



**MINUTES
CITY COUNCIL WORK SESSION
May 7, 2019**

CALL TO ORDER

The meeting was called to order at 5:30 pm.

Present: Mayor: Charlie Miner; Council: Tom Skjaret, Jahn Dyvik, Michelle Jerde, and Deirdre Kvale

Staff Present: City Administrator: Scott Weske; City Attorney: John Thames; Public Works Director: Sean Diercks; and City Clerk: Jeanette Moeller

Absent: None

PLEDGE OF ALLEGIANCE

APPROVE AGENDA

A motion was made by Skjaret, seconded by Dyvik, to approve the agenda as presented. Ayes: all.

OPEN CORRESPONDENCE

No one was in attendance to address the City Council during Open Correspondence.

BUSINESS ITEMS

Discussion of Land Use Application Review Procedures – Preparing for Applications and Development Season

In anticipation of a busy development season potentially coming forward, City Attorney Thames presented a memorandum he had prepared to address general issues that can arise in review of land use applications, and to foster discussion of pitfalls to avoid and areas to be cognizant of pertaining to land use application review.

Thames discussed best practices and responded to Council member questions regarding:

- The role of the Planning Commission versus the City Council in review of land use applications;
- Types of land use applications that have specific voting requirements for action - including as conditional use permits or variances – and why some applications require a super-majority to be actioned upon;
- Public hearings at Planning Commission versus procedures for accepting public comment during Open Correspondence at Council meetings, recognizing that developer or applicant comment differs from public comment in that it would be considered part of the presentation of their application;
- Encouraging the public to utilize the available public hearing process at the Planning Commission level to share their comments, questions or concerns when possible, and welcoming public comment at City Council meetings to take place during the Open Correspondence period available for that purpose;
- The Mayor as presiding officer has authority to recognize someone in the audience outside of Open Correspondence for the purpose of addressing a specific question being asked by the Council;

- Communication with developers, being careful not to state rigid or pre-determined opinions prior to formal consideration of their application thereby avoiding any perceived bias, and emphasizing that any member's communication is as an individual and should not be taken as expressing the views of the body of the Council;
- Recognizing that elected officials have the difficult task of equitably applying codes and standards to cases and applications versus responding to how a certain group may object to or feel negatively impacted by an application; and
- Maintaining a focus on preserving a legally defensible position and record in Council communication and action.

Council members expressed appreciation to the City Attorney for his timely presentation.

OTHER BUSINESS

Establishing 30 MPH Speed Limit Zone – Council member Skjaret, as a follow up to an email he had received regarding the County's lack of recognition for the City's action establishing a section of County Road 112 as a 30 mph speed limit zone, questioned whether the City should consider engaging the City Attorney to review the statute and City's authority to do so in preparation for further discussion of the matter. Mayor Miner encouraged the City Attorney's review and participation. Staff and Council discussed how a speed study could impact the City's request for a reduced speed limit within the corridor.

ADJOURN

Hearing no objection, Mayor Miner adjourned the meeting by general consent at 6:29 pm.

Respectfully submitted,

Scott Weske
City Administrator