

PLANNING COMMISSION WORKSHOP

MAY 27, 2014

**UPPER CONFERENCE ROOM
SHOREVIEW CITY HALL**

(Before the regular meeting - 6:00 pm)

Agenda

- 1. Review of Meeting Process**
- 2. Planning Commissioner Comments on Agenda Items**
- 3. Appointment of Planning Commission Chair – Vice Chair**
- 4. Adjournment**

TO: Planning Commission
FROM: Kathleen Castle, City Planner
DATE: May 21, 2014
RE: Planning Commission Workshop

A Planning Commission Workshop is scheduled on May 27th *before* the regular Planning Commission Meeting to review items pertinent to the Commission. Two of the items scheduled for discussion include the following:

Commissioner Comments – Agenda Items

Commission members have inquired about the appropriate method to provide comments regarding planning commission cases that are on the regular agenda for discussion and action. While Commission members can contact City Staff and discuss the outside of the public meeting, there is some concern regarding the extent of discussion and submittal of comments. This also relates to Commissioner's discussing agenda items with other Commissioners outside of the public meeting.

The intent of the hearing process is to ensure that due process takes place and applicants and others who have interest in an application are heard. While discussion can take place outside of this process, said discussion should be limited to gathering additional information, seeking clarification to better understand a request. When four or more Commission members discuss an agenda item, it is may be considered a violation of the open meeting law.

As such, when comments are submitted by commissioners outside of this process, there is concern that the integrity of the public meeting process is compromised. This also applies to the submittal of comments regarding agenda items by Commissioners who are not in attendance. Attached is an email from the City Attorney addressing this issue.

Appointment of Planning Commission Chair/Vice Chair

The City Council is currently in the process of amending the City's policy regarding the appointment of the Planning Commission Chair and Vice Chair. The current policy states that the Planning Commission votes annually to recommend a Chair to the City Council. The City Council then appoints the Chair. In the past, the Commission has made recommendations for Chair and Vice Chair to the City Council with the Council making the formal appointments. The Council has decided to leave the appointment of Vice Chair up to the Commission. Regarding the Chair, Commission members interested in serving as Chair will be required to formally apply for the position. The Council would then make a selection based on the applications and appoint the Chair.



(no subject)

Patrick J. Kelly <pkelly@kellyandlemmons.com>

Wed, Mar 26, 2014 at 4:13 PM

To: Kathleen Castle <kcastle@shoreviewmn.gov>

Cc: jfilla@kellyandlemmons.com, Jessica Forstner <jforstner@kellyandlemmons.com>

Kathleen, just some thoughts on commission members writing comments and not being present at the meeting. The purpose of the meeting is to have discussion in the public setting which supports transparency of the process. It also places other commissioners in an interesting position of not having the ability to inquire as to the authors thought process or rationale. The written comments when submitted become part of the public record and thus could result problems with the commission's recommendations that evolved from additional staff comments, citizen comments and commission discussion. I would suggest at the next workshop that this issue be addressed and understanding that it is necessary to have the commission member present and written comments are not advised due to possibly confusing the record or even worse information submitted although with good intentions maybe problematic for reaching an end result. Also the aspect of presenting opinion and not voting on the final motion may result in placing the city in a negative position in the event of litigation. Just a thought.

Patrick J. Kelly

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POLICIES AND PROCEDURES GOVERNING CITY ADVISORY COMMITTEES AND COMMISSIONS

Terms

After a committee or commission member serves three consecutive terms, he or she shall become an applicant for every term reappointment thereafter.

All committees and commission shall have formal terms for its members of three years in length.

Chair Rotation

Terms for the position of chair expire on January 31 of each year.

The City Council strongly encourages committees and commissions to rotate the chair and suggests that no member shall serve as chair for more than three consecutive one-year terms.

All members or a committee or commission are eligible to serve as chair.

Each committee and commission will select a chair. This selection is done by a formal annual vote of the committee or commission. The Planning Commission will forward its recommendation for a chair to the City Council. The City Council shall appoint the Planning Commission chair, as required by City Code.

The selection of chair shall be held at the first committee or commission meeting following the City Council's reappointments to the committees and commissions.

Responsibilities

All advisory committees and commissions shall have a formally adopted mission statement.