

## **PLANNING COMMISSION MINUTES**

**DATE:** January 27, 2014

**TIME:** 4:30 p.m.

**PRESENT:** Chairperson Porter, Commissioners Davis, Boettcher, L. Olson, Ballard, English, M. Olson, and Hahn

**ABSENT:** Commissioner Buelow

**STAFF PRESENT:** City Planner, Mark Moeller

---

The meeting was called to order at 4:30 p.m. by Chairperson Porter.

### **Approval of Minutes – January 13, 2014**

The minutes for January 13, 2014 were reviewed. It was noted by Commissioner Mandi Olson that in line one of paragraph two under Commission Bylaws, the words “timelime” should be changed to “timeline”. Given this change, a motion to approve the minutes was presented. The motion was seconded by unanimous vote of those present.

### **Discussion – Proposed Floodplain Management Ordinance Amendments**

Chairperson Porter called on Mark Moeller, City Planner, to provide a summary of this item.

Mr. Moeller noted that during the past several months, staff has been in contact with representatives of the MN Department of Natural Resources relative to an effort to upgrade the City’s present Floodplain Management Ordinance. He explained that the ordinance was initially adopted in the late 60s and since that time, has been updated on a number of occasions. In summary, the current effort would result in the adoption of several flood maps, needed to ensure total map coverage of the City, and to bring ordinance text in line with Federal Emergency Management Agency (FEMA) and state model ordinance standards/language. Given discussion occurring to date, Mr. Moeller stated that proposed ordinance modifications have been prepared. Additionally, these were shown on the draft ordinance that was presented in the Commission’s agenda package.

Mr. Moeller emphasized that today’s discussion is designed to simply inform the Commission that this effort was being undertaken, and to provide a summary of its expected outcomes/changes.

Following this afternoon’s meeting, final corrections, along with a final draft ordinance will be prepared. Ultimately, this will be followed by both Commission and Council hearings and actions.

## PLANNING COMMISSION MEETING MINUTES

JANUARY 27, 2014

PAGE 2

---

Mr. Moeller stated that the City's Floodplain Management Ordinance is mandated pursuant to MN Statutes 103F. Generally, through the document, floodplain areas of the City are identified, and methods of managing these areas are presented. He stressed that a properly prepared and approved ordinance, along with minimizing potential flood hazards, also paves the way for citizens to obtain Federal Flood Insurance, when the need exists.

In reviewing proposed ordinance changes, Mr. Moeller explained that many modifications are surficial in nature and involve minor language changes. Outside of those, significant amendments will include:

1. As referenced under Section 43.67 of the draft ordinance, new Flood Insurance Rate Maps (FIRMS) and Flood Boundary and Floodway Maps (FBFM) are proposed to be adopted in order to ensure that the entire City is covered by adequate flood mapping. In short, the need for this mapping relates to annexations occurring over the past number of years. Although some of these annexed areas were previously covered under County maps and regulations, once brought into the City, they need to be covered by City regulations. Again, the adoption of new maps would ensure that these areas are properly covered. Mr. Moeller explained that a downside of new maps is that they were all prepared in 1984 making them approximately 30 years old now. With this, recent communications with DNR officials have included a discussion to encourage updating of these maps. Given this, he had been told that efforts were currently underway to update flood maps throughout the state and that Winona County was part of this effort. Outside of that, he currently had no detail as to how far along the agency may be in updating present maps.
2. The draft ordinance proposes to incorporate a new flood hazard district. This would be called the General Floodplain District, and would be in addition to Floodway and Flood Fringe districts that exist under the structure of the City's present ordinance. Mr. Moeller stated that this new zoning district was necessary in that some of the floodplains, incorporated within new maps to be adopted, did not include specific floodway or fringe delineations.
3. As previously noted, more surficial changes would be made to certain ordinance definitions and various section numbers. In part, some are dictated by the Federal Emergency Management Agency, while others evolve from the states model flood plain ordinance. He again emphasized that outside of the adoption of new maps, and the creation of a new flood hazard district, remaining amendments are not designed to change the purpose and intent of present language.

At this point, Chairman Porter introduced Commissioner Boettcher who noted that his townhome property is presently located within a designated floodplain. Given that, his mortgage holder does require him to maintain flood insurance on the property. Although he understood the need for this insurance, its downside is significant cost. In his case, his policy will exceed \$3,000 for the coming year. This policy comes with a

## PLANNING COMMISSION MEETING MINUTES

JANUARY 27, 2014

PAGE 3

---

\$5,000 deductible, while claims are triggered only when flood waters reach certain thresholds within the home.

Commissioner Boettcher stated that, to his knowledge, the area where his townhouse is located has never flooded and suggested that this may be one area where flood maps could be revised. He further noted that the cost factor is something that all, having flood insurance, have to deal with.

Commissioner Davis reaffirmed Commissioner Boettcher's comments by noting that in her real estate dealings, flood insurance requirements can make or break a sale.

Mr. Moeller noted that, as part of the Commission's consideration of the amended ordinance, it could request that the Minnesota DNR accelerate its flood map amendment process within Winona County.

Following further discussion, Commissioner Davis suggested that it might be wise to determine the origination/source of flood map data. With this, the Minnesota DNR should be encouraged to update the data process with the intent of preparing updated flood maps. Following brief discussion, this idea was presented in the form of a motion by Commissioner Davis. Following a second by Commissioner Ballard, the vote of the Commission was unanimous to approve the motion.

In concluding, Mr. Moeller explained that although he was not looking for specific action on the amended ordinance this afternoon, he encouraged any Commissioner who did have comments to provide them as soon as possible. With that, the next time the Commission would see the draft proposal would be during a designated public hearing.

### Other Business

Mr. Moeller noted that during the Commission's last meeting, it had initiated discussion regarding Commission Bylaws. From that meeting, the Commission had presented a couple of questions to the City Attorney for response. Since that time, the City Attorney had responded with ideas pertaining to establishing a maximum meeting time, along with the Commission's public hearing process.

With regard to establishing an outside meeting time for Commission meetings, the City Attorney had concluded that this could be done by generally stating that no official agenda item will be initiated prior to a specific meeting and time. In that event, the meeting would be continued to another date and time, following proper notice.

With regard to hearings, current Commission Bylaws generally require that once a public hearing is closed, discussion between the Commission and the public may not again occur unless the hearing is again opened. During recent Commission discussion, some had asked if it would be possible to promote additional discussion between Commissioners and those in attendance, outside of a hearing. In response, the City Attorney strongly suggested that all efforts be made to generate feedback and

# PLANNING COMMISSION MEETING MINUTES

JANUARY 27, 2014

PAGE 4

---

discussion with public hearing participants prior to closure of a hearing. Additionally, once the hearing is closed, such discussion should not occur unless the hearing is reopened.

Following discussion, the consensus of those present was to retain current language relative to the hearing process (Section 3). With regard to Section 1, the consensus of those present was to modify language, as recommended by the City Attorney, with the provision that (Section 1, D) be changed to read that no new agenda item would be commenced later than 7:00 p.m.

### Citizen's Handbook

Commissioner Mandi Olson noted that, given her role as a new Commissioner, she was wondering what City actions had been taken to implement various recommendations of the Comprehensive Plan. Given this, it was suggested that a portion of the Commission's next meeting be devoted to initiating this discussion. She suggested that for study purposes, table 5 of the plan entitled summary of major implementation actions could be used in leading discussion. Again, she felt that such an exercise could benefit all in defining future implementation strategies by the Commission.

Following discussion, the consensus of those present was that a discussion of Comprehensive Plan accomplishments would be beneficial. Given this, it was suggested that the next meeting include an agenda item relating to this subject. Mr. Moeller noted that it would be included.

### Adjournment

There being no further business to come before the Commission, the meeting was adjourned.

  
\_\_\_\_\_  
Mark Moeller  
City Planner