

# City of Bayfield Plan Commission

Minutes of April 12, 2023 – 5:00 p.m.

---

---

## **Call to Order-Roll Call:**

Mayor Ringberg called the meeting to order at 5:00 p.m. followed by roll call.

**Present:** Beagan, Carrier, Cragoe, Hedman, Johnston, and Mayor Ringberg

**Absent:** Johnson

**Others:** Tim Schwecke, Civitek; Kelsey Lundberg, Councilor Elect Bland, Jenna Galegher, Annalisa Bermel, PWD Kovachevich, and Clerk Hoopman

**Approve Agenda:** Hedman/Johnston made a motion to approve the agenda as presented. Carried.

**Review/Approve Minutes of March 29, 2023:** Hedman/Johnston made a motion to approve the March 29, 2023, with the following corrections:

- Agenda Item#1 – 7<sup>th</sup> Bullet: Remove “plan/mall” to “specifications (font, color, material, etc.)”
- Agenda Item#2, Last note: Change 7.01 to 7.03.

Carried, all ayes.

## **Public Input on Agenda Items:**

Jenna Galegher inquired about the timing needed to review a new Conditional Use Permit Application. Unfortunately, there is not enough time to publish the required notices prior to the Commission’s next meeting.

Kelsey Lundberg provided a written letter and verbally communicated she would like her zoning classification to remain commercial.

## **Agenda Item(s): City of Bayfield Zoning Code Rewrite - Memo #8 from Tim Schwecke, Civitek**

510.05 B. (3) This clause seems misleading and implies a right to solar access (cutting down trees, etc.). Schwecke noted it reflects State Statutes.

510.12 Additional local regulations: Hedman requested the Vibration Section be included.

510.18 Copyright protection. We are allowed to continue using e-code without any issue.

510.122 General Duties. Hoopman requested “Review Building Applications” to be added. No action was taken since Section C. notes the HPC will act on requests for Certification of appropriateness.

## **Administrative Bodies:**

- In all sections it notes City Employees could not serve. This isn’t in the current code and was debated. It’s not in Washburn’s Code (written by Civitek). Hoopman advocated for employees to be able to participate if they are qualified and could possibly service the City well. Commissioners shouldn’t disqualify someone because they are simply employees, and noted it could be the Librarian, the Utility Operator, a Police Officer, Fire Department member, etc.

Schwecke provided an example about a married couple and noted how a lawsuit could transpire. Hoopman again argued in a small town, nearly every member of the board could have the appearance of a conflict, and the the same type of argument could be made. Commissioners discussed an acting member and noted their exemplary contributions to the board, but that didn't alleviate all members concerns. The consensus was to take it out of the Plan Commission and Historic Preservation Commission, but to leave it under the Zoning Board of Appeals composition.

- Next, the Commission debated whether the Mayor should serve as the Plan Commission Chair. This is in our current code. Carrier liked the flexibility of the new language. After further discussions/debate it was agreed to remove the new language and keep the Mayor as Chairman.

510.104 The Robert's Rules of order section would be removed here and in all other areas of the draft (510.125, 510.155).

510.106 Voting and Quorum. B is acceptable as written.

510.107 Compensation. This section would be removed here and in all other areas of the draft (510.128, 510.160).

Historic Preservation Commission. It was noted this Commission will take the place of the Architectural Review Board.

- A. The HPC has the power to recommend designation.... To whom?
- B. The HPC has the power to designate historic structure and site... Will there be any other review required by another body?
- E. Funding. Why is it listed here and not under other sections? Consider removing and adding a clause like this to the code that addresses all bodies of the government.

510.123 HPC Composition and Appointment of Members - A and C. Discussion ensued on the compositions of the Commission. Consensus is to leave the description the same as in current code. Clean up the language to specify how many elected officials must serve, vs. citizen members. The language of "have a demonstrated interest in Historic Preservation" was appreciated. Historic Preservation is supported in the 2019-2029 Comprehensive Plan.

510.156 Zoning Board of Appeals Recording Secretary. Hoopman requested language be added to note the dual roles she serves as Clerk and ZA, so it's understood she likely would be participating in the deliberations as Zoning Administrator.

Article 4 – General Procedural Requirements

Hedman asked if Schwecke might be able to provide some templates for the Boards/Commissions to use for preliminary staff review, and Commission and Board Review/Approval.

510.209

Please add language ,as noted by Schwecke, that allows the City to charge a fee that if not paid can be added to the Tax Roll. The idea is not to have to bill, re-bill, and then try to collect.

510.218

Schwecke was asked about the terms, building permit, zoning permit, etc. A building permit is not listed under the administrative categories, so who reviews and issues?

- We don't currently have a building inspector. Schwecke mentioned permit fees could possibly help pay for a building inspector. It was noted Washburn can no longer afford a building inspector. Hoopman told the Commission their Clerk/ZA does the same job as she does and makes \$25,000 more.
- At present, the ARB concurrently reviews an application that seems to align with a zoning permit, building permit and Certificate of Appropriateness.
- The ARB reviews all projects for site and aesthetic development.
- The City defaults to the State's approved contractor for UDC Inspections for new residential construction, and the State for Commercial Code Development. We request a copy of their state approved plans.
- Jenna Galegher mentioned the possibility of the Fire Department helping with code compliance.
- Hoopman cautioned about using the term Building Inspector in the new code if we aren't going to have one and to be careful to not insinuate, we will be reviewing projects with any technical expertise regarding electrical, plumbing, and other state code requirements.

510.232 & 510.236 The language "Public Hearing" will be added" to signify the difference between agendas and public hearing notices, as both are types of public notices.

510.233. Property Owner Notice. Please specify what type of permit would require this type of notification.

510.234. Distribution List Notice. Hoopman noted it's State Law and we are aware, but why does it need to be called out in our code? Schwecke noted it reflects State Statutes.

510.271. Site Visit - Open Meeting Requirements: Certain locations make ADA accessibility difficult.

Division 5 – Financial Guarantees.

- This is not the same as Professional Fees.
- When would this be required and how much? Would it be applied equally?
- Are the Attorney Fees in A, able to be covered with the guarantee? Yes.

Other: Chapter 500-42: Waste Disposal and Refuse is missing. Hedman requested it be included.

## **2. Confirm/Set Next Meeting(s):**

- April 25, 2023, 5 p.m. - Schwecke noted he plans to provide new drafts of Appendix A and B
- May 10, 2023, 5 p.m. – Combined Wayfinding and Zoning Code Meeting

**Adjourn:** Johnston/Carrier moved to adjourn. Carried. 7:26 p.m.

Minutes by Billie L. Hoopman, Clerk/ZA