
Meeting Announcement and Agenda of the Cambridge Planning Commission
City Hall Council Chambers
Regular Meeting, Tuesday, February 4, 2020, 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 Appointment of Aaron Berg, David Redfield, and Jessica Kluck
 - B. Councilmember Bob Shogren to serve as Council representative
 - C. Election of Chairperson and Vice Chairperson
3. Approval of Agenda (p. 1)
4. Approval of Minutes
 - A. November 6, 2019 Regular Meeting (p. 3)
5. Public Comment: For items not on the agenda; speakers may not exceed 5 minutes each.
6. New Business
 - A. **PUBLIC HEARING** – Preliminary Plat for Yerigan Farms 3rd Addition (p. 6)
 - B. 2020 Schedule (p. 11)
 - C. Commission Bylaws (p. 13)
 - D. Member List (handed out at meeting)
 - E. Chapter 32 Planning Commission of the City Code (p. 30)
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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Cambridge Planning Commission Meeting Minutes
Wednesday, November 6, 2019

A regular meeting of the Cambridge Planning Commission was held on Wednesday, November 6, 2019, at Cambridge City Hall Council Chambers, 300 3rd Avenue NE, Cambridge, Minnesota, 55008.

Members Present: Chair Julie Immel, Vice Chair Monte Dybvig, Member Aaron Berg, Member Robert Boese, Member Marisa Harder-Chapman, and Member Arianna Weiler (arrived at 7:40 pm).

Staff Present: Community Development Director Marcia Westover.

Call to Order & Pledge of Allegiance

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

Approval of the Agenda

Dybvig moved, seconded by Berg, to approve the agenda. Motion passed 5/0.

Approval of Minutes

Boese moved, seconded by Berg, to approve the October 1, 2019 minutes as presented. Motion passed 5/0.

Public Comment

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

New Business

PUBLIC HEARING – Variance for ALDI Addition
160 Balsam St N.

Westover stated ALDI, Inc., 160 Balsam St N., has requested a variance to build an addition on the north side of the building. The addition is proposed to be nine (9) feet from the property line where 15' is required. This is a side yard property line and it is adjacent to a street therefore City Code requires a 15-foot setback.

Westover stated ALDI's engineer working on this project contacted the City with several different options for this proposed addition. Westover explained the other options. Ultimately, it was decided the north expansion with a variance is the best option.

Westover explained the purpose of the Variance process is to review applications on a case by case basis to determine whether relief may be granted from unforeseen particular applications of the zoning code that create practical difficulties. In considering an application for a variance, the Planning Commission shall recommend the approval of the variance only upon the finding that the application complies with the standards set forth.

Westover stated the Findings of Fact have been written to allow the variance request to approve the attached Resolution for a variance from the required 15' street side yard setback and allow a 9' setback for the building addition on the north side of the property. However, the Planning Commission can reverse this draft or make a new recommendation. The Findings of Fact can be rewritten if necessary upon new findings.

Immel opened the public hearing at 7:05 pm and, without any comments, closed the public hearing at 7:06 pm.

The Commission discussed the placement of the street behind the building and that there were no traffic concerns or snow removal concerns at this time.

Dybvig moved, seconded by Boese, to recommend Council approve the Resolution for a variance from the required 15' street side yard setback and allow a 9' setback for the building addition on the north side of the property. Motion passed 5/0.

2020 Planning Commission Meeting Schedule

Westover reviewed the 2020 meeting schedule. It was noted there is a 7:00 pm Planning Commission meeting on Wednesday, March 4, 2020, and Wednesday, November 4, 2020, due to the Presidential State Primary and the Presidential National Election occurring on Tuesdays in 2020. Harder-Chapman moved, seconded by Dybvig, to approve the schedule. Motion passed 5/0.

Comprehensive Plan Review of the Goals and Policies in Chapter 6, 7 and 8

Westover explained that as part of the updated 2017 Comprehensive Plan process, it was determined that staff and the Planning Commission would review the goals of the plan on a regular basis. Westover requested the Commission to review and focus on the goals in each chapter: Chapter 6 – Agricultural, Historic, and Natural Resources, Chapter 7 – Land Use, and Chapter 8 – Downtown and Economic Development. The Commissioners and Westover reviewed these goals and policies together and discussed a few changes.

Other Business/Miscellaneous

City Council Update

Westover updated the Commission on the previous City Council meetings.

Parks Commission Update

Westover updated the Commission on the Parks, Trails, and Recreation Commission meetings.

Adjournment

Being no further business before the Cambridge Planning Commission, Dybvig moved, seconded by Harder-Chapman to adjourn the regular meeting at 7:50 pm. Motion carried 6/0.

Julie Immel
Cambridge Planning Commission Chair

ATTEST:

Marcia Westover, Community Development Director

DRAFT

PUBLIC HEARING...PRELIMINARY PLAT. . . . YERIGAN FARMS 3RD ADDITION.

Applicant

A request by TL Truck, LLC (Timothy Landborg), 31989 Lakeway Dr., Cambridge, MN 55008 for a preliminary plat.

Review

Mr. Landborg purchased the 60 acres south of Pioneer Trail SE, known as the next phase(s) of the Yerigan Farms development. Mr. Landborg subdivided 5 lots in 2018 known as Yerigan Farms 2nd Addition. Mr. Landborg is now preparing for the remainder of the development with Yerigan Farms 3rd Addition.

The proposed plat consists of 58.5 acres. The subdivision includes properties in the R-1 One Family Residence District and the SR-Shoreland Residential District. No zoning map changes are required as a part of this plat.

The proposed plat consists of 87 new single-family lots. During the initial review, it appears the lots meet the minimum size and setback requirements with perhaps a few alterations. Staff is still in review of the preliminary plat with the developer and a revised version will be submitted in the future.

In addition to the preliminary plat, full site plan review has been submitted. Staff has been reviewing the civil plans pertaining to new streets, utilities, grading and drainage. The preliminary plat and the site plan review need to be reviewed together to ensure proper development of the proposed lots. Staff need more time to review before the preliminary plat can be approved. Staff has requested more review time (60 day rule extension was requested) and indicated that the discussion and vote of the preliminary plat will likely be tabled.

The 58.5 acres proposed in this preliminary plat includes wetland. Isanti County is the Local Government Unit responsible for wetland delineation review and permits. In addition, the Army Corp of Engineers will need to review the plat. Staff has submitted a copy of the preliminary plat to the Commissioner of the Department of Natural Resources (DNR) as required per city code. As part of site plan review, staff will assure all review and approvals are complete.

Furthermore, a Development Agreement between the City and Developer will need to be finalized. The Development Agreement includes details on public street and utility construction, sewer and water area charges, parkland dedication, etc. This agreement will take place after the preliminary plat, although staff wanted the Commission to be aware that we are reviewing all requirements administratively.

The public hearing for the preliminary plat must be held since it was advertised after the application was received. However, the preliminary plat is not ready for approval; staff has not had adequate time for review. Staff recommend tabling the Yerigan Farms 3rd Addition preliminary plat discussion until such time as staff has had adequate time for review.

Planning Commission Action

Hold the Public Hearing. Table the discussion to a future date when staff has had

adequate time for review.

Attachments

1. General Location Map
2. Preliminary Plat
3. Site Plan



Subject property

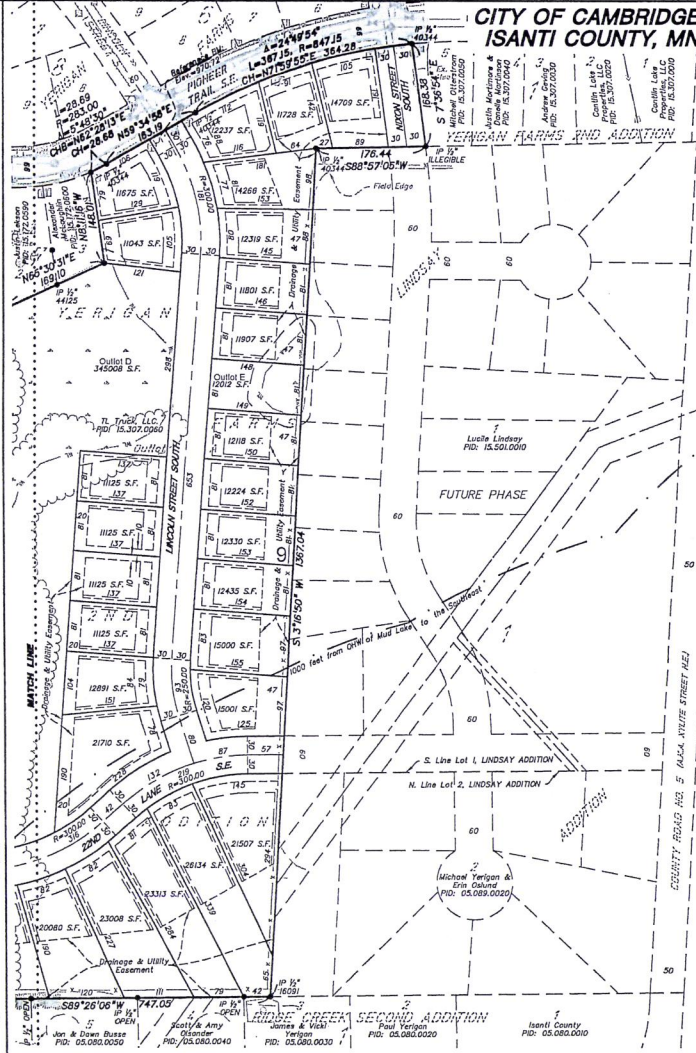
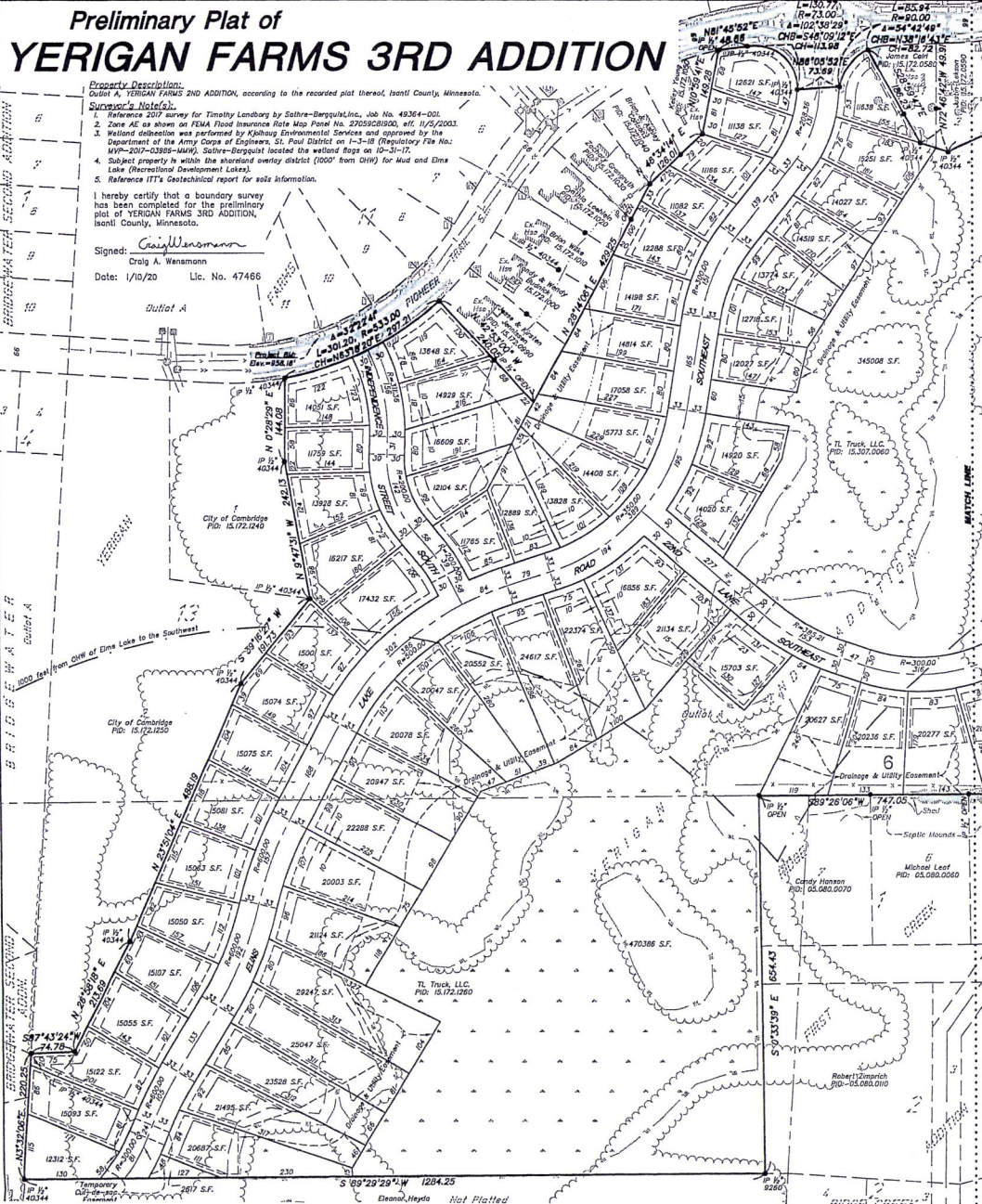
Preliminary Plat of YERIGAN FARMS 3RD ADDITION

Property Description:
 Outlet A, YERIGAN FARMS 2ND ADDITION, according to the recorded plat thereof, Isanti County, Minnesota.

Surveyor's Note(s):
 1. Reference 2017 survey for Timothy Lendborg by Sathre-Bergquist, Inc., Job No. 49364-001.
 2. Zone AE as shown on FEMA Flood Insurance Rate Map Panel No. 27055C8100, eff. 11/3/2003.
 3. Wetland delineation was performed by Kibourg Environmental Services and approved by the Department of the Army Corps of Engineers, St. Paul District on 1-1-18 (Regulatory File No.: MYP-2017-03889-MAW). Sathre-Bergquist located the wetland flags on 10-31-17.
 4. Subject property is within the shoreland overlay district (1000' from OWH) for land and Elm Lake (Recreational Development Lakes).
 5. Reference ITI's Geotechnical report for site information.

I hereby certify that a boundary survey has been completed for the preliminary plat of YERIGAN FARMS 3RD ADDITION, Isanti County, Minnesota.

Signed: *Craig A. Wensmann*
 Craig A. Wensmann
 Date: 1/10/20 Lic. No. 47466



For the purpose of this plat, the bearings are based on the recorded plat of YERIGAN FARMS 2ND ADDITION.

- Denotes a bench monument found copied R.L.S. 24794 unless otherwise indicated

REFERENCE BENCHMARK:
 Top rail hydrant in the southeast quadrant of the intersection of Pioneer Trail S.E. and Nixon Street S. Elevation = 970.72 feet (Per Sathre-Bergquist, Inc. survey, Doc. No. 49384-001)

PROJECT BENCHMARK:
 Top rail hydrant on the N. side of Pioneer Trail S.E. at the corner of Lots 10 & 11, Block 11, YERIGAN FARMS. Elevation = 958.18 feet (see above)

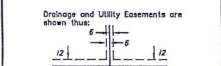
OWNER/DEVELOPER:
 TL Trucking, L.L.C.
 Timothy S. Lendborg
 31889 Lakeview Drive
 Cambridge, MN 55008
 612-685-9057

SURVEYORS & ENGINEERS:
 Bogart, Pederson & Associates, Inc.
 13076 First Street
 Becker, MN 55308-8322
 763-262-8822

EXISTING ZONING: R-1 w/ Shoreland Overlay
PROPOSED ZONING: R-1 w/ Shoreland Overlay

TOTAL ACREAGE: 58.50+ Acres
MINIMUMS: R-1, One Family Residence District:
 30' Front
 120' Lot Depth
 11,000 Square Feet
 Shoreland District:
 75' from Water
 15,000 Square Feet

- BUILDING SETBACKS:**
 30' Front
 30' Rear
 20' abutting permanent open space
 25' Street Adjacent (collector)
 30' from collecting wetland
 15' Street Adjacent (residential)
 10' Side
 -10' on attached garage side
 Shorelands:
 35' Rear
 -20' abutting permanent open space
 * Collector street = 85' ROW
 ** Residential street = 60' ROW



[NOT TO SCALE]
 Bring 6 feet to width and adjoining lot lines, unless otherwise indicated, and 12 feet in width of easements and 12 feet in width of setbacks, unless otherwise indicated, as shown on the plat.

DATE: January 10, 2020
 FIELD DATE: November 25, 2019
 BK/PG: 303/65
 DRAWN BY: CJR
 CHECKED BY: CAW
 DWG FILE: 19-0301 Prelim Plat
 FILE NO: 19-0301.00

REVISIONS:

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Signed: *Craig A. Wensmann*
 Craig A. Wensmann
 Date: 1/10/20 Lic. No. 47466

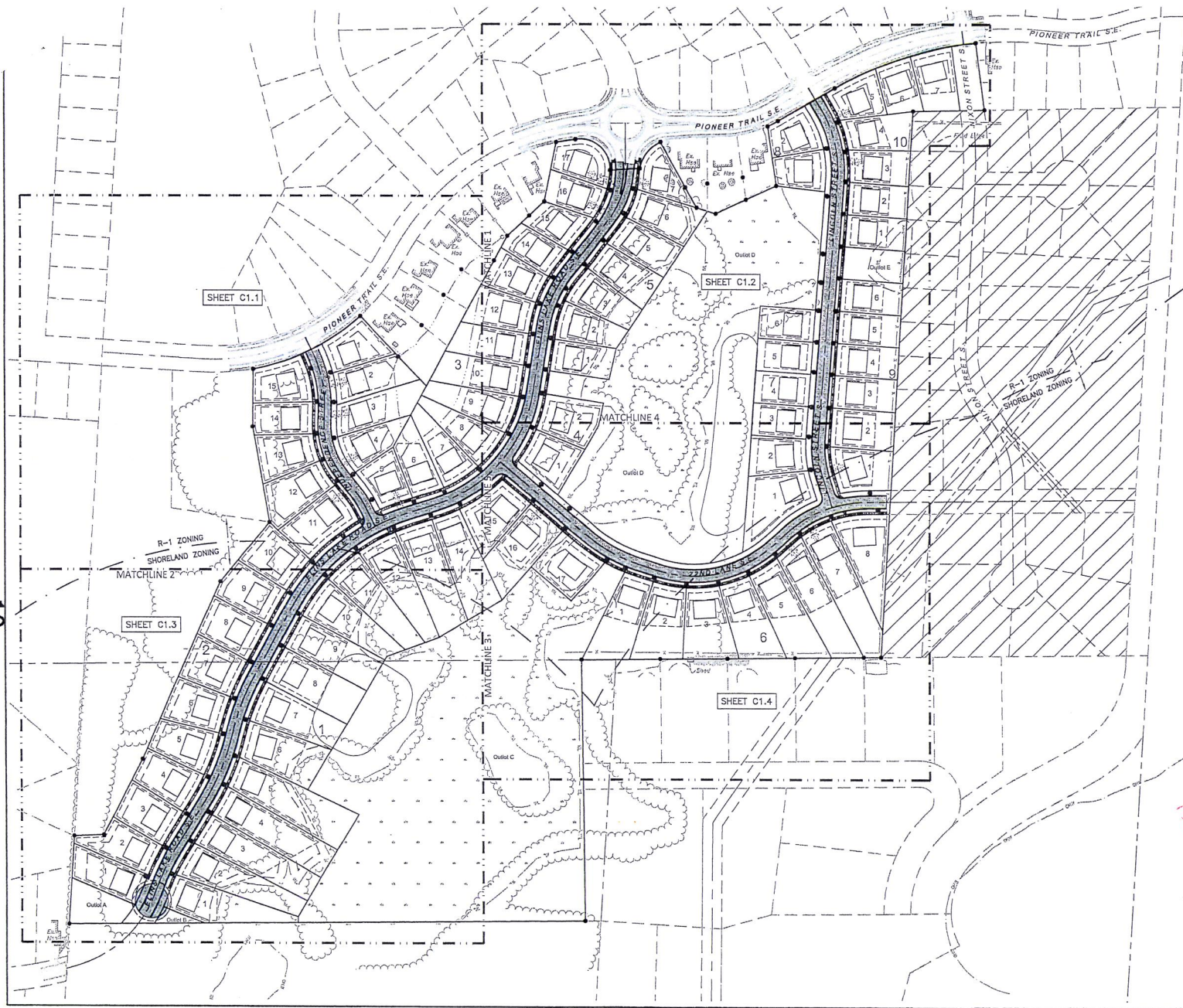
LEGEND:

Denotes bluish surface	Denotes catch basin	Denotes shrub/bush
Denotes concrete surface	Denotes electrical cabinet	Denotes mailbox
Denotes wood fence	Denotes electric cleanout	Denotes sign
Denotes barbed fence	Denotes electric service	Denotes hydrant
Denotes tree line	Denotes sanitary manhole	Denotes wellhead
Denotes easement	Denotes telephone pedestal	Denotes water valve
Denotes major contour	Denotes fire end section	Denotes electric meter
Denotes minor contour	Denotes cable television box	Denotes light pole
Denotes sanitary sewer	Denotes fiber optic service box	
Denotes storm sewer	Denotes DoE E. Hanson, LS	
Denotes waterline	Denotes Dale B. Anderson, LS	
Denotes water edge	Denotes Gary R. Garmond, LS	
Denotes wellhead	Denotes David B. Pemberton, LS	
Denotes building setback line	Denotes Eric R. Vickaryous, LS	
Denotes existing adjoiners		
Denotes ordinary high water (OHW) line		
Denotes tree, coniferous		
Denotes tree, deciduous		

VICINITY MAP
 Sec. 4, Twp. 35, Rng. 23
 Isanti County, MN

SCALE: 1" = 100'

BOGART, PEDERSON & ASSOCIATES, INC.



LEGEND:

- FUTURE DEVELOPMENT
- EXISTING LOTS
- FUTURE LOTS
- PROPOSED LOTS
- PROPOSED ZONING LINE

SITE PLAN INFORMATION:

PARCEL AREA:
 • 58.5 ACRES +/-

ZONING:
 EXISTING ZONING: ONE FAMILY RESIDENCE DISTRICT (R-1) W/ SHORELAND OVERLAY
 PROPOSED ZONING: ONE FAMILY RESIDENCE DISTRICT (R-1) W/ SHORELAND OVERLAY

MINIMUMS:
 R-1, One Family Residence District:
 80' Feet Width
 120' Feet Depth
 11,000 Square Feet

Shoreland District:
 75' Feet Width
 15,000 Square Feet

BUILDING SETBACKS:
 R-1:
 30' FRONT
 30' REAR
 - (20' ABUTTING PERMANENT OPEN SPACE)
 25' STREET ADJACENT (COLLECTOR*)
 20' FROM DELINEATED WETLAND
 15' STREET ADJACENT (RESIDENTIAL**)
 10' SIDE
 - (6' ON ATTACHED GARAGE SIDE)

SHORELAND:
 30' REAR
 - (20' ABUTTING PERMANENT OPEN SPACE)

* COLLECTOR STREET - 66' ROW
 ** RESIDENTIAL STREET - 60' ROW

LOTS:
 TOTAL PROPOSED LOTS: 87

Put # of shoreland + R-1

CALL 48 HOURS BEFORE DIGGING:
GOPHER STATE ONE CALL
 TWIN CITY AREA 651-454-0002
 MINNESOTA TOLL FREE 1-800-252-1166

REV. NO.	DATE	DESCRIPTION
01/10/2020	01/10/2020	PLANS ISSUED TO CITY FOR PRELIMINARY REVIEW

I hereby certify that this site specification or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Signed: Wesley P. Davis
 Date: 01/10/2020 Lic. No. 50896

BOGART, PEDERSON & ASSOCIATES, INC.
 LAND SURVEYING
 CIVIL ENGINEERING
 ENVIRONMENTAL SERVICES

15074 FIRST STREET, ROCHESTER, MN 55904-9322
 TEL: 763-292-8822 FAX: 763-292-8844

YERIGAN FARMS 3RD ADDITION
 RESIDENTIAL DEVELOPMENT PLAT
 CITY OF CAMBRIDGE, ISANTI COUNTY, MINNESOTA
 PRELIMINARY PLANS
 SITE AND DIMENSION PLAN
 OVERALL SITE PLAN

SHEET NO. **C1.0**

<p>CITY OF CAMBRIDGE – PLANNING COMMISSION 2020 DEVELOPMENT REVIEW SCHEDULE</p>

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 2020 schedule for all items brought before the Planning Commission.

Application Submittal Date:	December	13
Publication Deadline:	December	20
Planning and Zoning Commission:	January	7
City Council Meeting:	January	21 (Tues.)
60 Day Agency Action:	February	11
Application Submittal Date:	January	10
Publication Deadline:	January	17
Planning and Zoning Commission:	February	4
City Council Meeting:	February	18 (Tues.)
60 Day Agency Action:	March	10
Application Submittal Date:	February	7
Publication Deadline:	February	14
Planning and Zoning Commission:	March	4 (Wed.)
City Council Meeting:	March	16
60 Day Agency Action:	April	7
Application Submittal Date:	March	13
Publication Deadline:	March	20
Planning and Zoning Commission:	April	7
City Council Meeting:	April	20
60 Day Agency Action:	May	12
Application Submittal Date:	April	10
Publication Deadline:	April	17
Planning and Zoning Commission:	May	5
City Council Meeting:	May	18
60 Day Agency Action:	June	9
Application Submittal Date:	May	8
Publication Deadline:	May	15
Planning and Zoning Commission:	June	2
City Council Meeting:	June	15
60 Day Agency Action:	July	7
Application Submittal Date:	June	12
Publication Deadline:	June	19
Planning and Zoning Commission:	July	7
City Council Meeting:	July	20
60 Day Agency Action:	August	11
Application Submittal Date:	July	10
Publication Deadline:	July	17
Planning and Zoning Commission:	August	4

CITY OF CAMBRIDGE – PLANNING COMMISSION 2020 DEVELOPMENT REVIEW SCHEDULE

City Council Meeting:	August	17
60 Day Agency Action:	September	8
Application Submittal Date:	August	7
Publication Deadline:	August	14
Planning and Zoning Commission:	September	1
City Council Meeting:	September	21
60 Day Agency Action:	October	6
Application Submittal Date:	September	11
Publication Deadline:	September	18
Planning and Zoning Commission:	October	6
City Council Meeting:	October	19
60 Day Agency Action:	November	10
Application Submittal Date:	October	9
Publication Deadline:	October	16
Planning and Zoning Commission:	November	4 (Wed.)
City Council Meeting:	November	16
60 Day Agency Action:	December	8
Application Submittal Date:	November	6
Publication Deadline:	November	13
Planning and Zoning Commission:	December	1
City Council Meeting:	December	21
60 Day Agency Action:	January	5

2021

Application Submittal Date:	December	11
Publication Deadline:	December	18
Planning and Zoning Commission:	January	5
City Council Meeting:	January	19 (Tues.)
60 Day Agency Action:	February	9

- 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.
- 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)

Amended: January 3, 2012; July 16, 2012; January 3, 2017



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.
- i. Use their official title as Councilmember or Commission member to write a letter to the editor, prepare/submit a story to the press, or create a City of Cambridge XXX Facebook page or social media account without first seeking Council approval.

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 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.