

**MINUTES OF MEETING
SOUTH ST. PAUL PLANNING COMMISSION
WEDNESDAY MARCH 5, 2025**

MEETING CALLED TO ORDER BY ACTING CHAIR FOURNIER AT 7:00 P.M

1) Role Call

Present: Tyler Fehrman
Geoff Fournier
James Hart
Tracy Haye
Andrew Hoffman
Brianna Miller
Michael Healy, Planning Manager
Ryan Garcia, City Administrator and EDA Executive Director

Absent: Tim Felton

- 2) APPROVAL OF AGENDA – Mr. Healy noted that two items from the original agenda were removed at the direction of the City Attorney. Mr. Healy had reached out to the City Attorney regarding the procedure if a Planning Commissioner is unable to attend the March meeting when officer elections are held. Mr. Healy wanted to know if that commissioner could still accept an officer nomination and if they had the ability to cast a proxy vote in the officer election. The City Attorney had reviewed the Rules of Order and directed staff to remove the Rules of Order and Elections of Officers from the March agenda because these items had structural issues that needed to be addressed and the Rules of Order appear to have an election procedure that may violate open meeting laws because it involves a secret ballot. The items were listed on the version of the agenda that was published the previous week. An updated agenda was presented to the Planning Commission at the beginning of the meeting. Mr. Healy explained that the March meeting agenda did not have any action items, only discussion items, so there was no obvious reason not to postpone the adoption of the Rules of Order and Elections of Officers until the April meeting as the City Attorney had advised.

Commissioner Fehrman made a motion to reject the amended agenda and made a motion to add the Rules of Order and Election of Officers back to the agenda. Commissioner Fehrman shared that he would like the Planning Commission to adopt Rules of Order and encourage the commissioners to amend the rules of order or suspend the rules of order to allow the election of officers with a voice vote as opposed to a secret ballot method.

Commissioner Hart encouraged Commissioner Fehrman to provide additional context to viewers at home as to why he was encouraging the Planning Commission to move forward with adopting Rules of Order and to hold Officer Elections against the advice of the City Attorney. Commissioner Fehrman stated that the Rules of Order state that new rules need to be adopted each March. Commissioner Fehrman added that last year the Planning Commission had voted to suspend the provision in the bylaws that requires officer elections to be held by secret ballot in favor of holding the election by voice vote to adhere to Open Meeting law.

Commissioner Miller asked if a quorum needed to be present to hold officer elections. Mr. Healy stated that the Planning Commission would first need to adopt a meeting agenda before they could hold officer elections. The Planning Commission would then need to adopt the Rules of Order which governs the

operation of the group, including how officer elections are conducted. If Rules of Order are adopted, the Planning Commission could then hold officer elections.

Motion to reject the agenda as presented. - Fehrman/Miller (5-1) (Fournier)

Motion to approve an amended agenda with the Rules of Order and Officer Elections added to the agenda- Hart/Fehrman (6-0)

2) APPROVAL OF MINUTES – February 5, 2025 –Motion to approve as presented– Hoffman/ Haye (6-0).

3) NEW BUSINESS

A. Planning Commission Rules of Order

Acting Chair Fournier asked staff to provide background on the Planning Commission Rules of Order. Mr. Healy stated that the Commission has adopted a set of Rules of Order annually with the current set of rules dating back to around 2011. Most cities have Rules of Order for the Planning Commission in their City Code as opposed to having the group adopt Rules of Order annually. Mr. Healy shared that the City Attorney will likely direct staff to pursue adding modified Rules of Order to the City Code. Mr. Healy stated that the consensus from the Planning Commission seemed to be to adopt the 2024 Rules of Order again for 2025 rather than follow the City Attorney's guidance. The item would need a motion and second to move forward.

Commissioner Fehrman asked if he could make a motion to adopt the 2024 Rules of Order with an amendment to remove the "secret ballot" provision from Section 2.3 Election of Officers and replace it with "roll call vote". Mr. Healy stated that he would record the motion if it went forward that way and he would review in the future with the City Attorney. Commissioner Hart seconded Commissioner Fehrman's motion.

Acting Chair Fournier asked if the City Attorney redrafted the Rules of Order for the April meeting with changes to sections other than the election procedure, could the Planning Commission adopt the rules at that time? Mr. Healy stated the Rules of Order allow the rules to be amended with a supermajority vote. If there are 6 Planning Commissioners that are willing to adopt revised rules of order, they could move forward at that time.

Commissioner Haye asked how long the "secret ballot" election procedure had been in place. Commissioner Fehrman replied that he thought it had been in the Rules of Order for a while but noted that in 2024 the Planning Commission had voted to suspend this rule in favor of electing a Chair and Vice Chair by voice vote.

Motion to adopt the 2024 Rules of Order in 2025 with an amendment to Section 2.3 Election of Officers to allow officer elections to take place by voice vote. – Fehrman/ Hart (6-0).

B. Planning Commission Officer Elections

Mr. Healy stated that the Rules of Order call for the Planning Commission to elect a Chair and Vice Chair annually by secret ballot. In recent years, the commissioners had voted to suspend this rule and elect officers by voice vote. Past Planning Commission Chairs have used Robert's Rules of Order procedures for nominating a Chair and Vice Chair. The Rules of Order which are adopted by the Planning Commission annually do not list out a formal nomination process. In the past, members have voiced their interest in being the Chair or Vice Chair to the group and then nominations have been made from there. Mr. Healy stated to the group that Chair

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Felton, who had been Chair in 2023 and 2024 had voiced his interest in continuing to serve as either Chair or Vice Chair. Mr. Healy stated that he would let the Planning Commission proceed with the vote how they desired.

Acting Chair Fournier asked if there were any nominations for the role of Chair. Commissioner Miller nominated Commissioner Fehrman as Chair. Commissioner Fehrman accepted the nomination.

Acting Chair Fournier nominated Chair Felton to again be the Chair. Mr. Healy stated that Chair Felton informed him ahead of time that he would accept the nomination.

Commissioner Haye asked if she could abstain from voting for a Chair as she had no experience working with either nominee. Commissioner Fehrman advised that Robert's Rules of Order allow abstentions. Mr. Healy confirmed Commissioner Fehrman's statement was correct.

Commissioner Haye asked if a nominee could vote for themselves. Commissioner Haye shared her concerns about fairness in this situation as Chair Felton was not present and would not be able to vote for himself. Mr. Healy commented that the Planning Commission had decided to move forward with the election despite its current Chair not being present. Per the City Attorney, voting by proxy is not allowed so Chair Felton would be unable to vote as he was not present. Mr. Healy stated that he would read the roll for the nominations in the order that they were made. He would read the roll for a voice vote on Commissioner Fehrman's nomination first and he would read the roll for Commissioner Felton's nomination next if the first vote was not successful.

Motion to appoint Commissioner Fehrman as the Planning Commission Chair for 2025 –Miller/ Fehrman (5-0-1) (Haye).

Chair Fehrman thanked the Commissioners for the nomination.

Chair Fehrman asked if there were any nominations for the role of Vice Chair. Commissioner Hofmann nominated Commissioner Miller. Commissioner Miller accepted the nomination.

Commissioner Fournier nominated Commissioner Felton.

No additional nominations were made.

Motion to appoint Commissioner Miller as the Planning Commission Vice Chair for 2025 – Hoffman/ Hart (5-0-1) (Haye).

Chair Fehrman congratulated Commissioner Miller on her role as the Vice Chair.

4) PUBLIC HEARINGS

None

5) OTHER BUSINESS

A. Hardman Triangle Conceptual Master Plan and District Stormwater Guide Discussion

Mr. Garcia, City Administrator and Executive Director of the Economic Development Authority (EDA) was present to speak on behalf of the item. An EDA is a special purpose function of local government that is authorized under State Law. In 2015, the City Council created the EDA to focus on economic development in the City. Through the bylaws that govern the group, the EDA has adopted rules to allow it to act as a Housing and Redevelopment Authority (HRA). This offers the body the ability to focus on housing and community development as well as economic growth and business development. In a City with a long industrial legacy like South St. Paul, redevelopment is a key pillar to having a healthy local economy.

Mr. Garcia talked about the historical users of the site and the roadmap to how the Conceptual Master Plan and District Stormwater Guide came to be.

Commissioner Haye asked what about South St. Paul's history and culture would be celebrated through this plan. Mr. Garcia explained that the plan proposes a unique stormwater management system that reflects and connects the site to the Mississippi River. The architecture at the site will complement the architecture of the historic Concord Exchange building. The connectivity of the roads within the site will reflect South St. Paul's traditional neighborhood design. Chair Fehrman alluded to repositioning the Armour Gates within the site.

Commissioner Fournier asked if the unit counts that were shown in the 2020 Hardman Triangle Plan reflect both residential and commercial spaces. Mr. Garcia shared that the unit count and lot dimensions listed were based on the market study that had been done by Maxfield Research in the preparation of the Hardman Triangle Plan.

Commissioner Miller asked if the southeastern parcel of the Hardman Triangle would be acquired by the City for redevelopment. Mr. Garcia explained that the site was available for a brief period of time but was out of reach for the City. Given the position of the parcel within the district, the parcel is considered a future priority for acquisition if it comes on the market. The City acquired many of the other parcels after the previous owners approached the City about buying them out so they could move to a larger site. Chair Fehrman asked what business was currently located at the southeast corner. Mr. Garcia stated that South St. Paul Steel was located at the site.

Commissioner Haye asked if the Hardman Triangle Redevelopment would be detrimental to South St. Paul Steel. Mr. Garcia shared that he did not know why the redevelopment would be detrimental to the business. The business is currently adjacent to a number of commercial businesses and the sites to the north of South St. Paul Steel are proposed to be redeveloped with more commercial businesses. Mr. Garcia stated that he did not want to speak on behalf of the business but added that the City would make every effort to help the business find a new location in South St. Paul if they are concerned about negative impacts due to the adjacent redevelopment. Commissioner Haye asked if the development would impose additional costs on the business or create problems for the business. Mr. Garcia stated he was not sure why the redevelopment would create costs for the business or create issues. Mr. Garcia added that the business was involved in previous iterations of the plan and that the City had a working relationship with the business.

Commissioner Hart shared his enthusiasm for the plan. Commissioner Hart asked if nuisances that are common to the area, including noise and odor, were being addressed as part of the project. Mr. Garcia shared that the plan did not directly deal with the myriad of nuisances that can be encountered in the City. All projects and cities have challenges and the City works to address these challenges daily.

Mr. Healy gave a short presentation explaining what the role of the Planning Commission would be in implementing the Hardman Triangle Plan.

Chair Fehrman shared his excitement for the project.

B. Required Planning Commissioner Training

Mr. Healy explained that the Planning Commission is a unique advisory body that has obligations that are laid out in State Statute that the group must follow. The recommendations that the Planning Commission makes can be unpopular so it is important to ensure that any recommendations that are made are legally sound. Historically, the City Council and Planning Commission have received training from the City Attorney but more recently, just the City Council has gone through training with the City Attorney. The City has a new City Attorney that would like to hold this training again for the Planning Commission. The meeting will be approximately 2.5 hours. The Commissioners discussed potential dates for the training. Wednesday, April 30th from 6:00 PM to 9:00 PM was selected for the required training.

6) STAFF UPDATES

A. Staff Update: Joint Work Session on March 10th

Mr. Healy shared that a joint work session was being held on March 10th as part of the South Concord Corridor Study. The work session would be centered on solidifying the vision for the corridor which will ultimately guide any changes to the zoning code. This meeting would be an opportunity to be part of the policy creation and shaping process.

Commissioner Miller asked if there would be any more joint work sessions before the study was brought to the Planning Commission for review. Mr. Healy stated that this would likely be the last joint work session on the vision for the corridor. As the project advances to the stage where updates to the zoning code are being discussed, there may be an additional joint work session.

7) ADJOURNMENT

Chair Fehrman welcomed Commissioner Haye to the Planning Commission and wished Commissioner Miller a Happy Birthday.

Motion to adjourn- Hoffman/Miller. No voice vote was made to adjourn the meeting but a motion to adjourn is non-debatable.