

ADMINISTRATION DEPARTMENT MEMO

To: Government Affairs Committee

From: City Administrator Jim Archambo and City Clerk Steve Braatz

Meeting Date: 28 May 2024

Subject: Discussion of the Common Council Calendar and Consistency of Processes

A. Issues

Staff have observed at least three intersecting opportunities for efficiency and transparency in the functioning of the Common Council meeting cycles. First, the Common Council meetings, are generally short to a point of begging the question as to whether two are necessary each month. Second, our processes, particularly as it relates to zoning issues (informed in part by state law) engender confusion even accusations in the public; as those processes are not consistent; one item to another. Third, there are many, probably most, issues where a 'second reading' before the full council, including for ordinances, rarely benefits or is determinative of the ultimate conclusion. Differently stated, on this third point, in that the Council can always 'hold-over' or redirect an issue of greater interest, why unnecessarily delay those that do not. Based on these three issues, we ask that the committee consider modification to several ordinances, locally prescribed only, in order to improve upon these issues.

Included in this legislative file is a proposed modification to the Common Council Calendar for the end of 2024; beginning after the August break through the end of the year. We have also included a mock up of what this would look like over the course of the whole of 2025. The calendar while simple to display with one Council meeting per month, assists much in communicating the process modifications suggested.

B. Background/Options

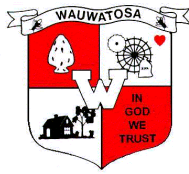
Common Council meetings are reserved for deliberation of the members of the elected body by and among themselves of those items recommended by its' committees. The committees (standing and statutory) are generally the intake body of both public comment and staff reports. This becomes unclear when, for instance many Public Hearings are in front of the Plan Commission yet a select few in front of the Common Council.

Following is a Summary of Current versus proposed Changes:

1. Board of Public Works

A. Current

Under the current structure, Board of Public Works meets at 8:30 AM the Monday before Common Council. If there are items that need Common Council approval, the



ADMINISTRATION DEPARTMENT MEMO

legislative files are finalized that afternoon, and a Common Council packet is updated with the legislative file information.

B. Proposed

Under the proposal, Board of Public Works would meet at 8:30 AM the Monday before the 2nd Tuesday. This proposal allows more time for staff to prepare legislative files for placement onto the Common Council meeting. This also allows ample time for review of the legislative files by the Alderperson and the public, as it will be finalized the Friday before the Common Council meeting along with all other Council items.

2. Plan Commission

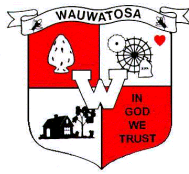
A. Current

Under the current structure, the Plan Commission meets at 6:00 PM on the Monday before the second Tuesday of each month.

Public hearings for Conditional Use Permits (CUP) are held at Plan Commission. The City's official newspaper publishes on Wednesdays. With Class II public notices, the last insertion must be at least 7 days prior to the public hearing, meaning the last insertion, under the current structure, is published in the paper 12 days in advance of the meeting.

Public hearings for rezonings and Zoning Code text amendments are scheduled by Plan Commission and held at Common Council. Under the current structure, public hearings are typically around 5-6 weeks after Plan Commission review. First notification to the public is when it appears on the Plan Commission agenda. These items are also reviewed by Community Affairs Committee. The ordinances are introduced at Council the same night as the public hearing, sent to Committee for review, and back to Council for approval. Final approval occurs 7-8 weeks after Plan Commission review.

Public hearings for Planned Unit Developments (PUD) are scheduled by Plan Commission and held at Common Council. Under the current structure, public hearings are typically around 5-6 weeks after Plan Commission review. First notification to the public is when it appears on the Plan Commission agenda. These are also reviewed by Community Affairs Committee. The public hearing is held, the



ADMINISTRATION DEPARTMENT MEMO

matter is sent to Committee for review, and back to Council for approval. Final approval occurs 7-8 weeks after Plan Commission review.

In summary under the current proposal, approvals for rezonings, Zoning Code text amendments, and Planned Unit Developments (PUD) typically take 7-8 weeks for approvals after first appearing at the Plan Commission and appear on four separate meeting agendas. The process is as follows:

- 1) Plan Commission review
- 2) Public Notice
- 3) Common Council public hearing
- 4) Committee review
- 5) Common Council approval

B. Proposed

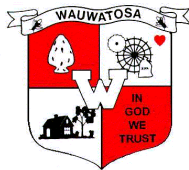
Under this proposal, Plan Commission would move to 6:00 PM the first Thursday of each month. The last insertion for any public hearing notice would be published in the paper 8 days in advance of the meeting. Public hearings for rezonings, Zoning Code text amendments, and Planned Unit Developments (PUD) would be shifted to Plan Commission. Ordinances and resolutions for these matters would continue to be reviewed by Community Affairs Committee for recommendation to Common Council. The proposed process would take 2.5-3.5 weeks for approvals and appear on three separate and orderly meeting agendas. The process would be as follows:

- 1) Public Notice
- 2) Plan Commission public hearing and review
- 3) Committee review
- 4) Common Council approval

3. Council Committees

A. Current

Under the current structure, Government Affairs Committee (GAC) and Transportation Affairs Committee (TAC) meet concurrently at 6:30 PM on the first and third Tuesday of each month. Community Affairs Committee (CAC) and Financial Affairs Committee (FAC) meet concurrently at 7:30 PM on the first and third Tuesday of each month. During elections, we often move Committee nights to



ADMINISTRATION DEPARTMENT MEMO

Wednesdays, which can interfere with the Municipal Court schedule, or cancel meetings altogether.

B. Proposed

Under this proposal, CAC and FAC would meet concurrently at 6:30 PM on the first Tuesday of each month and 7:30 PM on the third Tuesday of each month. GAC and TAC would meet concurrently at 6:30 PM on the third Tuesday of each month. This allows for ample discussion for large items that tend to appear before CAC and FAC. This also creates an “off week” in between Committee nights, which can be used to switch Committee nights around holidays and elections. Furthermore, the “off weeks” also allow for additional FAC meetings during the budget review each fall. Finally, this proposal keeps meetings on a Tuesday schedule with no further need to move meetings to Wednesdays during elections, which will help with the Municipal Court schedule.

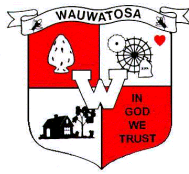
4. Common Council/Committee of the Whole

A. Current

Under the current structure, Common Council meets at 7:30 PM on the first and third Tuesday of each month. This creates 20-22 meetings per year, factoring in the August recess. Committee of the Whole (COW) meetings occur at 6:30 PM, on an as needed basis. When there are no COW meetings, Common Council still meets at 7:30 PM. Typical Council (sans public hearings) meetings last a half hour or less. COW is restricted to one hour, but there have been numerous times where COW meetings went longer, delaying Council meetings. During elections, we often move Council nights to Wednesdays, which can interfere with the Municipal Court schedule, or cancel meetings altogether.

B. Proposed

Under this proposal, Common Council meetings will be at 6:30 PM on the fourth Tuesday of each month. COW meetings, when needed, will occur after the Common Council meeting. This allows an earlier start time for Council meetings, as well as more flexible time for COW meetings. This creates 11 meetings per year, factoring in the August recess, for perhaps still one-hour duration. Finally, this proposal keeps meetings on a Tuesday schedule with no further need to move meetings to Wednesdays during elections, which will help with the Municipal Court schedule.



ADMINISTRATION DEPARTMENT MEMO

C. Strategic Plan (Area of Focus)

This proposal aligns with several aspects of the Vision, Mission, and Organizational Values of the strategic plan including, but not limited to, Service excellence and Transparency. In the nature of what is proposed numerous other strategic plan priorities are aided in facilitation.

D. Fiscal Impact

It is difficult to estimate a directed cost-benefit of this proposal beyond, relatively small, cost savings or reallocations of direct staff involvement at what are currently more hours and evenings of meetings. The fiscal impact is not the principal goal of this proposal. It is to operate in a more transparent and efficient manner to the benefit of the public.

E. Recommendation

1. Modify the code of ordinances at 2.02.070 and 2.02.120 to allow meeting dates and times of the Common Council and Standing Committees of the Common Council to be set by resolution adopting the "Common Council Calendar".
2. Modify the code of ordinances at 2.02.100 to allow ordinances and other actions of the Common Council to be adopted at a first reading in front of the full council. They will still be required to come through a committee or some other body before coming to the council itself, but would not be required to go through a second full cycle. The body always has the ability to 'hold-over' those items it deems appropriate for additional consideration and to refer such item to an appropriate committee.
3. Modify the code at sec. 2.02.050 and add sec. 2.02.055 to create a "consent agenda". This will be used in place of the current practice of "moving items x through y with a single vote". Non-controversial items will be listed on the consent agenda in advance of the meeting, and any member can ask for a separate vote on any item, before or during the council meeting, as is the current practice.
4. Modify Sec. 2.24.030 of the code to allow all plan commission items to go directly to council, instead of automatically going to the Community Affairs Committee. This will make these items consistent in timing and process.
5. Modify provisions in Chapter 24 of the code to allow public hearings for zoning map amendments, text amendments, and Planned Unit Development Plans, to be held at the Plan Commission instead of before the full council. This will be consistent with current practice for Conditional Use approvals, and reduce the number of times members of the public need to attend meetings to express their views on items during the approval process.