

Problem: Some Plan Commission meetings extend late into the evening (or early morning). As noted by several Commissioners, after a full work day, Plan Commissioners do not do their best work late in the evening (or early in the morning). The decisions being made have long term impacts on people, neighborhoods and the city. We would like to make the best decisions possible.

Solution options: The following* are for consideration by Plan Commissioners with a goal of ending Plan Commission (PC) meetings at a reasonable hour. By vote of the PC, one or more or none of the options can be added to the Plan Commission Policies and Procedures Manual. Plan Commissioners can add an option not included below or modify those listed.

1. Adopt a more traditional legislative hearing approach and separate public input from decision making for items garnering lots of public interest. For example, the state legislature and federal government do not gather public input and make decisions on an item in the same day. Instead, they hold separate hearings on proposed legislation and/or gather input through other means. Then, in a separate session, they come together to make a decision. Within our structure, PC could create a rule that it will refer deliberation and decision of any item on which more than (20?) people register wishing to speak. There isn't a magic number but such a rule would ensure that a 2-5 hour public input session is not followed by a 1-2 deliberation period, practically guaranteeing a decision being made after midnight. It would also give Commissioners time to process what they heard and do some critical thinking before hopping right into making a decision. If this approach were taken, the PC would close the public hearing once public input is over and refer it forward for deliberation and decision. Alternatively, to make things more predictable all public hearing items could be treated in this manner.
2. Staff generally has a sense of items that will create a lot of public engagement. In consideration of that insight, limit the number of items on any given agenda if it is anticipated one will take a lot of time. While most applications must be acted on in a reasonable time, they do not have to go to the PC as soon as possible. Implementing this approach, would give the staff and the chair some extra leeway to manage the agenda to facilitate being done by a certain time.
3. Have only 1 intake deadline per month, rather than 2. When staff review the intake for the month, projects then could be assigned to one of two future PC dates (8-10 weeks later), providing staff a better opportunity to balance agendas. This would also preserve at least some predictability for applicants/interested parties, as there would be a determination on dates shortly after the internal intake meeting. (Note from staff: need to think through in greater detail how this idea would impact workflow for the many other agencies reviewing plans.)
4. Limit informational non-action items to 30 minutes or less and limit the number of such items on each agenda.
5. Limit the number of times (and length) commissioners can speak on a single item. Currently, there is an ordinance limiting council members to speaking twice on any item for 10 minutes each.
6. Implement a rule to end the meeting at a certain time. Any items that have not been reviewed or are under discussion at that time would be referred until the next Plan Commission meeting.

- a. Or establish a bit more flexible but similar rule something like: “after 10:00, the Plan Commission Chair may ask for a motion to adjourn, and refer any additional items to a future meeting”. This policy would give the PC the opportunity to adjourn or to decide to continue to deliberate and work through items where the “end is in sight”, or where action is very time-sensitive (affordable housing proposals seeking WHEDA credits, for instance).
7. Rule to automatically refer an item that has taken up a lot (TBD) of time during a meeting.
8. Schedule an extra meeting when staff is aware that there may be several controversial items that are likely to take an extended time to address.
9. Start Plan Commission meetings earlier. While this would not shorten meeting length it could mean an early end time.
10. Provide better clarifications regarding the “3 Minute” speaking rule. For example, add a note to all agendas that this time limit will be enforced for all speakers on each item and discuss with IT if there is a way to have some sort of “shot clock” so that speakers are aware of their time.
11. Always take questions from Commissioners to registrants at the end of the speakers for each item (rather than after each individual speaker) perhaps working through all speakers quicker. Some questions might be answered by later registrants, and commissioners could otherwise take notes during the public hearing and raise questions at the end.
12. Reduce the number/type of proposals that require Plan Commission review. (Note: This is part of a larger discussion, some of which will happen at the late July PC Big Picture Work Session related to housing. In preparation for that meeting, staff is reviewing the frequency and project types that have been approved on recent consent agendas. A possibility may be converting some conditional uses to permitted uses, perhaps in combination with an alternative administrative review process for items determined not to be appropriate as “by-right” permitted uses).

*Thank you to Attorney John Strange, several Plan Commission members and staff for thoughts on approaches to address this problem.