

Meeting Announcement and Agenda of the Cambridge Planning Commission  
City Hall Council Chambers  
Regular Meeting, **Tuesday**, February 2, 2016, 7:00 pm

Members of the audience are encouraged to follow the agenda. When addressing the Commission, please state your name and address for the official record.

**AGENDA**

1. Call to Order and Pledge of Allegiance
2. Organizational Meeting
  - A. Council's re-appointment of Robert Erickson and Chad Struss
  - B. Election of Chairperson, Vice Chairperson and Secretary
3. Approval of Agenda (p. 1)
4. Approval of Minutes
  - A. December 1, 2015 Regular Meeting (p. 3)
5. Public Comment: For items not on the agenda; speakers may not exceed 5 minutes each.
6. New Business
  - A. Scenic River text amendment (p. 9)
  - B. Member List-Review the member list to assure all information is correct and up to date (Handout at meeting)
  - C. 2016 Schedule (p. 10)
  - D. Commission Bylaws (p. 13)
  - E. Planning Commission Section 32.20 (p. 29)
  - F. Comprehensive Plan Update (p. 33)
7. Other Business/Miscellaneous
  - A. City Council Update
  - B. Parks, Trails, and Recreation Commission (PTRC) Update
8. Adjourn

Notice to the hearing impaired: Upon request to City staff, assisted hearing devices are available for public use.

Accommodations for wheelchair access, Braille, large print, etc. can be made by calling City Hall at 763-689-3211 at least three days prior to the meeting.

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## PLANNING COMMISSION MEETING MINUTES

Tuesday, December 1, 2015

Pursuant to due call and notice thereof, a regular meeting of the Cambridge Planning Commission was held at Cambridge City Hall, 300 – 3<sup>rd</sup> Avenue NE, Cambridge, Minnesota.

**Members Present:** Jim Godfrey, John Klossner, Joe Morin, Shirley Basta, and Bob Erickson

**Members Absent:** Chad Struss and Robert Nelson (excused)

**Staff Present:** Marcia Westover, City Planner, Lynda Moulfe, City Administrator

### CALL TO ORDER and PLEDGE OF ALLEGIANCE

Godfrey called the meeting to order at 7:00 pm and led the Commission in the Pledge of Allegiance.

### APPROVAL OF AGENDA

Westover stated the applicant for Items D & E, Schlagel Addition, has requested to withdraw these two items until a later date, requiring a motion to remove Items D & E from the agenda.

Morin moved, seconded by Basta to approve the agenda as amended, removing Items D & E. The motion carried 5/0.

### APPROVAL OF MINUTES

#### *November 4, 2015 Regular Meeting Minutes*

Morin moved, seconded by Basta to approve the November 4, 2015 meeting minutes as presented. Motion carried 5/0.

### PUBLIC COMMENT

Godfrey opened the public comment period at 7:02 pm and without comments, closed the public comment period at 7:03 pm.

## **NEW BUSINESS**

### ***Approve Planning Commission Resolution R15-01 Finding that a Modification to Development Program for Development District No. 6 and Tax Increment Financing Plan for Tax Increment Finance District No. 6-17 Conforms to the General Plans for the Development and Redevelopment of the City***

Woulfe stated staff has been working with Oppidan Investment Co. on the potential redevelopment of the Greenberg Motor's site, located between Highway 95 (1<sup>st</sup> Avenue East) and McKinley Street N, and Oppidan provided a site plan that would remove the current building and parking area and transform the current site to three retail buildings that are 17,500 square feet, 9,000 square feet, and 5,700 square feet. Woulfe explained staff brought their concepts to City Council on September 8, 2015 for discussion and the consensus of the City Council was to continue discussion and hold a public hearing. Woulfe said this project will go to the EDA on December 7 and City Council December 21, 2015.

Woulfe stated, throughout various discussions with Oppidan on this project, the need was identified to obtain Right of Way for future extension of 2<sup>nd</sup> Avenue SE of public water, sewer, storm and necessary street infrastructure to service lots that would be otherwise landlocked. Woulfe explained McKinley Street N would be brought up to city standards with the planned 2016 street projects and the City Engineer estimated cost of improving McKinley Street upgrades at \$160,000 and the creation of 2<sup>nd</sup> Avenue with the extension of utilities at \$390,000. Woulfe also stated the 2<sup>nd</sup> Avenue extension would bring future City utilities to Becklin's property directly west of the Greenberg's Motors current location and to Greenberg's lot to the northwest as well. Woulfe added none of the right of way is on the Midcontinent property because their building set back is only about eight feet from the property line so there is no place to take any additional right of way or any additional snow stack.

Woulfe stated the developer has been going through their due diligence period and staff has been working with Oppidan, the City Attorney, and Ehlers to move this project along. Woulfe said the plan is to create a Tax Increment Financing (TIF) District to finance the cost related for the infrastructure, demolition, soil remediation, asbestos remediation, Right of Way acquisition and underground storm water treatment. Woulfe added the developer would pay for the cost of the infrastructure up front and get reimbursed through Tax Increment Financing (TIF).

Woulfe pointed out as part of the creation of this district, the Planning Commission is required to find that the TIF District is in conformance with the City's general plans for development and redevelopment of the City. As described above, the program Modification and Tax Increment Financing (TIF) Plan for Development District No. 6 and TIF District No. 6-17 is in conformance with the City's Comprehensive Plan and current zoning.

Godfrey requested Woulfe to walk them through the "but for" clause. Woulfe explained but for the Tax Increment Financing being used to assist for the public infrastructure costs and the pollution remediation, this project would not go forward.

Woulfe said the proposed plan for the redevelopment meets the City's Comprehensive and Future Land Use Plan and the property will be redeveloped for retail and the appraised value after the current building is torn down and redeveloped is approximately \$3.1 million. The TIF is going to be the increment. So currently there is a property value that is approximately \$500,000 so we will still collect the taxes on the current value. The increment is just the difference between the new value and the old value and that increment will be used to reimburse the developer again for pollution remediation and the public infrastructure and the purchase of right of way.

Godfrey asked how many years the increment is in place for. Woulfe replied overall, it will depend on how long it takes to generate the increment. Woulfe explained the costs are approximately \$4.4 million and the maximum length of the district, since it is a redevelopment district, can be 25 years but it is definitely going to be shorter than that.

Morin moved, seconded by Klossner, to recommend Council approve the resolution as presented.

Godfrey stated when the City does street improvements, a certain amount is assessed to the property, is that assessment the "assessment" for this improvement wrapped into the increment then or how is that being paid for? Woulfe responded they can either use the increment to reimburse themselves, they have been specially assessed so, as the owner, Lenny Greenberg has been assessed approximately \$136,000, and the Sinclair across the street was assessed approximately another \$36,000. Woulfe further explained they can choose to either pay for that upfront and use the increment to reimburse themselves or they can use the increment to pay the assessment.

Motion passed 5/0.

### **Public Hearing: Greenberg Addition Preliminary and Final Plats**

Westover thanked Woulfe for presenting an overview of what the developer, Oppidan Investment Co., is planning to do with the Greenberg Motor's site. Westover stated the developer also wants to request a preliminary and final plat and both of these can be viewed together. Westover stated the preliminary plat does require a public hearing but the Commission can make a motion on both items at the same time. Westover stated the Commission can review the final plat because it is consistent with the preliminary plat and most things are the same.

Westover explained Oppidan Investment Co. is negotiating with Greenberg Motors to purchase the property and redevelop the site. Westover said the Greenberg Motor's site is currently described by a metes and bounds description, the proposed plat will

create one lot and clean up all of the confusing legal description language. Westover stated the total lot area is 3.62 acres.

Westover said, in addition to creating one lot, the plat will dedicate street right-of-way. Westover stated McKinley St. N is currently a private street maintained by the surrounding owners and not by the City. Westover explained the plat will dedicate the street and the City will take over maintenance. Westover said the street is proposed to be reconstructed with the 2016 street project and will be brought up to City street standards.

Westover said 2<sup>nd</sup> Ave NE will also be dedicated as right-of-way on the north end of the property. Westover stated this street is necessary for access to the properties west of the Greenberg Motor's site. Westover explained Greenbergs also own a parcel to the northwest that would be landlocked without the 2<sup>nd</sup> Ave NE dedicated street. Westover said the 2<sup>nd</sup> Ave NE Street will also provide necessary utilities to the parcels to the west and this street will be built with the future development of the parcels to the west.

Westover stated MNDOT must review, comment, and approve the plat as it is adjacent to Highway 95. Westover said a condition of plat approval will be that the City receives MNDOT review/approval and that the applicant make any changes required by MNDOT. Westover stated the plat also needs to show all drainage and utility easements along the entire perimeter of the site.

Westover stated staff does recommend approval of the preliminary and final plat provided these four conditions of approval are met showing the MNDOT review, showing the easements, the plat must be recorded with the Recorder's Office and must be submitted to the City within five days of the recording.

Godfrey opened the public hearing period at 7:12 pm and without comments, closed the public comment period at 7:15 pm.

Klossner moved, seconded by Nelson to approve both the preliminary and the final plat as presented. Motion passed 5/0.

### **2016 Meeting Schedule Dates (Wednesday or Thursday if Tuesday is unavailable)**

Westover opened up discussion regarding when meetings cannot be held on a Tuesday, would Wednesday or Thursday be a better alternative meeting date. Westover questioned whether Thursday would be better than Wednesday as Wednesday is usually designated as a church event night. After further discussion of the Commission, Wednesdays are the preferred day to meet when the meeting cannot be held on a Tuesday.

### **Minnesota Design Team Information on 2016 Visit**



Woulfe stated staff has been working to bring the Minnesota Design Team (MDT) to Cambridge, the City's application has been accepted and the visit has been scheduled for March 31 through April 2, 2016. Woulfe explained the Minnesota Design Team are a group of professionals with backgrounds in Architecture, Landscaping, Planning, and Concept Design that will take a fresh look at the Cambridge community. Woulfe stated the MDT's purpose is to work with local citizens, business owners, and City staff to plan a potential future for Cambridge, helping our community focus on Cambridge's potential and areas for improvement. Woulfe stated this is done through a series of community meetings held on March 31 and April 1 where input is solicited from participants and then culminates in a design presentation on Saturday, April 2, 2016.

Woulfe explained the City is seeking City residents of all ages to be part of a team working on this project. Woulfe stated up to 300 people will be selected to participate with the only requirement being living within the City limits or operating a business within the City limits. Woulfe said then MDT will gather all the thoughts and ideas and bring them forward at a community meeting to be held at the Hardy Center on April 2, 2016. Woulfe stated the City will be looking for person or groups to provide presentation to MDT during the day on Friday and then Friday evening will be a community dinner and work session for these 300 individuals.

Woulfe stated Host Families are also needed for this event as visiting members of the Design Team will stay with residents in an effort to keep the costs of a Design Team visit down for the local community. Woulfe explained it also provides an opportunity for Design Team members to speak on a one on one basis with a local resident. Woulfe encouraged residents interested in hosting a member of the Design Team on Thursday, March 31 – Saturday, April 2, 2016, to contact Stan Gustafson.

Woulfe explained the Minnesota Design Team's visit is made possible through a grant from the Initiative Foundation's Thriving Communities Program with a goal to build a stronger Cambridge and build social capital.

## **OTHER BUSINESS / MISCELLANEOUS**

### ***City Council Update***

Westover updated the Commission on the previous City Council meetings.

### ***Parks, Trails, and Recreation Commission Update***

Westover updated the Commission on the last Parks, Trails, and Recreation Commission meeting.

## **ADJOURNMENT**

Klossner moved, seconded by Basta, to adjourn the meeting at 7:35 pm. The motion carried 5/0.

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Jim Godfrey  
Cambridge Planning Commission Chair

ATTEST:

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Marcia Westover  
City Planner

**DRAFT**



**SCENIC RUM RIVER TEXT AMENDMENT...TITLE XV LAND USAGE, CHAPTER 153**

**Request**

The City of Cambridge is requesting an amendment to the Scenic Rum River ordinance to allow higher buildings, change the density tier allowances, amend the definitions, and clean up some inconsistencies throughout the chapter.

**Review**

At the Public Hearing held on July 7, 2015, the Planning Commission tabled the Scenic Rum River text amendment item to October 6, 2015.

At the meeting held on October 6, 2015, the Planning Commission tabled the amendment to February 2, 2016.

The developer has not yet submitted information and is still working on the project. Staff is recommending that this item is tabled until the developer meets the next step in the city's application process. Until we see an application or movement on the project, we would like to table the discussion.

The Commission should first make a motion to remove this item from the table and vote. Then make another motion to table it until the developer meets the next step in the city's application process as determined by the city.

I have not included a copy of the draft ordinance amendment at this time. If you would like a copy of the draft amendment, please contact Marcia Westover at 763-552-3207 or [mwestover@ci.cambridge.mn.us](mailto:mwestover@ci.cambridge.mn.us).

**Planning Commission Action:**

Table the discussion on this item until the developer meets the next step in the city's application process as determined by the city.

**CITY OF CAMBRIDGE  
2016 DEVELOPMENT REVIEW SCHEDULE  
PLANNING & ZONING AND CITY COUNCIL ACTION**

The Planning and Zoning Commission is a seven member volunteer commission. Members are appointed by the City Council. Meetings are scheduled for the first Tuesday of each month unless otherwise noted. Identified below is the 2016 schedule for all items brought before the Planning Commission.

Application Submittal Date:	December	11 <sup>th</sup>
Publication Deadline:	December	21 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>January</b>	<b>5<sup>th</sup></b>
<b>City Council Meeting:</b>	<b>January</b>	<b>19<sup>th</sup> (Tues., MLK Day)</b>
60 Day Agency Action:	February	9 <sup>th</sup>

Application Submittal Date:	January	8 <sup>th</sup>
Publication Deadline:	January	18 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>February</b>	<b>2<sup>nd</sup></b>
<b>City Council Meeting:</b>	<b>February</b>	<b>16<sup>th</sup></b>
60 Day Agency Action:	March	8 <sup>th</sup>

Application Submittal Date:	February	5 <sup>th</sup>
Publication Deadline:	February	15 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>March</b>	<b>2<sup>nd</sup> (Wed., Caucus)</b>
<b>City Council Meeting:</b>	<b>March</b>	<b>21<sup>st</sup></b>
60 Day Agency Action:	April	5 <sup>th</sup>

Application Submittal Date:	March	11 <sup>th</sup>
Publication Deadline:	March	21 <sup>st</sup>
<b>Planning and Zoning Commission:</b>	<b>April</b>	<b>5<sup>th</sup></b>
<b>City Council Meeting:</b>	<b>April</b>	<b>18<sup>th</sup></b>
60 Day Agency Action:	May	10 <sup>th</sup>

Application Submittal Date:	April	8 <sup>th</sup>
Publication Deadline:	April	18 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>May</b>	<b>3<sup>rd</sup></b>
<b>City Council Meeting:</b>	<b>May</b>	<b>16<sup>th</sup></b>
60 Day Agency Action:	June	6 <sup>th</sup>

Application Submittal Date:	May	13 <sup>th</sup>
Publication Deadline:	May	23 <sup>rd</sup>
<b>Planning and Zoning Commission:</b>	<b>June</b>	<b>7<sup>th</sup></b>
<b>City Council Meeting:</b>	<b>June</b>	<b>20<sup>th</sup></b>
60 Day Agency Action:	July	12 <sup>th</sup>

Application Submittal Date:	June	10 <sup>th</sup>
Publication Deadline:	June	20 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>July</b>	<b>6<sup>th</sup> (Wed.)</b>
<b>City Council Meeting:</b>	<b>July</b>	<b>18<sup>th</sup></b>
60 Day Agency Action:	August	9 <sup>th</sup>

**CITY OF CAMBRIDGE  
2016 DEVELOPMENT REVIEW SCHEDULE  
PLANNING & ZONING AND CITY COUNCIL ACTION**

Application Submittal Date:	July	8 <sup>th</sup>
Publication Deadline:	July	18 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>August</b>	<b>2<sup>nd</sup></b>
<b>City Council Meeting:</b>	<b>August</b>	<b>15<sup>th</sup></b>
60 Day Agency Action:	September	6 <sup>th</sup>

Application Submittal Date:	August	12 <sup>th</sup>
Publication Deadline:	August	22 <sup>nd</sup>
<b>Planning and Zoning Commission:</b>	<b>September</b>	<b>7<sup>th</sup> (Wed.)</b>
<b>City Council Meeting:</b>	<b>September</b>	<b>19<sup>th</sup></b>
60 Day Agency Action:	October	11 <sup>th</sup>

Application Submittal Date:	September	9 <sup>th</sup>
Publication Deadline:	September	19 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>October</b>	<b>4<sup>th</sup></b>
<b>City Council Meeting:</b>	<b>October</b>	<b>17<sup>th</sup></b>
60 Day Agency Action:	November	8 <sup>th</sup>

Application Submittal Date:	October	7 <sup>th</sup>
Publication Deadline:	October	17 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>November</b>	<b>1<sup>st</sup></b>
<b>City Council Meeting:</b>	<b>November</b>	<b>21<sup>st</sup></b>
60 Day Agency Action:	December	6 <sup>th</sup>

Application Submittal Date:	November	10 <sup>th</sup>
Publication Deadline:	November	21 <sup>st</sup>
<b>Planning and Zoning Commission:</b>	<b>December</b>	<b>6<sup>th</sup></b>
<b>City Council Meeting:</b>	<b>December</b>	<b>19<sup>th</sup></b>
60 Day Agency Action:	January	9 <sup>th</sup>

**2017**

Application Submittal Date:	December	9 <sup>th</sup>
Publication Deadline:	December	19 <sup>th</sup>
<b>Planning and Zoning Commission:</b>	<b>January</b>	<b>3<sup>rd</sup></b>
<b>City Council Meeting:</b>	<b>January</b>	<b>17<sup>th</sup></b>
60 Day Agency Action:	February	7 <sup>th</sup>

- Applicants are required to carry out pre-application meetings with city staff prior to the application submittal dates. Applicants are strongly encouraged to schedule pre-application meetings well in advance of listed application dates.
- **Applications not received by 4:30 p.m. on the Application Submittal Date or determined to be incomplete within ten (10) days following the application submittal date will not be processed. Applicants will be notified by mail if an application is determined to be insufficient.**

**CITY OF CAMBRIDGE  
2016 DEVELOPMENT REVIEW SCHEDULE  
PLANNING & ZONING AND CITY COUNCIL ACTION**

- Succession of meeting dates is contingent on completeness of application materials and the outcome of the Planning and Zoning Commission meeting. Meeting dates are subject to cancellation and/or change.
- The 60-day agency action date is calculated using the Application Submittal Date as a start date. Every Effort will be made to process all applications within 60 days. The City reserves the rights to extend the 60-day agency action date to 120 days upon notification of the applicant as required by law.



**City Council &  
Commissions  
Code of Conduct  
And  
Council Bylaws**

Adopted: Oct. 3, 2011 (Special Meeting after regular Council meeting)  
January 3, 2012  
July 16, 2012



## City of Cambridge City Council and Commissions Code of Conduct

### Purpose

The mayor and city council of the City of Cambridge determines that a code of conduct for its members, *as well as the members of the various advisory boards and commissions* of the City of Cambridge, is essential for the public affairs of the city. By eliminating conflicts of interest and providing standards for conduct in city matters, the city council hopes to promote the faith and confidence of the citizens of Cambridge in their government and to encourage its citizens to serve on its council and boards and commissions.

### Standards of Conduct

No elected official or a city advisory board or commission member may knowingly:

- a. Violate the open meeting law.
- b. Participate in a matter that is before the city council or relevant board that affects the person's financial interests or those of a business with which the person is associated, unless the effect on the person or business is no greater than on other members of the same business classification, profession, or occupation. If a conflict of interest does exist, the person will remove themselves from the table and sit with the audience until the discussion / action on the item has been concluded.
- c. Use the person's public position to secure special privileges or exemptions for the person or for others.
- d. Use the person's public position to solicit personal gifts or favors.
- e. Use the person's public position for personal gain.
- f. Except as specifically permitted pursuant to Minnesota Statute §471.895, accept or receive any gift of substance, whether in the form of money, services, loan, travel, entertainment, hospitality, promise, or any other form, under circumstances in which it could be reasonably expected to influence the person, the person's performance of official action, or be intended as a reward for the person's official action.
- g. Disclose to the public, or use for the person's or another person's personal gain, information that was gained by reason of the person's public position if the information was not public data or was discussed at a closed session of the city council or committee.

- h. Disclose information that was received, discussed, or decided in conference with the city's legal counsel that is protected by the attorney-client privilege unless a majority of the city council has authorized the disclosure.

Except as prohibited by the provisions of Minnesota Statute Section §471.87, there is no violation of item b. of this section for a matter that comes before the council, board, or commission, if the member of the council, board, or commission publicly discloses the circumstances that would violate these standards and refrains from participating in the discussion and vote on the matter. Nothing herein shall be construed to prohibit a contract with an elected official under the circumstances described under Minnesota Statute Section §471.88, if proper statutory procedures are followed.

#### **Complaint, Hearing**

Any person may file a written complaint with the city administrator alleging a violation of the aforementioned standards of conduct. The complaint must contain supporting facts for the allegation. The city council may hold a hearing after receiving the written complaint or upon the council's own volition.

A hearing must be held only if the city council determines (1) upon advice of the city attorney, designee, or other attorney appointed by the council, that the factual allegations state a sufficient claim of a violation of these standards or rise to the level of a legally-recognized conflict of interest, and (2) that the complaint has been lodged in good faith and not for impermissible purposes such as delay.

The city council's determination must be made within 30 days of the filing of the allegation with the city administrator. If the council determines that there is an adequate justification for holding a hearing, the hearing must be held within 30 days of the city council's determination. At the hearing, the person accused must have the opportunity to be heard. If after the hearing, the council finds that a violation of a standard has occurred or does exist, the council may censure the person, refer the matter for criminal prosecution, request an official not to participate in a decision, or remove an appointed member of a board or commission from office.



## Cambridge City Council Bylaws

- I. **AUTHORITY.** City councils are authorized to adopt rules of procedure and provide for order at their meetings pursuant to Minn. Stat. § 412.191.
- II. **PURPOSE.** The purpose of this policy on city council meetings is to set the groundwork for orderly and respectful communications between and among councilmembers, city staff, and citizens to promote the efficient working of the public's business at city council meetings.
- III. **THE OPEN MEETING LAW.** The Minnesota Open Meeting Law, Minn. Stat. Chapter 13D, generally requires that all meetings of public bodies be open to the public.
  - A. This presumption of openness serves three basic purposes:
    1. To prohibit actions from being taken at a secret meeting, where it is impossible for the interested public to become fully informed concerning decisions of public bodies, or to detect improper influences.
    2. To ensure the public's right to be informed.
    3. To afford the public an opportunity to present its views to the public body.
  - B. The city council views providing and encouraging citizen access to city meetings as one of its most important duties. As a result, all council and council committee meetings, including special and adjourned meetings, with the exception of closed meetings, as provided by Minn. Stat. Chapter 13D, shall be open to the public.
  - C. In calculating the number of days for providing notice under the Minnesota Open Meeting Law, the first day that the notice is given is not counted, but the last day is counted. If the last day is a Saturday, Sunday, or legal holiday, that day is omitted from the calculation and the following day is considered the last day (unless, it happens to be a Saturday, Sunday, or legal holiday).
  - D. In keeping with the intent of the Minnesota Open Meeting Law, city councilmembers shall not use any form of electronic communications technology, such as text messaging or e-mail, to communicate with one another or third parties during a public meeting in a manner that is hidden or shielded from the public view.
  - E. Pursuant to Minn. Stat. § 13D.01, subd. 6, at least one copy of the written materials made available to council at or before the meeting shall also be made available for inspection by the public, excluding any non-public data, attorney-client privileged or materials related to agenda items of closed meetings.
- IV. **QUORUM.** A simple majority (three members) of the council shall constitute a quorum for the valid transaction of any scheduled business to come before the council.
- V. **COUNCIL MEETINGS.**
  - A. **Location.** All meetings, including special, recessed, and continued meetings, shall be held in the city council chambers, unless otherwise designated, pursuant to Minn. Stat. § 13D.04, subd. 2.

- B. **Regular meetings.** A schedule of regular meetings shall be kept on file with the City Administrator. All regular City Council meetings held in City Council Chambers must be recorded.
- C. **Special meetings.** A special meeting is a meeting that is held at a time or location different from that of a regular meeting. A special meeting may be called by the mayor or any two city councilmembers by filing a request for the meeting at least three days before the meeting. Days shall be counted as provided in III-C. Notice to the public of special meetings must be given pursuant to Minn. Stat. § 13D.04, subd. 2. All regular City Council meetings held in City Council Chambers must be recorded.
- D. **Emergency meetings.** An emergency meeting may be called by the mayor or any two city councilmembers. An emergency meeting is a special meeting called because of circumstances that, in the judgment of the public body require immediate consideration by the public body. Posted or published notice of an emergency meeting is not required. However, the city will make a good faith effort to notify each news outlet that has filed a written request for notice. Notice must be given by telephone or any other method to notify members of the public body. The notice must include the subject of the meeting.
- E. **Closed meetings.** The Minnesota Open Meeting Law allows some meetings to be closed to the public for defined purposes. When a meeting is closed, the presiding officer at the council meeting will state the reason for closing the meeting on the record and cite the state statute that permits closure.
- F. **Recessed or continued meetings.** When a meeting is recessed or continued, the presiding officer shall state the time and place for the next meeting to occur pursuant to Minn. Stat. § 13D.04, subd 4. The time and place shall be noted in the minutes. If the time and place is stated and noted in the minutes, no additional notice of the meeting is required. However, if the time and place is not stated, the notice procedures for special meeting shall be required.
- G. **Organizational meetings.** The council will conduct its organizational meeting concurrent with the first regular council meeting in January of each year to:
1. Appoint an acting mayor pursuant to Minn. Stat. § 412.121.
  2. Select an official newspaper pursuant to Minn. Stat. § 412.831.
  3. Select an official depository for city funds. This must be done within 30 days of the start of the city's fiscal year pursuant to Minn. Stat. §§ 427.01-.02; 118A.02, subd 1; 427.09.
  4. Review council's bylaws and make any needed changes.
  5. Assign committee duties to members.
  6. Approve official bonds that have been filed with the clerk.

**VI. PRESIDING OFFICER.** The mayor shall preside at all meetings of the city council.

- A. **Role of the presiding officer.** The presiding officer shall preserve order, enforce the City Council Rules of Order and Procedure as adopted in VII, and determine, without debate, all questions of procedure and order, subject to the final decision of the council on appeal as provided in VI-D.

The presiding officer shall determine the order in which each member may speak and may move matters to a vote once the officer has determined that all members have spoken. The presiding officer may determine whether a motion or proposed amendment is in order and may call members to order.

- B. **Adjourning meetings.** If considered necessary, because of grave disorder, the presiding officer may adjourn or continue the meeting to another time or suspend the meeting for a specified time.
- C. **Designation of a sergeant-at-arms.** The presiding officer may request that local law enforcement designate a member to serve as a sergeant-at-arms at city council meetings. The sergeant-at-arms shall carry out all orders or instructions given by the presiding officer for the purpose of maintaining order and decorum at meetings.
- D. **Motions and voting.** The presiding officer may make motions, second motions, speak on any questions, and vote on any matter properly before the council.
- E. **Absences of the presiding officer.** In the absence of the mayor, the acting mayor shall preside. In the absence of both the mayor and the acting mayor, the city administrator shall call the meeting to order. The first order of business shall be to select a presiding officer for the meeting from the members present. The city administrator shall preside until the councilmembers present choose a member to act as presiding officer.
- F. **Appeals of rulings of the presiding officer.** Any member of the council may appeal to the full council a ruling on order or procedure made by the presiding officer.
  - 1. **Procedure for appeals.** An appeal is made by motion. No second is need for the motion. The member making the motion may speak once solely on the question involved, and the presiding officer may speak once solely to explain his or her ruling, but no other councilmember may participate in the discussion.
  - 2. Once both the maker of the motion and the presiding officer has spoken, the matter must be voted upon by the council as a whole.
  - 3. The appeal shall be sustained if it is approved by a majority of the members present, exclusive of the presiding officer.
- G. **Temporary designation of a presiding officer.** The presiding officer may choose to designate a temporary presiding officer before participating in debate on a given matter. In the alternative, the council may by majority vote designate a temporary presiding officer to preside over the debate on a given matter. The presiding officer shall resume presiding as soon as action on the matter is concluded.

## **VII. DECORUM OF COUNCILMEMBERS.**

- A. **Aspirational statement:** All councilmembers shall assist the presiding officer in preserving order and decorum and in providing for the efficient operation of the meeting.

- B. **Aspirational statement:** No councilmember shall engage in conduct which delays or interrupts the proceedings or which hinders honest, respectful discussion and debate.
- C. **Aspirational statement:** City council meetings shall be conducted in a courteous manner that recognizes the validity of differing points of view and promotes the ideal of democratic discussion and debate free of insult, slander, and personal attacks and threats.
- D. To effectuate these aspirational goals, city councilmembers shall conduct themselves at council meetings in a manner consistent with the following:
  - 1. No councilmember shall engage in private conversation or pass private messages while in the chamber in order to not interrupt the proceedings of the council.
  - 2. No councilmember shall leave his or her seat or make any noise of disturbance while a vote is being taken and until the result of the vote is announced.
  - 3. No councilmember shall use profane or obscene words or unparliamentary language or use language that threatens harm or violence toward another person during a council meeting.
  - 4. No councilmember shall speak on any subject other than the subject in debate.
  - 5. No councilmember shall speak without being recognized by the chair; nor shall any councilmember interrupt the speech of another councilmember.
  - 6. No councilmember shall disobey the decision of the presiding officer on questions of order or practice or upon the interpretation of the rules of council.
  - 7. No councilmember shall engage in disorderly conduct that disturbs or disrupts the orderly conduct of any meeting.

**VIII. MOTIONS.** The purpose of this policy is to foster debate and discussion in an orderly manner, and not to suppress honest discussion with excessive formality. Without rules, confusion and disorderly proceedings would hamper all city action, no matter how well intended. Rules allow city business to be conducted as efficiently as possible, protect minority groups by giving every person a chance to be heard, prevent discussion of multiple topics at once, and allow decisions to be made by majority rule.

- A. **Rights of councilmembers.** All councilmembers are equal and have the same rights to make motions; object to motions in a timely manner; participate in debate; have their votes counted; and speak, when recognized, free of interruption.
- B. **Obligations of councilmembers.** The rights of individual councilmembers cannot be realized unless all councilmembers also recognize their obligations as members of the political body. Councilmembers are obligated to receive the recognition of the chair before speaking, except as otherwise provided by these rules. No one has the right to speak at whim.

Councilmembers are obligated to speak directly on the subject being considered and observe time limits for comment. Finally, councilmembers are obligated to address all remarks to the presiding officer, avoid personal attacks, and refrain from using any insulting or demeaning language or indecent or threatening behavior.

**1. *Motions.***

All formal actions of council must be by motion. A councilmember may make only one motion at a time.

**2. *Language for making a motion.***

The appropriate language for making a motion shall be substantially similar to "I move to \_\_\_\_\_."

**3. *Procedure for consideration of a motion.***

All motions must be seconded for consideration and discussion. Once a motion has been made, the presiding officer shall restate the motion and (if applicable) open the motion up for debate, provided that the mayor determines that the motion is in order and no objections to the motion have been.

A motion is in order if it is made at a proper time in the proper format and does not violate any applicable rules of law, ordinance, or city policy, including city policies on decorum and civility, and is not made for the purpose of unduly delaying the proceedings. Debate shall follow the procedures in Rule 5. Once debate has concluded, the presiding officer shall restate the motion and call for a vote on the issue. A motion shall be considered passed if it receives a majority vote of those present at the meeting, unless otherwise required by law.

**4. *Objections to a motion.***

- a. Any member of the council may make an objection to a motion if he or she believes the motion is not in order. A motion is in order if it is made at a proper time in the proper format and does not violate any applicable rules of law, ordinance, or city policy, including city policies on decorum and civility, and is not made for the purpose of unduly delaying the proceedings.
- b. An objection to a motion must be made immediately following the motion and at no other time. The objector does not need to be recognized by the presiding officer in order to voice their objection. The appropriate language for making an objection shall be substantially similar to "I object to the motion as being out of order, and call for a ruling by the presiding officer."
- c. A motion may be objected to as not being made at a proper time if the motion was made by a person not called upon by the presiding officer to speak, or if it does not follow the agreed upon agenda for the meeting.
- d. The presiding officer shall determine whether the motion is in order.
- e. In determining whether the motion is in order, the presiding officer shall let the objector to the motion speak once explaining his or her position. Next, the presiding officer shall let the

maker of the motion speak once to answer the concerns of the objector. Then the presiding officer shall make a formal ruling as to whether the motion was in order.

- f. If the motion is ruled out of order, the motion shall not be considered. If the motion is ruled in order, the presiding officer shall open the motion for debate (if applicable).
- g. The presiding officer's ruling may be appealed as provided in Rule 7.

5. **Debate.** Generally only one motion may be considered at a time in debate. Once a motion has been made, the presiding officer shall restate the motion and open the motion for debate, if the motion is debatable. The presiding officer shall conduct the debate in accordance with the following:

- a. For initial comments, all comments shall be limited to five minutes. For subsequent comments, all comments shall be limited to two minutes.
- b. The maker of the motion shall be permitted to speak first on the issue.
- c. To the extent possible, the debate shall alternate between proponents and opponents of the measure.
- d. Everyone who wishes to speak on the issue must be permitted to speak once, before councilmembers who have already spoken are permitted to speak again.
- e. Councilmembers shall avoid repeating points already made in the debate or other duplicative conduct that may delay the proceedings. Where a point has already been made, councilmembers may affirm agreement or disagreement.
- f. Generally only one motion may be considered at a time in debate. Debate may only be interrupted by a motion to amend the original motion, a motion to take a brief recess, a motion to withdraw the motion by the motion's maker, a motion to divide a complex question, a motion to defer consideration to a later date, a motion to refer an issue to committee, motion for the previous question, a motion to limit debate, or a motion for a call to order. When debate is interrupted by any of these motions, the interrupting motion shall be resolved prior to resuming debate.

6. **Definitions of motions that may interrupt debate (secondary motions).** As explained in #5, only certain motions may interrupt debate on a motion. These are called secondary motions. When a secondary motion is made, the presiding officer must follow the same procedures in #3 to consider the secondary motion.

A secondary motion must be resolved, either by being ruled out of order by the presiding officer or debated and voted upon by the council, before debate on the main motion can resume. Secondary motions may also be made outside of debate, where appropriate. For example, a motion to take a brief recess can be made before, during, or after a debate.

- a. **Motion to amend the original motion.** The maker of the motion does not need to consent to a motion to amend. However, he or she may vote against the amendment or withdraw their motion via a motion to withdraw prior to any amendment being approved. Only two

amendments may be made to an original motion to avoid confusion. The amendments should be voted on in reverse order, with the last amendment being voted upon first. To avoid confusion, complex language should be put in writing. A motion may not be amended so substantially as to essentially reject the original motion, though different language may be proposed so as to entirely substitute for the original language.

*The appropriate language for making a motion to amend shall be substantially similar to "I move to amend the motion by inserting between . . . and . . ." or "I move to amend the motion by adding after . . ." or "I move to amend the motion by striking out . . ." or "I move to amend the motion by striking out . . . and inserting . . ." or "I move to amend by striking out the motion . . . and substituting the following."*

- b. **Motion to take a brief recess** is not a motion to adjourn or continue the meeting to another time or place. Instead, it is a motion to take a brief respite no greater than 20 minutes. If a motion to take a brief recess is granted, the presiding officer may set a time for the meeting to resume. In addition, the presiding officer is authorized to call for a brief recess on his or her own initiative, without a vote, to maintain order in the meeting.

*The appropriate language for making a motion to recess shall be substantially similar to "I move to take a brief recess for \_\_\_\_\_ minutes."*

- c. **Motion to withdraw a motion** is not subject to debate, and it can only be made by the motion's maker before a motion is amended.

*The appropriate language for making a motion to withdraw shall be substantially similar to "I move to withdraw my motion."*

- d. **Motion to divide a complex question** may be used for complex items of business. It allows the council to break larger questions into smaller parts, which are considered separately.

*The appropriate language for making a motion to divide a complex question shall be substantially similar to "I move to divide the question into \_\_\_\_\_ parts. Part 1 shall be \_\_\_\_\_ . Part 2 shall be \_\_\_\_\_ ."*

- e. **Motion to table or defer consideration to a later date** is not subject to debate. It may be used to defer or delay consideration of a matter.

*The appropriate language for making a motion to defer consideration shall be substantially similar to "I move to defer consideration of the main motion/this item until \_\_\_\_\_ ."*

- f. **Motion to refer an issue to committee** is not subject to debate. It may be used to refer an issue to a city committee, such as the park board or planning commission, for their report. The motion should contain an expected receipt day for the report.



*The appropriate language for making a motion to refer an issue shall be substantially similar to "I move to refer the main motion/this issue to the \_\_\_\_\_ committee for its consideration and recommendation. The committee should report back to the council in \_\_\_ days/weeks."*

- g. **Motion for call of the previous question** is not subject to debate. It may be used only after at least 20 minutes of debate on a single motion or when all members of the council have been permitted to speak at least once on the motion. If approved by the majority, a vote must be taken on the motion under debate immediately.

*The appropriate language for making a motion to call the previous question shall be substantially similar to "I move to call the previous question" or "I move for an immediate vote on this issue."*

- h. **Motion to limit debate** is not subject to debate. It may be used to establish time limits for debate.

*The appropriate language for making a motion to limit debate shall be substantially similar to "I move to limit debate on this issue to \_\_\_ minutes per person" or "I move to limit council debate on this issue to no more than \_\_\_ minutes total."*

- i. **Motion for a call to order** is not subject to debate. It may be used to signal to the presiding officer that the councilmember feels the proceedings have gotten disorderly.

*The appropriate language for making a motion for a call to order shall be substantially similar to "I move for a call to order by the presiding officer."*

NOTE: Most secondary motions should not literally interrupt debate. They may not be made in the midst of the comments of a speaker duly recognized by the presiding officer, or silence the speaker's speech. To make a secondary motion, the maker must be called upon and recognized by the presiding officer. There are two exceptions to this rule—a motion for a call of the previous question and a motion for a call to order. These motions may be made at any time—even in a manner that interrupts a speaker. However, these motions should be made only in the rare instance where a meeting has become out of control, strayed from the agenda, or become disorderly.

**7. Appealing procedural decisions of the presiding officer.**

- a. Any member of the council may appeal to the full council a ruling on order or procedure made by the presiding officer.
- b. **Procedure for appeals.** An appeal is made by motion. No second is needed for the motion. The member making the motion may speak once solely on the question involved, and the presiding officer may speak once solely to explain his or her ruling, but no other councilmember may participate in the discussion.

- c. Once both the maker of the motion and the presiding officer has spoken, the matter must be voted upon by the council as a whole.
- d. The appeal shall be sustained if it is approved by a majority of the members present, exclusive of the presiding officer.

**8. Other special motions explained.**

- a. **Motion to adjourn** is not subject to debate. It may be used to suggest a conclusion to the meeting. The presiding officer may adjourn a meeting on his or her own initiative, without a vote, if necessary to maintain order.

*The appropriate language for making a motion to adjourn shall be substantially similar to "I move to adjourn the meeting."*

- b. **Motion to go into closed session** may be used to close the meeting pursuant to the Minnesota Open Meeting Law. When the motion is made, the basis for closing the meeting and the applicable law must be stated into the record. The presiding officer may also close the meeting on his or her own initiative, without a council vote, if closing the meeting is mandatory under the law or if directed by the city attorney.

*The appropriate language for making a motion to go into closed session shall be substantially similar to "I move to close the meeting in order to consider \_\_\_\_\_ pursuant to \_\_\_\_\_ of the Minnesota Open Meeting Law."*

- c. **Motion to leave a closed session** may be used to conclude a closed session and return to an open meeting.

*The appropriate language for making a motion to leave a closed session shall be substantially similar to "I move to open the meeting."*

- d. **Motion to revive consideration of an issue** may be used to request consideration of an issue previously tabled, deferred, or referred to committee at any prior meeting.

*The appropriate language for making a motion to revive shall be substantially similar to "I move to revive consideration of \_\_\_\_\_ previously tabled/deferred/referred to committee."*

- e. **Motion to reconsider** may be made only at the **same** meeting where the issue was originally considered and voted upon. It may be made only by a person on the prevailing side of an issue. In the event of a tie vote, those voting against the issue shall be considered the prevailing side.

*The appropriate language for making a motion to reconsider shall be substantially similar to "I move to reconsider \_\_\_\_\_."*

- f. **Motion to rescind or repeal** may be made at any meeting following the meeting where the issue was originally considered and voted upon. It may be made by any councilmember, whether or not he or she was on the prevailing side. It may not be made when prevented by law or where substantial reliance on the council's previous decision has occurred (for example, in the area of contracts or hiring/termination of employees).

*The appropriate language for making a motion to reconsider shall be substantially similar to "I move to rescind/repeal the council's previous action related to \_\_\_\_\_ as stated in resolution number \_\_\_\_\_."*

- g. **Motion to prevent reintroduction of an issue for \_\_\_\_ months** is not subject to debate. It may be used to limit discussion of an issue that has been raised and/or moved for reconsideration several previous times.

*The appropriate language for making a motion to prevent reintroduction shall be substantially similar to "I move to prevent reintroduction of this issue for \_\_\_\_ months."*

- h. **Motion to suspend the rules or to consider a motion informally** should be used sparingly on issues likely to be uncontroversial. Complex motions and resolutions should still be put in writing. This motion may permit informal discussion of an issue (such as a roundtable discussion, brainstorming session, visioning session, etc.) where appropriate.

*The appropriate language for making a motion to proceed informally shall be substantially similar to "I move that we suspend the rules and proceed informally in discussing the issue of \_\_\_\_\_."*

9. **Resolutions and ordinances.** Simple motions shall be used only for procedural and meeting matters. Substantive issues, such as the approval or disapproval of street improvement projects and contracts; the censure of councilmembers; zoning issues, and the adoption of city policies, rules, and ordinances shall be by resolution. An exception to this general rule may be made in instances where significant documentation of the council's decision exists, rendering an additional resolution repetitive (for example, where a written contract spells out all the terms that would be listed in the resolution). All resolutions shall be written and numbered in a manner consistent with the city's record keeping policies.

*The appropriate language for a motion for the adoption of a resolution shall be substantially similar to "I move to adopt the resolution numbered \_\_\_\_."*

10. **Robert's Rules not applicable.** These model rules are designed specifically for Minnesota city councils. Further, these rules were drafted to be an appropriate level of regulation and formality for smaller governing bodies typically seen in Minnesota cities. Robert's Rules of Order is not assumed to apply or to supplement these regulations. Where a situation arises that is not addressed by these rules, the intent of these rules, as expressed in the preamble, should be effectuated by the presiding officer, in consultation with the city attorney.

## **IX. VOTING.**

- A. The votes of the city council will be taken by voice vote. The presiding officer shall announce the results of all votes of the council.
- B. A clear statement of the matter being voted upon and the names of those voting for and against the matter shall be recorded in the official minutes.
- C. Councilmembers may ask for a roll call of the vote by the Mayor on any motion or resolution.
- D. The city administrator may ask for a verification roll call if the vote of a councilmember is not clear on the voice vote.
- E. A majority vote shall be sufficient for all matters before the council, unless otherwise provided by state law.
- F. Whenever a matter is put forward for a vote, every councilmember shall vote, except as follows:
  - 1. A conflict of interest exists under state law;
  - 2. A Councilmember determines that voting on the matter, given his or her individual circumstances, would give rise to an appearance of impropriety that could negatively affect the public trust; or
  - 3. A Councilmember determines that he or she does not have enough information to vote yes or no on a matter. This exception shall only apply if the Councilmember has identified the lacking information and made an attempt to have the matter continued so the information can be developed or obtained.

Whenever a Councilmember abstains from voting, he or she must state on the record the reason(s) for abstaining and the exception(s) on which the abstention is based.

## **X. PUBLIC COMMENT AT COUNCIL MEETINGS AND AT PUBLIC HEARINGS**

- A. **Public participation and comment at council meetings.** City council meetings are the forum for the city council to conduct the city's business. While city council meetings are open to the public pursuant to the Minnesota Open Meeting Law, they are not a forum for public expression. As such, members of the public are not allowed to participate in council discussion and debate without a specific invitation and/or formal recognition by the presiding officer. Members of the public shall not applaud, engage in conversation, or engage in other behavior through words or action that may disrupt the proceedings of council.
- B. **Members of the public shall follow the direction of the presiding officer.** Members of the public who do not follow the direction of the presiding officer will be warned that further disruptive conduct will result in removal from the meeting. After warning, if the conduct continues, the presiding officer may ask the member of the public to leave the meeting room.

If the member of the public refuses to follow the direction of the presiding officer, the presiding officer may direct the sergeant-at-arms to remove the person through any lawful means. In emergency situations, or where conduct is an egregious threat to the safety of the public or the council, a warning is not necessary before the sergeant-at-arms is directed to remove the person.

- C. **Public comment period.** A limited forum for residents of the City of Cambridge to speak with the council is provided on the agenda for the Council meeting held the third Monday of every month. Public comments during the public comment period are subject to these limitations:
1. Speakers must be recognized by the presiding officer before speaking and are limited to three minutes for comment.
  2. When multiple speakers appear to speak on the same topic, comments should not be repetitive. The presiding officer may request speakers to appoint a spokesperson.
  3. The presiding officer may place a time limit on the public comment period if necessary to allow for the conduct of city business. If there is not sufficient time at the meeting to hear all public comments, the comment period may be deferred to the next regular council meeting or at a continued meeting.
  4. Speakers must sign up prior to speaking and provide a name, address, and brief summary of the subject matter they wish to address. The sign-up sheet will be available at the start of the city council meeting.
  5. Speakers must direct their remarks toward the presiding officer.
  6. Speakers shall not use obscene, profane or threatening language, nor conduct themselves in a threatening, loud, or boisterous manner that disrupts the conduct of the meeting or the security of the public.
  7. Speakers are required to follow the direction of the presiding officer.
  8. Speakers who do not follow the direction of the presiding officer will be warned that further disruptive conduct will result in removal from the meeting. After warning, if the conduct continues the presiding officer may ask the speaker to leave. If the speaker refuses to follow the direction of the presiding officer, the presiding officer may direct the sergeant-at-arms to remove the speaker through any lawful means. In emergency situations, or when conduct is an egregious threat to the safety of the public or the council, a warning is not necessary before the sergeant-at-arms is directed to remove the speaker.
  9. Council will generally not respond at the same meeting where an issue is initially raised by a member of the public. Generally the matter will be referred to staff for further research and possible report or action at a future council meeting.

D. A summary of these rules for public comment may be provided in the council meeting room.

**XI. PUBLIC HEARINGS.** Public hearings are sometimes required by law to allow the public to offer input on city council decisions. When public hearings are required by law, notice shall be provided as required by state statute. Public hearings shall be commenced at the time advertised in any notice required by law.

A. **General procedure for public hearings.** The order of business for all public hearings conducted by council shall be:

1. Opening comments by presiding officer announcing the purpose of the public hearing.
2. Presiding officer opens the public hearing portion of the meeting.
3. Staff presentation (including city administrator, attorney, engineering reports if any).
4. Developer/other presentation (if any).
5. Public comments.
6. Reading of written comments.
7. Presiding officer formally closes the public hearing portion of the meeting.

B. Speakers who wish to address the city council at a public hearing must follow the same rules in Section X Public Hearings. However, the presiding officer may allow additional time for speakers, as required, to comply with applicable state law.

C. Speakers may also provide written comments to the city council before or at the meeting. Written comments may be read aloud by the City Administrator or their designee. Anonymous, unsigned communications will not be read.

D. The presiding officer may continue the hearing, if necessary, following the procedures in Section V Council meetings, subsection F.

**XII. PROCEDURE FOR RESOLUTION AND ORDINANCE ADOPTION.** All resolutions and ordinances shall be in writing. Unless otherwise provided by law, all ordinances shall be adopted by a majority vote of councilmembers present at the council meeting. Unless otherwise provided by law, ordinances do not require multiple readings, and may be adopted as presented at the first available meeting.

**XIII. BOARD, COMMISSION, AND COMMITTEE ASSIGNMENTS.** All assignments of councilmembers to serve on city boards, commissions, and committees shall be by a majority vote of councilmembers present at the meeting, unless otherwise provided by law.

**XIV. SEATING ASSIGNMENTS.** Councilmembers shall occupy the chairs assigned to them by the presiding officer.

**XV. SUSPENSION OR AMENDMENT OF THESE RULES.** Any or all of these rules may be temporarily suspended by a majority vote of the councilmembers present at the meeting, except as otherwise required by Minnesota law. These rules shall not be repealed or amended except by a majority vote of the whole council after notice has been given at a preceding council meeting.

## ***PLANNING COMMISSION***

### **§ 32.20 ESTABLISHMENT.**

There is established a Planning Commission, hereinafter referred to as the “Commission.” The Planning Commission shall be the city planning agency authorized by M.S. § 462.354, Subd. 1, as it may be amended from time to time. The Planning Commission is an advisory commission to the City Council.

### **§ 32.21 COMPOSITION.**

(A) *Membership.* The Commission shall consist of seven members appointed by the City Council. Of the seven members, at least one member shall be appointed from the City Council; at least six members shall be residents of the City of Cambridge; and one member may be a resident of the extraterritorial planning areas identified by the city’s Comprehensive Plan. Members other than the City Council representative shall be appointed from among persons in a position to represent the general public interest, and no person shall be appointed with private or personal interests likely to conflict with the general public interest.

(B) *Terms.* Terms of office for members other than the City Council representative shall be for three years, provided however that in first establishment of the Commission, two of the members shall be appointed for terms of one year, two for terms of two years and two of the members for terms of three years. The City Council representative shall be appointed annually by the Council. A member may not serve more than nine consecutive years. After a member has served for nine consecutive years, they would not be eligible for appointment to the Planning Commission for a period of one year.

(C) Members of the Commission shall serve at the will of the City Council and any member of the Commission may be removed from office by majority vote of the City Council. In addition, any member absent from three consecutive regular meetings or five meetings in one year shall be deemed to have forfeited their seat upon declaration of the Mayor, and a vacancy shall exist without formal removal proceedings.

### **§ 32.22 ORGANIZATION.**

(A) *Officers.* The Commission shall elect a Chairperson and Vice-Chairperson from among those of its members who are not appointed ex-officio and may create such other offices as it may determine. It shall provide itself with a Secretary, either by election from among its members or by appointment of an officer or employee of the city who is not a member of the Commission and shall not be entitled to vote. Terms of all elected offices shall be for one year with eligibility for re-election.

(B) *Rules.* The Commission shall follow the City Council & Commissions Code of Conduct and Council Bylaws as adopted by the City Council. The staff liaison assigned to the



Commission by the City Administrator shall keep a record of attendance at its meetings and of resolutions, transactions, findings and determinations showing the vote of each member on each question requiring a vote, or if absent or abstaining from voting, indicating such fact. The records of the Commission shall be a public record.

(C) *Committees.* The Commission may establish committees and subcommittees from its membership to serve in an advisory capacity to assist the Commission in the conduct of its business.

(D) *Advisors.* The City Attorney, City Planner, City Administrator, City Engineer, City Building Official, consulting engineers and planners and Director of the Community Development Department shall serve as advisors to the Commission.

### **§ 32.23 APPROPRIATIONS; EXPENSES.**

(A) The City Council shall make available to the Commission such appropriations as it may see fit for fees and expenses necessary in the conduct of its work. Subject to approval of the City Council and within limits set by appropriations or other funds made available, the Commission may contract for technical experts as may be deemed proper and may incur such other expenses as may be necessary and proper for the conduct of its affairs. The Commission shall have authority to expend all sums so appropriated and made available for its use from grants, gifts and other sources for the purposes and activities authorized by this subchapter.

(B) Members of the Commission shall receive a \$35.00 per diem for each Commission meeting attended.

### **§ 32.24 DUTIES AND POWERS.**

(A) *Duties.* The Commission shall have the powers and duties given planning agencies generally by law, including the following:

(1) To acquire and maintain in current form such basic information and background data as is necessary for an understanding of past trends, present conditions and forces at work to cause changes in these conditions;

(2) To prepare and keep current a comprehensive development plan for meeting present requirements and such future needs as may be foreseen;

(3) To establish principles and policies for guiding action affecting development in the city and its environs;

(4) To prepare and recommend to the City Council ordinances, regulations and other proposals promoting orderly development along lines indicated as desirable by the comprehensive development plan;

(5) To determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan and the ordinances;

(6) To advise the Council on matters which have an impact on the future development of the city, including, but not limited to major public improvements, annexations and vacations of streets or alleys;

(7) To keep the City Council and the general public informed and advised as to all planning and development matters;

(8) To conduct such public hearings as may be required to gather information necessary for the drafting, establishment, maintenance and administration of the comprehensive plan and ordinances and regulations related to it and to establish public committees for the purpose of collecting and compiling information necessary for the plan or for the purpose of promoting the accomplishment of the plan in whole or in part;

(9) To perform other duties which may be assigned by the City Council or which may have bearing on the preparation or accomplishment of the plan.

(B) *Powers.* All city employees shall, upon request and within a reasonable time, furnish to the Commission or its employees or agents such available records or information as may be required in its work. The Commission, or its employees or agents, may in the performance of official duties enter upon lands and make examinations or surveys in the same manner as other authorized city agents or employees and shall have such other powers as are required for the performance of official functions in carrying out the purposes of this subchapter.

### **§ 32.25 COMPREHENSIVE PLAN.**

(A) *Amendments.* The Commission may from time to time amend or add to any plan whether previously submitted or not, or any section thereof, when deemed necessary or advisable. The Commission shall undertake a review of the Comprehensive Plan at least every ten years.

### **§ 32.26 ZONING PLAN.**

The Commission shall prepare a proposed Zoning Plan. Before recommending such plan to the Council, the Planning Commission shall hold at least one public hearing thereon, notice of which shall be given as provided in this chapter.

### **§ 32.27 OFFICIAL MAP OF STREET EXTENSION.**

(A) The Planning Commission shall prepare an official map of the platted and unplatted portions of the city, of adjoining territory, or both, or portions thereof, indicating upon such official map the proposed future extension or widening of the streets of the city within such existing platted and developed territory or across such unplatted territory.

(B) After the map has been prepared and a public hearing on it has been duly held and notice

of which has been given as provided in this chapter, it shall be submitted to the Council, which shall thereupon consider such map and may adopt it or any part of it with such amendments as it deems advisable. Before such adoption by the Council a public hearing shall be held by the Council upon the proposal, notice of which hearing shall be given as provided in this chapter. After adoption, such official map shall be filed with the Register of Deeds.

(C) After the map has been adopted by the Council and filed with the Register of Deeds, whenever any existing street or highway is widened or improved, any new street is opened or lands for other public purpose are acquired by action of the city, the city shall not be required in any such proceedings to pay for any building or structure placed within the limits of any such street or outside of any building line that may have been established upon the existing street, nor within any area thus reserved for public purposes.

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**REQUEST FOR PROPOSALS  
FOR CONSULTING SERVICES RELATED TO THE  
UPDATE OF A COMPREHENSIVE LAND USE PLAN**

**Statement of Purpose**

The City of Cambridge is inviting proposals for the purpose of selecting a qualified firm to serve as consultant for an update of the City of Cambridge Comprehensive Plan.

The purpose of the Comprehensive Plan is to identify issues, opportunities, needs, and organize public policy to address them in a manner that makes the best and most appropriate use of City resources. The plan sets forth the basic guiding principles for the City of Cambridge to shape its future over the next 20 years and establish goals to move toward that future. The Comprehensive Plan is meant to be used by elected and appointed officials and City staff in the ongoing process of making decisions, creating ordinances and allocating funds.

**Background Information**

The City of Cambridge last adopted a Comprehensive Plan in 2001. A copy of this plan is available on our website at [www.ci.cambridge.mn.us](http://www.ci.cambridge.mn.us).

**Scope of Services and General Duties**

The scope of this project is to produce a Comprehensive Plan to direct the future growth and development of Cambridge. The resulting Plan should be both a physical and policy based plan and provide implementation actions and strategies, and include illustrative maps, tables and graphs. The Comprehensive Plan should integrate all of the City's existing studies and plans as appropriate. It should also integrate the upcoming MN Design Team Visit that will occur from March 31, 2016 to April 3, 2016. The hope is that the Comprehensive Plan and the MN Design Team information will integrate to provide a common vision and strategy for the city moving forward. We would hope that you could attend the MN Design team visit.

Elements of the Comprehensive Plan will include, but need not be limited to:

- Land Use, Community Design, and Growth Management
- Downtown Cambridge
- Housing
- Parks, Recreation, and Open Space
- Community Resources and Public Facilities
- Transportation-It is expected that the consultant work with the city's engineer, Short Elliot Hendrickson (SEH) as they will do the transportation component.

*It is important to note that the City of Cambridge is not part of the Metropolitan Council's planning jurisdiction. Please keep this in mind when preparing your scope of services.*

## **Proposal Form and Content**

The proposal must, at a minimum, include the following:

### *Scope of Work Defined*

The firms should present their understanding of the requirements of the project and present a task-by-task description of the work to be accomplished. Do not simply restate the scope of services.

### *Timeline*

The firms are required to include a timeline for the project which will contain the approximate dates that portions of the project will commence and conclude. The timeline shall include the following items: meetings with staff, meetings with citizen representatives and the Planning Commission, presentation dates/deadlines, the deadline for presentation for first draft of the Plan, public hearing date, and the final approval date.

### *Resumes*

Identify person(s) with key responsibilities who will be assigned to work on the project, describe their role and duties for the project. If more than one person is to be assigned, identify the person who will have senior-level responsibility or manage the engagement, and the approximate time commitment (as a percent) of total time on the engagement of each person. If portions of the project are to be “subcontracted” out to other firms, be sure to disclose that information in the proposal.

### *Experience*

Discuss demonstrated experience of the firm and the project team with projects of similar scope and magnitude as this project. Experience must be related to projects completed within the past five years.

### *Time and Budget Constraints*

Demonstrate the ability of the firm to manage the project in a timely and cost effective manner. Although a specific deadline for the process has not been established it is the objective of the City of Cambridge to complete the updates as soon as it may practically do so.

### *References*

List of references relating to the projects completed for local governments over the last five years, with comparable characteristics to the project proposed by the City of Cambridge.

### *Fees*

A schedule of billing rates for personnel involved must be included. The proposal shall contain a “not to exceed” cost for the project.

**General Information**

**Instructions to Contractors**

The firm shall submit one (1) hard copy and one PDF copy of the proposal to:

Marcia Westover  
City Planner  
City of Cambridge  
300 3<sup>rd</sup> Ave NE  
Cambridge, MN 55008  
E-mail: [mwestover@ci.cambridge.mn.us](mailto:mwestover@ci.cambridge.mn.us) (for the PDF version of the proposal).

**Closing Submission Date**

Proposals must be submitted no later than 3:00 p.m. on Friday, January 29, 2016.

**Inquiries**

Inquiries concerning this RFP should be directed to Marcia Westover, City Planner, at (763) 552-3207, or [mwestover@ci.cambridge.mn.us](mailto:mwestover@ci.cambridge.mn.us).

**Conditions of Proposal**

All cost incurred in the preparation of a proposal responding to this RFP will be the responsibility of the submitter and will not be reimbursed by the City of Cambridge.

**Right to reject**

The City of Cambridge reserves the right to reject any and all proposals received in response to this RFP.

**Notification of Award**

It is expected that a decision of selecting a successful consulting firm will be made within three weeks from the closing date of the receipt of proposals.

**Selection Process**

**Interviews**

Staff will schedule interviews only if determined necessary.

**Schedule of Events**

The City of Cambridge has developed the schedule of events listed below for selection of the firm; the schedule is subject to change.

Send Request for Proposals to Planning Firms	January 4, 2016
Deadline for receipt of proposals from Firms	January 29, 2016
Review by City staff	February 5, 2016
Interviews (if necessary)	TBD
Approve proposal by City Council	February 15, 2016