**Sample - Agenda and Notice**

**Notice**

The City of Badgerville Plan Commission hereby provides this written notice and agenda for a public meeting of the Plan Commission to be held on Monday, September 17, 2021 at 7:00 p.m. in City Hall, Room 100, on 1200 Bucky Blvd., Badgerville, Wisconsin. The City Clerk has provided communication of this meeting to the city’s official newspaper and to other media that have requested it. The public may provide comments to the Plan Commission where noted on the agenda and upon recognition by the Plan Commission chairperson.

**Agenda**

1. Call to order.
2. Roll call and verification of quorum.
3. Certification of compliance with public notice requirements.
4. Approval of agenda.
5. Approval of minutes from August 20, 2021 Plan Commission meeting.
6. Public comments.
7. Review site plan for proposed rezoning of property located at 166 Badger Road from A-2 General Farming to B-5 Highway Business. Rezoning will allow existing building to be used for flower shop and storage and include parking for 6 cars. (Parcel # 1234-5678, Dan and Ann Sylvester, owners/applicants).
8. Discuss planning staff recommendations for revisions to the comprehensive plan.
9. Convene in closed session under Wis. Stat. § 19.85(1)(c) for performance evaluation and consideration of compensation of city planner. After completion of its business in closed session, the Plan Commission will reconvene in open session to complete the remaining items on this agenda.
10. Recommendation to the Common Council regarding salary adjustment for the city planner.
11. Set time, date and agenda for the next meeting.
12. Adjourn.

Note: Members of the City of Badgerville Common Council and members of other public bodies may attend this meeting to gather information and participate in discussion. However, no official action will be taken by these bodies.

Requests from persons with disabilities who need assistance to participate in this meeting should contact the City Clerk’s office at 715-345-6789 at least 48 hours in advance.

Meeting notice has been published in the Badgerville Daily Herald and posted in the Badgerville Municipal Building, Post Office and Public Library.

Prepared by Judy Heff, Plan Commission Secretary, September 3, 2021

**Sample - Order of Events**

1. **Prior to meeting.** [designated staff]
2. Arrange for alternates due to anticipated absence or conflict of interest.
3. Send the agenda, proposal, and staff reports to commission members.
4. Comply with open meeting law and public hearing notice requirements.
5. Arrange for audio or video tape recording of the hearing.
6. **Preliminary matters at meeting.**
7. Distribute and collect hearing appearance slips. [secretary]
8. Call the meeting to order. [chair]
9. Take roll and confirm that a quorum is present. [secretary]
10. Confirm compliance with open meetings law and public notice requirements. [commission]
11. Read the agenda and amend as necessary to reorder hearings. [chair and commission]
12. Inform the public in attendance of hearing procedures (see script). [chair]

**For Legislative Proceedings:** (i.e. plan or ordinance adoption or amendment)

1. **Public hearing.**
2. Open the public hearing. [chair]
3. Provide a summary and rationale for the proposal. [commission or staff]
4. Allow time for group and individual questions and answers. [commission, staff, public]
5. Request formal statements from the public. [chair]
6. Close the record and the hearing. [chair]
7. **Deliberation and recommendation.**
8. Decide/vote on the proposal.
9. Forward recommendation to the governing body.

**For Quasi-Judicial Proceedings:** (i.e. conditional use, variance, rezone of individual property)

1. **Public hearing.**
2. Open the first public hearing. [chair]
3. Read petition or application. [staff]
4. Report on any site inspection. [secretary or staff]
5. Request a statement by the applicant. [chair with questions by commission]
6. Read the staff report. [staff with questions by commission]
7. Report on related correspondence. [secretary]
8. Disclose any ex parte communication. [commission]
9. Request statements of witnesses (pro/con/information). [chair with questions by commission]
10. Request a response by the applicant (or after each witness). [chair with questions by commission]
11. Request a response by staff. [staff with questions by commission]
12. Ask any final questions. [commission]
13. Close the record and the hearing. [chair]
14. **Deliberation and decision or recommendation.**

(Note: many plan commissions conduct all hearings before deliberating on decisions)

A. Findings of fact

* + - Determine whether the commission has the authority to make the decision.
		- Determine whether application contains information necessary to make a decision.
		- Record pertinent facts on the decision form and in meeting minutes.

B. Conclusions of law

* + - Specify applicable legal standards (found in state statutes, case law or local ordinance).
		- Determine which facts relate to the legal standards.
		- Determine whether the legal standards are met.
		- Agree on any permit conditions.

C. Order and Determination

* + - Decide/vote on the case.
		- Direct staff to take any necessary action.
1. **Repeat steps 3 and 4 for additional hearings.**
2. **Other agenda items.**
3. **Adjourn meeting.**

**Sample - Announcement of Hearing Proceedings**

### Role of the Plan Commission

The plan commission makes recommendations to the governing body on the adoption and amendment of community plans, official maps, ordinances and other matters. When considering specific development proposals such as conditional use or other development approval, the plan commission functions like a court. Its job is to apply ordinances and appropriate legal standards to the facts of each case.

### Purpose of Public Hearing

The purpose of a public hearing is to give a full and fair hearing to any person affected by the plan, ordinance or other matter under consideration prior to a final governmental decision. Proposals can be changed before a final decision is made on the matter. Hearings are open to the public and prior notice of hearings is provided. An audio/video recording is being made of the proceedings.

### Order of Events for Hearings

Each hearing will be opened with a summary of the petition for ordinance or plan amendment or a reading of the application or request. Time will then be provided for questions and answers to clarify the proposal. The site inspection report (if any) will then be read. The applicant/ appellant’s statement and the staff report (if any) will each be followed by related commission questions. Witness testimony from those who have submitted appearance slips will be taken (alternating among those in favor, those opposed, and those appearing to provide information). Finally, commission questions will be followed by responses from the applicant and staff.

If the commission has all of the necessary facts, it will close the record and may deliberate and decide this matter before proceeding to the next hearing or may decide it at a later time. Decisions will be reduced to writing, filed in the planning and zoning office, and mailed to parties in interest as soon as practicable. Minutes of commission meetings and decisions will be available in the planning and zoning office approximately (2 weeks) after the hearing.

### Instructions for Witnesses

Anyone wishing to speak should complete a hearing appearance slip and deliver it to the plan commission chair/secretary. You must be recognized by the commission chair in order to speak. When called upon as a witness, you may be put under oath (if required by commission rules). Please address your comments and questions to the chair and state:

* Your name and place of residence,
* Whether you represent a group or association,
* Your qualifications to speak on this matter and the source of your information,
* Whether you favor or oppose the proposal or are only providing information, and
* Your concerns about the proposal and other pertinent information.

Please confine your testimony to facts related to the case and avoid repetitive testimony. You will be limited to (5 minutes).

Any permission to develop granted by a decision of the commission must be authorized by obtaining the necessary building, zoning, and other permits. Construction must be substantially completed within (12 months) of the date of the commission’s decision. This period will be extended if a court order or operation of law postpones the final decision and may be extended for other good cause. Permission to develop may be revoked for violation of any of the conditions imposed by the commission. The applicant will be given notice of the violation and an opportunity to be heard.

**Appeal of Plan Commission Decisions**

A decision of the plan commission regarding a conditional use or other approval may be appealed as provided by ordinance by filing an appeal stating reasons for contesting the commission’s decision with the office of the (body) within (30 days) of notice of the decision. An applicant that commences construction prior to expiration of the appeal period assumes the risk of having the plan commission decision overturned.

Recommendations of the plan commission regarding plan or ordinance adoption or amendment cannot be appealed because they are not final governmental decisions. In these cases, members of the public should direct comments to both the plan commission and the community’s governing body.

**Sample - Hearing Appearance Slip**

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Hearing name/number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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Representing: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 ❑ I wish to speak in favor of the application.

 ❑ I wish to speak in opposition of the application.

 ❑ I wish to speak for informational purposes only.

Comments: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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(Tear off this portion and deliver to the plan commission chair)

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Instructions for Witnesses

* Complete a hearing appearance slip and deliver it to the plan commission chair.
* You will be recognized by the chair when it is your turn to speak.
* Your testimony may be sworn if required by plan commission rules.
* Direct all comments, questions and replies to the chair.
* When asked to speak:
1. State your name and place of residence.
2. Indicate whether you represent a group or association.
3. Indicate whether or not you favor or oppose the application or are speaking for informational purposes only.
4. Please state your qualifications to speak on this matter or the source of your information.
5. Limit your testimony to facts relevant to the case at hand.
6. Limit your comments to the time period specified by the chair.
7. Avoid repetitive testimony.