

TO: Planning Commission
THROUGH: David Wanberg, CED Director
FROM: Harry Davis, City Planning Manager
MEETING DATE: February 3, 2025
SUBJECT: 2025 Work Plan

Background:

At previous meetings, the Planning Commission and staff discussed having a series of educational sessions surrounding the Unified Development Ordinance (UDO) that established all planning- and development-related processes and requirements. This "UDO Boot Camp" is expected to take most of the year and will give the Planning Commission an understanding of the UDO and provide commissioners opportunities to ask questions about various aspects of the UDO.

Attachments: