

**APPROVED MINUTES
PLANNING COMMISSION
REGULAR MEETING
CITY OF WYOMING, MINNESOTA
JUNE 8, 2010
7:00 PM**

CALL TO ORDER:

Planning Commission Chairman Frank Storm called the Regular Meeting of the Wyoming Planning Commission of June 8, 2010 to order at 7:00 P.M.

CALL OF ROLL:

On a Call of the Roll the following members of the Wyoming Planning Commission were present: Judy Coughlin, Mark Lobermeier, Sean Wagner, Ken Meyers and Frank Storm
Members Absent: None.

Also Present: Zoning Administrator Fred Weck, Council Liaison Roger Elmore, Council Members Linda Nanko-Yeager, and Russ Goudge.

DETERMINATION OF A QUORUM:

Chairman Storm determined a quorum was present.

PLEDGE OF ALLEGIANCE:

OPEN FORUM:

“An opportunity for members of the public to address the Planning Commission on items not on the current Agenda. Items requiring Planning Commission action maybe deferred to staff for research and future Planning Commission Agendas if appropriate.”

No members of the public spoke.

APPROVAL OF MINUTES:

- 1 Consider approving the minutes of the Regular Meeting of the Wyoming, Minnesota Planning Commission for May 25, 2010.**

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER MEYERS, SECONDED BY PLANNING COMMISSION MEMBER COUGHLIN, TO APPROVE THE “REGULAR MEETING” MINUTES OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR MAY 25, 2010.

Voting Aye: Coughlin, Lobermeier, Wagner, Meyers, and Storm.

Voting Nay: None

Abstain: None

PUBLIC HEARINGS

- 2 Ordinances:**

Commissioner Storm opened the public hearing for the following proposed ordinance amendments to the Wyoming City Code at 7:05 P.M.

Ordinance no. 2010-03 - Chapter 1, General Provisions, Section 1. 13, General Penalty;

Ordinance no. 2010-04 - Chapter 16, Environment; Article II, Nuisances;

Ordinance no. 2010-05 - Chapter 18, Fire Prevention and Protection, Section 18. 31, State Fire Code Adopted, and Section 18-39 Penalties;

Ordinance no. 2010-06 - Chapter 18, Fire Prevention and Protection, Article IV, Open Burning; establishing the regulation of open burning within the City of Wyoming;

Ordinance no. 2010-07 - Chapter 22, Offenses and Miscellaneous Provisions, Section 22 - 2, Firearms;

Ordinance no. 2010-08 - Chapter 32, Subdivisions;

Ordinance no. 2010-09 - Chapter 34, Traffic, Article IV, Snowmobiles and All-Terrain Vehicles;

Ordinance no. 2010-10 - Chapter 36, Utilities, Section 36 . 62, Lawn Watering Regulations;

Ordinance no. 2010-11 - an ordinance repealing the City of Wyoming Ordinance no. 2008-04, the ordinance that adopted the Town of Wyoming's zoning and subdivision ordinances

The following revisions to the ordinances were made subsequent to public comment:

- Nuisance Ordinance: SEC. 16 . 121, Item (5); change "disburse" to "disperse".
- Firearms Ordinance: SEC. 22 . 4, Item (9); change "By any person hunting with a bow and arrow; provided that no shooting occurs within two hundred (200) feet of a public park or trail of two hundred (200) feet of a building" to read "By any person hunting with a bow and arrow; provided that no shooting occurs within two hundred (200) feet of a public park or trail or within two hundred (200) feet of a building "
- Subdivision Ordinance: SEC. 32 . 42, Item (8); change "Approval of an application" to read "Approval of an application" (remove the space between the a and the n).
- Subdivision Ordinance: SEC. 32 . 117; change "moneys" to "monies".
- Snowmobiles and All-Terrain Vehicles Ordinance: SEC. 34 . 136, Item (1), (a); change "nine hundred (900) pounds" to read "one thousand (1,000) pounds". (The Minnesota State Legislature recently changed the definition of a Class 1 all-terrain vehicle)
- Snowmobiles and All-Terrain Vehicles Ordinance; SEC. 34 . 136, Item (1), (b), change "nine hundred (900) pounds to one thousand five hundred (1,500) pounds" to read "one thousand (1,000) pounds to one thousand eight hundred (1,800) pounds". (The Minnesota State Legislature recently changed the definition of a Class 2 all-terrain vehicle)
- Lawn Watering Regulations Ordinance: SEC. 36 . 62, Item (3), (a), 3; change "An alternate water source may not provide" to read "An alternate water source watering permit may not provide"

Resident Lee Bruce commented on the Snowmobile and All-Terrain Vehicles ordinance and asked that the section regarding "Established Riding Area" also apply to Ashton Lake. Zoning Administrator Weck explained that as a public water, the city cannot regulate the use of the lake without the permission of the Department of Natural Resources. The Planning Commission asked Mr. Bruce to petition his neighbors on the lake to see if they also wanted the ordinance to apply to the use of the lake. At that time, the City would begin the process of amending the ordinance to include Ashton Lake. At 7:47 P.M. Chairman Storm closed the public hearing.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER WAGNER, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER, TO RECOMMEND TO THE CITY COUNCIL TO ADOPT ORDINANCES 2010-03 THROUGH 2010-11 WITH THE REVISIONS MADE DURING THE PUBLIC COMMENT PORTION OF THE PUBLIC HEARING.

Voting Aye: Coughlin, Lobermeier, Wagner, Meyers, and Storm.

Voting Nay: None

Abstain: None

NEW BUSINESS

3 There was no New Business.

OLD BUSINESS

4 Sign Ordinance Review

The Planning Commission continued its review of the Sign Ordinance. Discussion began with temporary signs and consideration of a moratorium around the holidays, but no clear consensus was reached because what would work for one business, e.g. retail, would not work for another, e.g. a tax preparer.

Then on off-premise signs were discussed, it was determined that the ordinance allows an exception for temporary signs for special events, and that a variance could be requested for permanent signs, such as what "Stars & Strikes" had done.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER WAGNER, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER: THAT NO ACTION IS REQUIRED TO MODIFY THE EXISTING SIGN ORDINANCE BASED ON A LACK OF CONCLUSIVE DATA FROM THE COMMUNITY HEARINGS AND COMMUNITY SURVEYS THAT WERE CONDUCTED BY THE PLANNING COMMISSION.

Voting Aye: Wagner

Voting Nay: Coughlin, Lobermeier, Meyers, and Storm.

Abstain: None

The motion failed.

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER COUGHLIN, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER: TO ALLOW TEMPORARY SIGNS TO BE DISPLAYED FOUR TIMES PER YEAR FOR A TOTAL OF 120 DAYS.

Voting Aye: Coughlin, and Lobermeier

Voting Nay: Wagner, Meyers, and Storm.

Abstain: None

The motion failed.

Resident Lee Bruce commented to the Commission that although city businesses were specifically asked their opinion about the ordinance, the general public was not. Upon further discussion,

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER WAGNER, SECONDED BY PLANNING COMMISSION MEMBER LOBERMEIER: THAT THE PLANNING COMMISSION TABLES CONSIDERATION OF CHANGES TO THE SIGN ORDINANCE SO THAT THEY CAN FURTHER EXAMINE THE TEMPORARY SIGN RESTRICTIONS, AND TO RECOMMEND TO THE CITY COUNCIL THAT ENFORCEMENT OF THE CURRENT TEMPORARY SIGN STANDARDS BE REESTABLISHED WHILE THE PLANNING COMMISSION CONSIDERS THE FURTHER THE REVIEW OF THE SIGN ORDINANCE.

Voting Aye: Coughlin, Lobermeier, Wagner, Meyers, and Storm.

Voting Nay: None

Abstain: None

A MOTION WAS MADE BY PLANNING COMMISSION MEMBER WAGNER, SECONDED BY PLANNING COMMISSION MEMBER MEYERS, TO ADJOURN THE REGULAR MEETING OF THE WYOMING, MINNESOTA PLANNING COMMISSION FOR JUNE 8, 2010 AT 8:52 P.M.

Voting Aye: Coughlin, Lobermeier, Wagner, Meyers, and Storm.

Voting Nay: None

Abstain: None