



MINUTES
PLANNING COMMISSION MEETING
1300 NE Village Street
Fairview, OR 97024
Tuesday, June 22, 2010

PRESENT: Keith Kudrna, Vice Chair
Jack McGiffin
Gary Stonewall
Steve Kaufman
Ed Jones, Chair
Jan Shearer
Julius Arceo

STAFF: John Gessner, Community Development Director
Lindsey Nesbitt, Senior Planner
Erika Rence, Assistant Planner

1. CALL TO ORDER

Chair Jones called the meeting to order at 6:30pm.

2. CITIZENS WISHING TO SPEAK ON NON-AGENDA ITEMS

Chair Jones called for any person wishing to speak on a non-agenda item. As there was none; moved to work session items.

3. WORK SESSION

Public Hearing Conduct

Director Gessner presented the following information.

- Issues that could result in poor meeting quality: irrelevant, argumentative, or repetitive testimony; poor preparation by staff, public interests or commissioners; last minute information; weak presentations; and people talking at the same time.
- Role of Chair: conduct meeting, keep order, ensure fairness, facilitate decision making, and other roles or duties as assigned by the Commission.
- Meeting tips: have and enforce ground rules, manage time, keep order (refer to Robert's Rules), manage testimony (relevant, direct and non-repetitive), agree to role of Chair and meeting conduct rules, and support Chair in upholding rules.
- Deliberation tips: restate criteria or issue, identify or discuss how testimony addressed criteria or issue, separate decision points from policy (keep policy issue debates separate from review of application standards), explain your vote, and acknowledge public involvement.

Director Gessner requested Commission feedback for what they want or expect from meetings and public participation, want or expect from each other, and want or expect from Staff. Commissioner Stonewall commented Commissioners were professional and respectful of one another and Staff reports and presentations were excellent. Would like public participation encouraged, but balanced with meeting conduct that allowed for relevant and germane testimony only. Vice Chair Kudrna agreed.

Commissioner Kaufman requested suggestions on how to avoid repetitive testimony. Staff responded one option to deter repetitive testimony was to begin public hearings with a brief explanation of the public testimony process and clearly state repetitive testimony would not be allowed and enforce it. Commissioner Shearer commented sometimes what began as repetitive testimony actually ends providing new and additional information. Chair Jones expressed concern for limiting testimony and the perception of censoring testimony. Most often the individuals who attend the meeting want their right to be heard. Commission agreed for long public hearings repetitive or irrelevant testimony could undermine or devalue the public hearing process and should be managed.

Director Gessner inquired if the Commission was interested in establishing and adopting meeting bylaws which could include enforceable guidelines for public participation. Staff clarified the Commission currently had no bylaws. Chair Jones recommended getting City Attorney input regarding management of commission discussion and transitioning into motions. The Commission directed Staff to research options for meeting management strategies and bylaw examples for presentation and discussion at a future work session.

4. COMMISSION DISCUSSION

Vice Chair Kudrna moved to add discussion item results of City Council sign code adoption to the agenda, Commissioner Kaufman seconded. Chair Jones requested a vote. All ayes, with 1 opposed. By majority vote Chair Jones declared the item added to the agenda and open for discussion.

Vice Chair Kudrna commented on sign height recommended by the Fairview Business Association and approval for adoption by City Council. He stated he had researched some of the examples provided during public testimony by the business associations justifying their request for increased sign height were not accurate. Vice Chair Kudrna expressed his opinion that Council's decision gave a small group of business owners what they wanted at the sacrifice of the greater city. Commissioner Stonewall concurred with Vice Chair Kudrna and stated he also attended the meeting and was not convinced by the information presented. His impression was the decisions had already been predetermined. Commissioner Stonewall acknowledged the Commission was an advisory committee to the Council and Council was the decision making body.

Vice Chair Kudrna commented there was little to no discussion prior to the motion. Commissioner Kaufman expressed concern for increasing sign height to 45 feet, from 25 feet, and inquired if the Commission had authority to request Council reconsider recommendation for increasing sign height. Staff responded, per consult with the City Attorney, there were no legal issues preventing the Commission from communicating their concerns and reasoning against adopting the increased sign height. It would be within the Commission's proper role and discretion to submit a letter, as a group or individually, to Council requesting they reconsider their decision prior to final vote of the ordinance.

Vice Chair Kudrna moved for the Commission compose a letter to Council addressing their concerns for increased sign height (item #2). Commissioner Kaufman requested clarification from Staff that the motion was appropriate and within the role of Commission, Staff responded yes, Commissioner Kaufman seconded the motion. Commissioner Shearer inquired who would write the letter and commented it would be inappropriate for the Commission to do so, if a letter was written it should come from the Planning Director. Commissioner Kaufman withdrew his second and Vice Chair Kudrna withdrew his motion.

Vice Chair Kudrna moved for the Commission to direct the Planning Director to compose a letter to the Council addressing Commission concerns regarding sign height; Commissioner Kaufman seconded; Chair Jones called for a vote.

Ayes: 4
Noes: 3
Abstained: 0

Motion was approved.

Chair Jones inquired if there were any new items to discuss. Commissioner Stonewall requested clarification on width for a recently approved dock permit. Chair Jones requested Commission approval to add the item to the agenda for discussion; all approved. Assistant Planner Rence stated the maximum width of dock allowed was 20% width of the buffer; length was not regulated. The pathways length extending to the dock was not included in the methodology of the 20% of the buffer. Staff commented regulating the length of docks was on the list to be discussed as part of the code improvement project.

5. STAFF UPDATE

Senior Planner Nesbitt inquired if the Commissioners would be available for a natural resource tour on July 24, 2010. Commission requested Staff schedule the tour through email.

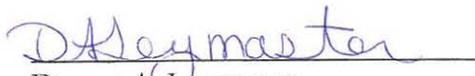
6. TENTATIVE AGENDA – July 13, 2010

- a) Public Hearing: 13-2010-CPA Road Priorities
- b) Work Session: Title 13

7. ADJOURNMENT

Meeting adjourned by consensus at 7:40pm.

Ed Jones, Chair



Devree A. Leymaster
Administrative Program Coordinator
Community Development Dept.



Date: 10/26/10