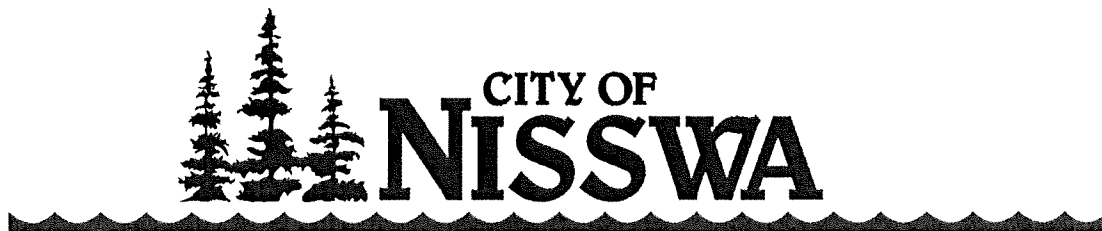


**CITY OF NISSWA  
AGENDA – COUNCIL WORK SHOP  
THURSDAY, NOVEMBER 15, 2018  
6:15 P.M. – CITY HALL**

- A. Call to Order
  
- B. Status of Comprehensive Plan - Update from Jenny Max and Desmond McGeough
  - 1. Memo Dated November 15, 2018 from Jenny Max (Council Information)
  - 2. Memo Dated October 25, 2018 from Sourcewell (Council Information)
  - 3. Memo Dated November 9, 2018 from Councilmember John Ryan (Council Information)
  
- C. Council Discussion
  
- D. Adjourn



November 15, 2018

To: Nisswa City Council  
From: Jenny Max, City Administrator

Re: Status of Comprehensive Plan, and next steps

**Action Requested:** No formal Council action requested at this time. Feedback is requested on how staff should approach the next steps to move the Comprehensive Plan forward towards adoption.

**Background Information:**

In December 2017 the City Council was presented with a final draft Comprehensive Plan for its review and consideration. This draft represented more than one year's worth of investment from many people, including the Council-appointed Steering Committee and Sourcewell as the consultant hired to lead the update of the Plan.

At the Council meeting, there were concerns expressed by Councilmembers regarding some of the ideas and goals outlined in the Plan. There was also concern expressed relating to the draft Plan not receiving more unanimous support from the Planning Commission. Due to these reasons the Council decided to send the Comp Plan back to the Planning Commission to address a few areas, and re-submit back to the Council at a later date. Here is the excerpt from the December 2017 Council minutes regarding the Comp Plan:

"Recommendation from the Planning & Zoning Commission to Adopt the City of Nisswa Comprehensive Plan Update 2017 – Max introduced and played the video that was created by NJPA. Jacobson noted that the Planning and Zoning Commission held a Public Hearing on the Comprehensive Plan at their December meeting. The Plan passed at the Commission level on a 3:2 vote. Jacobson's initial concern, as one of the dissenting votes at the Planning Commission meeting, was that the Comprehensive Plan was a formal legal document, but has since come to learn that the Plan is merely a guiding document and is meant to be advisory in nature. Heidmann stated that a lot of work went into the document. Anne Laufman, Planning and Zoning Commissioner, stated her concerns about the document and noted that it is unusable in its current form. Laufman said the Plan does not address costs and that the vast majority of the residents are not represented in the document. Pearson said that the Plan should be a tool used by the Council and staff to aid in the work that is done. Ryan noted that he discussed the Plan with the staff and that the staff feels this is a usable document they can work with. Heidmann and Johnson both expressed concern that there was not more support at the Planning and Zoning Commission level for the Plan as its

presented. Motion by Jacobson, seconded by Ryan to approve the Resolution of the City Council of the City of Nisswa, Minnesota, Approving the Adoption of the 2017 Comprehensive Plan. Discussion: Krautkremer expressed concern that the Plan is too broad and notes goals that are unattainable. Krautkremer would like to see more realistic ideas identified in the document. Motion failed 2:3 with Heidmann, Johnson and Krautkremer opposed.

Motion by Ryan, seconded by Krautkremer to send the Comprehensive Plan back to the Planning and Zoning Commission with Council input as expressed tonight, ask the Commission to address the Council's concerns and re-submit the Comprehensive Plan to the City Council at a later date after changes have been incorporated into the document. Motion carried unanimously."

The Comp Plan was sent back to the Planning Commission and was discussed at their January 2018 meeting. Here is the excerpt of the Planning Commission minutes from their January 9, 2018 meeting regarding the Comp Plan:

#### Comprehensive Plan

"McGeough stated he was looking for input regarding a date in which the Commission could hold a Special Meeting to further discuss the Comprehensive Plan Update. McGeough stated staff was looking to schedule the meeting for January 30<sup>th</sup> or February 6<sup>th</sup>. Staff was hoping that the Commission would come to the meeting with written comment upon the Plan. McGeough stated that it would be a Special Meeting of the Planning Commission, and City Council would be invited to attend. However, it would not be a joint session. Hacker stated that City Council and Commission members come to the meeting with issues in writing and solution to the issue. The written comments should be submitted a week in advance. Jacobson indicated that the Council sent it back to the Commission because of the split vote. Jacobson indicated that if the Commission works on it and comes back with a unanimous vote, the Council will approve it. Hacker stated Council should also be given an opportunity to make comment as well.

Laufman indicated that the Council decision was more than an issue of a split vote. Laufman indicated that there were concerns about the content as well. Jacobson stated that if the Commission got together to go over concerns that the Commission would be able to provide a document all could support. Jacobson stated he could redline the existing document. Laufman felt the document was fatally flawed and that they should utilize the existing comprehensive plan as the base document, and amend that document based on the comments and input received from the steering committee. Hacker asked who would do that work, Laufman indicated that she could do that work. Hacker asked Jacobson what he wished to do. Jacobson responded that he would like to have the document redlined and thinned out. Hacker asked who would do that work. Jacobson stated that he would be willing to go through the document and edit it.

Jacobson stated he would redline the existing document and provide his comments and ideas to Laufmann in her revision of the existing comprehensive plan. Laufman indicated that it would take more than a few weeks and it would be best not to set a date for Commission discussion at the present time, it would probably take a few months.”

The Planning Commission received an edited document back from Anne Laufman (with input from Don Jacobson) mid-2018 and a work shop was scheduled to discuss the new draft on August 15<sup>th</sup>. Discussion was held on August 15<sup>th</sup> and edits were made to the document by me, at the direction of the Commission. In September the Planning Commission received an updated clean draft of the Comp Plan, and it was a consensus of the Commission to have staff work on adding pictures and graphs into the updated draft, to make a more complete document. It was also noted that the updated document would need to be re-submitted to the County for comment and the Commission would need to hold another public hearing prior to sending to the Council for approval. At this time, I believe there is unanimous approval of the updated 2018 draft by the Commission.

On October 1<sup>st</sup> I shared the updated 2018 draft of the Comp Plan with Sourcewell and asked for their feedback. Sourcewell asked for a few weeks to review and provide input, and in mid-October I met with Jake Huebsch, Senior Planner. Sourcewell’s position at this time is best reflected in the attached document dated October 25<sup>th</sup>, and I can speak to this more during the Council work shop.

Some of the City’s options are outlined in the Sourcewell memo, but I would like to outline them in a bit more detail for the Council.

#### City Council options:

1. Take no action and continue to use the current 2007 Comp Plan as is.
  - a. If this is a viable option for the City, I would then also suggest the Council shelve the Comp Plan discussion for a minimum of one year, but more possibly two, before re-initiating this topic again.
2. Offer support for the 2018 draft of the Plan, as re-written by the Planning Commission, and direct staff to work with Sourcewell to insert pictures and graphs to complete the document and take the next steps to finalize it.
  - a. Time and funds will need to be allocated to complete this draft so staff can engage Sourcewell to assist with the graphics part of the document. Note: Sourcewell indicated to me that the addition of pictures and graphs will add approximately 15 pages to the draft Plan.
  - b. The City will need to re-submit the completed draft to the County for review (due to the substantial changes to the document), and allow them 60 days to comment.
  - c. The Planning Commission will need to hold a public hearing on the updated draft before it is sent to the City Council for adoption.
3. Revisit the draft 2017 Plan as submitted by Sourcewell and provide guidance on the areas where adjustments should be made in the document.
  - a. If only minor/basic edits are requested, staff believes it can address those areas and bring forward the document to the Council for adoption at the December 2018 Council

meeting. If more substantial edits are requested, it may take staff more time to finalize the changes, and may possibly need to engage Sourcewell to assist (at a cost).

4. Start the Comprehensive Plan process from the beginning and re-engage the community and Steering Committee.
  - a. This would likely involve re-hiring Sourcewell to facilitate the community engagement and public input process.
5. Table the issue until January 2019 and leave this decision for the new City Council to decide how to proceed.
6. Other.

This is a fairly complex issue, as the Council can see from the options it has available. The reason I have asked for a Council work shop at this time is that I feel the City is at a decision-making crossroads. I would like to receive Council guidance on which direction should be taken before further time and resources are given to this project.

One piece to this puzzle that I have not addressed relates to the Steering Committee. Considerable time and commitment was given by the Steering Committee during the 2017 process, and I feel it is important to acknowledge this in some way. If the Council decides to move forward with the 2018 draft of the Comp Plan I would suggest (at a minimum) the City offer a feedback period to the Steering Committee in order to obtain their perspective on the document. This feedback period could run consecutively with the County comment period.

As the Council has discussed previously, the Comprehensive Plan should be used by the City as a guiding document, not a legal or binding one. Its purpose is not to dictate how future Councils should make future decisions about the way Nisswa grows and evolves. The ideas expressed in the Comp Plan should include a balance of big picture “pie in the sky” goals as well as very practical and attainable goals. It should also reflect how the community currently sees Nisswa and how it wants to see Nisswa in the future.

I look forward to the Council’s discussion on this topic and hope that this information provides a solid baseline understanding of the options the City has available.

October 25, 2018

To: Jenny Max, Nisswa City Administrator

RE: Nisswa Comprehensive Plan

This memo serves as a summary of recommendations for the graphic design needs that the City of Nisswa requested. Additionally, it provides recommendations on how to integrate public input and steering committee guidance into the document and proceed towards adoption.

After review of your draft plan we believe the changes in the document are significant and do not reflect the work of the steering committee. We believe steering committee involvement and guidance is at the utmost importance as it helps ensure transparency throughout the process. We, too, would consider this a major piece that has been omitted. We recommend the following steps to re-integrating the steering committee, public engagement efforts, and steps on the adoption process:

- *In an effort to honor the time, dedication, and expertise of the steering committee, offer them the opportunity to comment and be a part of the document's completion. The committee was appointed to guide this document to adoption.*
- *Write a memo to the steering committee specifically outlining the changes to the document, providing a direct comparison analysis between the two documents to help the steering committee review.*
- *We recommend bringing the group back together and having them provide recommendations/omissions/additions, ultimately approving or denying the document before you begin the adoption process.*
- *You should both archive the public engagement pieces, include as an appendix in the plan, and finally, be sure the document includes the vision and aspirations of community members. We believe the feedback gathered for the 2017 Comprehensive Plan update contains slightly different values and objectives than the 2007 Comprehensive Plan.*
- *Review and ensure that the goals, policies, and objectives of the plan match that of your residents' feedback. Take the leading themes from the public engagement process and do your best to ensure these are addressed in the Plan.*
- *Resubmit the draft to Crow Wing County when ready, as in our opinion, the changes are significant. Statute allows the County sixty days to comment, not approve.*
- *The draft plan should be re-posted for the public comment period. (The public review cannot happen until a decision has been made on the content of the plan).*

We recommend you submit your new re-formatted version of the Comprehensive Plan to the steering committee to begin their review. To assist the group, we highly recommend you send a memo outlining the changes or difference between the two documents. In addition, we believe the most recent draft version does not reflect the steering committee involvement or Sourcewell writing and would request that our organization be removed from the document and not be mentioned within.

City Council Options:

1. **No action**
2. **Adopt current draft plan**
3. **Continued work of current draft plan updating graphic design and page layout (integrating the requested list of formatting needs, photos, and maps as well as our recommendation of additional graphic components such as infographics, quotes, chapter headings, formatting needs, etc.)**
4. **Revisit the draft plan Sourcewell submitted and was approved by Planning Commission in Q4 of 2017 (Sourcewell's recommended action)**
5. **Other**

Sourcewell staff is committed to assisting you in completing your Comprehensive Plan. With that said, after reviewing the scope of work and deliverables within the existing agreement, we believe we have fulfilled the terms and conditions of the contract and additional planning services from Sourcewell would require a contract amendment and financial commitment from the City of Nisswa. The terms of the amendment would depend on the direction of the City Council. **Our Planning Team is available to assist the City of Nisswa and we will look forward to hearing the direction from the City Council.**

Sincerely,



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11/09/18

Nisswa City Administrator/Clerk

From: Council Member John Ryan

Ref: Nisswa Comprehensive Plan 2018

After reading the Comp Plan as presented to Nisswa City Council in 2017 it was directed to table the plan and to rewrite certain portions to remove some of the more "Grandiose" proposals. The Planning and Zoning Board was asked to review the document and represent it at a future date. The rewritten plan submitted by the P&Z is not consistent with the directions from the council and is in fact a rewritten version of the 2007 comp plan.

As stated by yourself **WE** all have failed to keep this matter on tract in a timely manner. The buck stops at the top and that is the **Nisswa City Council**. Enough said on that topic.

My reasons for objecting to the plan in the first place was out of concern that some elected and appointed officials will interpreted it as a "verbatim" strategy for development. It is meant only as a guide to potential development ideas and an understanding of where the community would like to go.

Should individuals attempt to change policy or ordinance, without having a planning document in place, it will result in disruptions and delays in the future. Delays cost money and potential loss of development, which in turn creates a loss of revenue.

I feel it would be better to set a **date certain** that this document will be brought to the city council for a final up or down vote. I would further suggest that this date be no later than the February 2019 council meeting.

In making this statement I am willing to place myself at the staffs full disposal to accomplish this goal.

John Ryan  
Nisswa City Council