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Meeting Announcement and Agenda  
Cambridge Parks, Trails, and Recreation Commission  
City Council Chambers  
Meeting, Tuesday, February 11, 2020  
7:00 pm

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Members of the audience are encouraged to follow the agenda. Copies of the agenda are on the table outside the Council Chambers door. When addressing the Commission, please state your name and address for the official record.

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**AGENDA**

1. **Call to Order and Pledge of Allegiance**
2. **Organizational Meeting**
  - A. Introductions and Welcome to Commissioners Jeff Andres and Jeff Soderquist (verbal)
  - B. Councilmember Lisa Iverson to serve as Council Appointee (verbal)
  - C. Election of Chairperson and Vice Chairperson (verbal)
3. **Approval of Agenda (p. 1)**
4. **Approval of Minutes**
  - A. Approval of the November 12, 2019 minutes (p.3)
5. **New Business**
  - A. 2020 Meeting Schedule (p.7)
  - B. Commission Bylaws (p.8)
  - C. Commissioner Membership List (handout)
  - D. Commissioner Quotes & Pictures (p.26)
  - E. Chapter 32 Parks, Trails, and Recreation Commission of the City Code (p.27)
  - F. Chapter 98 Review (p.31)
  - G. Bernick's Family Foundation Grant (p.36)
6. **Other Business/Miscellaneous**
  - A. City Council Update
  - B. Commissioner Concerns
7. **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 Parks, Trails, and Recreation Commission Meeting Minutes  
Tuesday, November 12, 2019**

A regular meeting of the Cambridge Parks, Trails, and Recreation Commission was held on Tuesday, November 12, 2019, at Cambridge City Hall Council Chambers, 300 3rd Avenue NE, Cambridge, Minnesota, 55008.

**Members Present:** Vice Chair Marisa Harder-Chapman, Mayor Jim Godfrey, Kriste Ericsson, and Elijah Anderson.

**Members Absent:** Chairperson Mark Ziebarth, Barry Wendorf, and Tom Koep

**Staff Present:** Community Development Specialist Carri Levitski.

**Call to Order & Pledge of Allegiance**

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

**Approval of the Agenda**

Godfrey moved, seconded by Ericsson, to approve the agenda as presented. Motion carried 4/0.

**Approval of Minutes**

Godfrey moved, seconded by Ericsson to approve the August 13, 2019 minutes as presented. Motion carried 4/0.

**Old Business**

**Long Range Plan**

Levitski explained it's been brought to her attention the Long-Range Plan, Priority Ranking and Timeline for Parks Improvements as established by the Parks, Trails, and Recreation Commission must include capital improvements such as major playground and asset replacement.

Levitski explained she has spoken with The Public Works Department and has included the date the equipment and assets need to be replaced per manufacturer's recommendations. The PTR Commission should review the list and incorporate the replacements in the long-range plan.

The Commissioners discussed specific costs for projects and thought the timeline fit into the plan. Levitski stated equipment would not be replaced unless it's deemed necessary by inspections. She stated if it's safe and functioning then the replacement could be moved onto the next year. Any leftover funds could potentially be rolled over to the following year. Levitski noted swings last longer than other equipment. Commissioners confirmed the costs associated is capital replacement and any actual staff time to install is not included in price. Commissioners confirmed \$120,000 is adequate for the Long-Range Plan.

Godfrey moved, seconded by Ericsson to amend the Long-Range Plan to include capital improvements as identified in the draft document. Motion passed 4/0.

## **New Business**

### **Veterans Memorial Park**

Representatives from the Veterans Memorial Park were present to give the Parks, Trails, and Recreation Commission an update on the park planning progress.

Clark Swanson shared his lifelong dream of creating a memorial for Veteran's since he returned home from the Vietnam War. Swanson explained it will be a quiet place for the community to spend time. Swanson would like every veteran from Isanti County to have their name on the Memorial and feels it would be a great asset to the community.

Jim Rostberg spoke on behalf of the business side of the park. Rostberg explained the Memorial Park will have its own website which will tell a story of each veteran; therefore, anyone could read their story. It would be a destination of living history and also have an educational piece.

Susan Morris spoke on behalf of the long journey this has been and on the hard work that has been completed to make this a reality. Important to share the work they are doing and possibly working together with the city/council. Spoke of benefits for this Park. Very patriotic community. Park will be a landmark in the community and will promote tourism.

Gail Genin, member of the board shared the financial success of having sold 71 blocks for the wall. They have \$38,000 in their fund for park development. Genin added they have donations for trees, flags, and benches as well as labor for the improvements. Genin stated they have already ordered four walls which are handicap accessible and are imported from India and made from the same material as the Veteran's Memorial in Washington DC.

Morris distributed a draft of an amended agreement that would need to be reviewed and approved by the City Council. Levitski stated staff would need to review the agreement and discuss prior to bringing it to Council for approval.

Godfrey commended the group for the great work they have done. Godfrey stated the city attorney would have to also review the amended agreement and he would like to see Veterans Park 501C3 added to agreement as the signatory since it will no longer be with the American Legion.

Godfrey moved, seconded by Ericsson to recommend City Staff work with the Veterans Park group on the amendments to the Agreement and present to Council. Motion carried 4/0.

### **Resolution in Support of Bonding Money**

Levitski explained The City of Cambridge is a member of Greater Minnesota Parks and Trails (GMPT). The primary focus of GMPT is to improve the quality of life for citizens of Minnesota by providing areas for recreational opportunities, and promoting legislative support, funding opportunities, and networking for regional parks and trails throughout greater Minnesota.

Levitski stated GMPT is requesting help to encourage the Governor and Legislature to include money for local park and trail grant programs in the 2020 bonding bill. This resolution seeks support for \$4 million in bonding money for the local parks and trails programs created by Minnesota Statute 85.019 which includes the Outdoor Recreation Grant Program and Local/Regional Trail Connection Grant Program.

Levitski explained GMPT has been lobbying hard for these grant programs over the last several years. They were able to restore general fund money for the first time in several decades and have helped the Department of Natural Resources acquire Environment and Natural Resources Trust Fund (ENRTF) money from the Legislative-Citizens Commission on Minnesota Resources. Their efforts have helped secure \$4 million in general fund monies. The programs continue to be oversubscribed and the demand far exceeds the supply which is why they are seeking bonding money.

Ericsson moved, seconded by Anderson to recommend that City Council adopt the draft Resolution. Motion carried 4/0.

#### **Disc Golf Baskets**

Levitski stated in the past it has been discussed to locate the three-disc golf baskets that staff has on hand at Pioneer Park since there is a large area of open space.

Since the City has started the Disc Golf League, it has been requested that additional baskets be placed in City Park. In speaking with Disc Golf players three baskets at one location will not be the best use of assets.

Staff is looking to see if the Parks, Trails, and Recreation Commission is interested in having these baskets located in City Park to expand the Disc Golf Course instead of locating them in Pioneer Park as previously discussed.

Levitski explained, if supported, she will be meeting with representatives of the disc golf sport this spring to determine the placement of the baskets in City Park.

Godfrey questioned if some of the baskets could be expanded to the west side of the park. Levitski explained the west side of the park is very wet therefore might not be a good location, but staff would explore all possibilities.

Ericsson moved, seconded by Anderson to support the placement of three additional disc golf baskets in City Park. Motion carried 4/0.

#### **Bernick Family Foundation Grant**

Levitski stated The City of Cambridge submitted a Letter of Intent (LOI) to the Bernick Family Foundation for a grant to begin the development of Parkwood Park. This LOI was the first phase in a two-phase grant application process. In order to actually apply for the grant, the City needed to submit the LOI by August 31st and then be invited to apply for the grant.

Levitski explained The Grants Committee reviewed 74 applications requesting over \$1,827,900. Levitski announced that at the end of October, she received an email notifying her that the City of Cambridge was selected along with 18 other applicants to complete the full application.

The Bernick Family Foundation will award a total of \$150,000 to several projects throughout the six Bernick regions (Barnum, Bemidji, Brainerd, Duluth, Waite Park, Willmar, and Dresser, Wisconsin). They anticipate grantees will be announced by the end of January. The City has applied for \$25,000 in grant monies.

Levitski stated the deadline to apply for the grant was 11:59 pm on Monday, November 11th and staff has completed the grant application and attached it to the staff report. Levitski noted this is a non-matching grant and if selected will help begin the development of Parkwood Park.

#### **Commissioner Quotes & Pictures**

Levitski stated she would like to get quotes from each Parks, Trails and Recreation member to add to the City website. Levitski stated she would be sending out an email to Commissioners in early December.

#### **Other Business/Miscellaneous**

Godfrey updated the Commission on the last City Council meeting stating there was a good response to the Splash Pad surveys. Godfrey stated the October 1st paperwork was in on time for the tax increase and January 1st is when the money will be seen. Godfrey stated the Solar Park will officially open on November 22nd. Levitski reported the Dog Park fundraiser was well attended.

#### **Commissioner Concerns**

Questions on whether there will be a staff person for summer programming. Godfrey explained there are discussions as to whether or not this would fit into the 2020 budget.

#### **City Wide Park Wi-Fi (Verbal)**

Anderson discussed the possibility of having wi-fi in the gazeboes at the parks. Ericsson asked if most of the parks have gazeboes and Levitski stated they do. Levitski agreed to check into this matter per commissions direction.

#### **Adjournment**

Being no further business before the Cambridge Parks, Trails, and Recreation Commission, Godfrey moved, seconded by Anderson to adjourn the regular meeting at 8:28 pm. Motion carried unanimously.

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Chair Mark Ziebarth

ATTEST:

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Carri Levitski, Community Development Specialist

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Prepared by: Carri Levitski

**Background**

The City of Cambridge Parks, Trails, and Recreation Commission traditionally has met on the second Tuesday of every month at 7:00 pm.

The following is the list of the regular meeting dates for 2020.

- Tuesday, March 10<sup>th</sup>
- Tuesday, April 14<sup>th</sup>
- Tuesday, May 12<sup>th</sup>
- Tuesday, June 9<sup>th</sup>
- Tuesday, July 14<sup>th</sup>
- No Meeting in August unless necessary (state primary election)
- Tuesday, September 8<sup>th</sup>
- Tuesday, October 13<sup>th</sup>
- Tuesday, November 10<sup>th</sup>
- Tuesday, December 8<sup>th</sup>

**Commission Action:**

No formal motion needs to be made.

**Attachments**

1. None

Prepared by: Carri Levitski

**Background**

Please review the attached City Council and Commissions Code of Conduct and Council Bylaws.

**Commission Action:**

For information purposes only, no action required.

**Attachments**

1. City Council & Commissions Code of Conduct and Council Bylaws





# 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.

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Prepared by: Carri Levitski

**Background**

Please have a look at our Parks, Trails & Recreation Commission web page at <https://www.ci.cambridge.mn.us/your-government/commissions/parks-trails-recreation-commission/-fsiteid-1>.

If you would like to update your picture (or need a picture), please either email me a head shot at [clevitski@ci.cambridge.mn.us](mailto:clevitski@ci.cambridge.mn.us) or we will take a picture immediately following the meeting.

As you can see on the web page, we like to capture a short quote from Commissioners as to why serving on the commission is important to you or why you feel having a strong parks and recreation system is important in Cambridge. Please either email me a quote or bring one to the meeting on Feb. 11<sup>th</sup>.

**Commission Action:**

No formal action required.

**Attachments**

1. None

Prepared by: Carri Levitski

**Background**

Please review Chapter 32. If there are questions or concerns please let me know and we can discuss at our meeting.

**Commission Action:**

Information only, no formal action required.

**Attachments**

1. Chapter 32 of the Cambridge City Code

**Chapter 32 of the Cambridge City Code**  
**PARKS, TRAILS AND RECREATION COMMISSION**

**§ 32.45 ESTABLISHMENT**

There is hereby established a Parks, Trails and Recreation Commission, hereinafter referred to as the "Commission".

**§ 32.46 COMPOSITION**

(A) *Membership.*

(1) The Commission shall consist of seven members appointed by the City Council from among the residents of the city. Of the seven members, at least one member shall be appointed from the City Council, at least one member from the Cambridge - Isanti Independent School District and one youth representative.

(2) Members other than the City Council, School District, and youth representatives 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. Members shall be appointed as follows: When a vacancy occurs or is about to occur, applications shall be requested from the residents of the city.

(B) *Terms.* Terms of office for members other than the City Council and youth representatives 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 and youth representatives shall be appointed annually by the Council with eligibility for reappointment. 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 Parks, Trails and Recreation Commission for a period of one year.

(C) *Removal from office; vacancies.*

(1) 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.

(2) 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.

(3) It shall be the duty of the chairman of the Commission to notify the City Council promptly of any vacancies occurring in membership, and the City Council shall fill such vacancies within 60 days from notification for the unexpired term of the original appointment.

**§ 32.47 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 be governed and operate pursuant to 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, 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) *Meetings.* The Commission shall hold at least one regular meeting each month. Special meetings may be held at any time upon the call of the chair. Notice of the time and place of a special meeting shall be communicated to the members and publicly noticed at least three days prior to the meeting except in the event of emergency. All Commission meetings shall be open to the public.

(D) *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.

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

**§ 32.48 DUTIES AND POWERS**

(A) *Purpose.* The Commission is established to review and to make recommendations to the City Council on the development and organization of the city parks, trails and recreation programs.

(B) *Duties.* The Commission shall prepare, hold hearings on and recommend to the City Council such plans, programs and policies as it deems necessary to carry out the purposes of this subchapter. Such powers shall include, but not be limited to, the study of and recommendation to the City Council on the following:

(1) To hold meetings of its members, to consider such matters pertaining to parks, trails and public recreation programs in the city as shall be referred to the Commission by the Council, or as the members of the Commission themselves deem proper.

(2) Recommend capital park and trail projects to Council subject to available funding sources.

(3) Recommend policies affecting the use of the city's park and trail system.

(4) Recommend the allocation of park fields in a fair and equitable manner, based on recommendations from users and city staff.

(5) Work with a variety of organizations to ensure the offering of an appropriate array of recreation opportunities for the youth and adults of the city.

(6) Prepare and recommend a comprehensive plan for the future development of the city park, recreation and trail system, to be submitted to the City Council for implementation, and to maintain said plan, and recommend amendments of the plan to the City Council, as may become necessary or desirable.

(7) To act in an advisory capacity to the Council in all matters relating to a park, recreation and trail programs in the city.

(8) Any other plans and programs as may be assigned by the City Council from time to time.

(C) *Powers.* The Commission shall not be considered a park board under state law and shall have no powers to acquire or lease land, employ personnel, or enter into contracts or leases, or any similar powers authorized for a park board by state law.

#### **§ 32.49 APPROPRIATIONS AND EXPENSES**

(A) The City Council shall make available to the Commission such appropriations as it may see fit for fees and expenses necessary to conduct its work.

(B) Members of the Commission shall a per diem of \$35 per Commission meeting attended.

Prepared by: Carri Levitski

**Background**

It has been some time since the Commission has reviewed City Code Chapter 98. Please take the time to review this chapter and be prepared to have a discussion if you feel changes should be made to our regulations.

**Commission Action:**

For discussion purposes only, no action required.

**Attachments**

1. City Code Chapter 98, Regulations for City Parks and Park Lands

## CHAPTER 98 REGULATIONS FOR CITY PARKS AND PARK LANDS

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### § 98.01 PURPOSE AND INTENT

The purpose of this Chapter is to provide for the regulated use of and the protection of life and property in or on City parks.

### § 98.02 DEFINITIONS

For the purpose of this Chapter the following words and phrases shall have the meaning given to them.

- (1) *City Park and Park Lands.* Any land owned by the City of Cambridge and designated as a park by the City Council.
- (2) *Liquor.* A beverage capable of inducing intoxication, including but not limited to 3.2 beer, wine and wine coolers.
- (3) *Motorized vehicle.* Any motor vehicle, whether designed for, used or capable of use for travel, lodging, sport, amusement or recreation, whether or not eligible to be licensed for use upon streets or highways, including, but not limited to, automobiles, buses, trucks, tractor trailers, tractors, motorbikes, motor scooters, mini-bikes, trail bikes, motorcycles, go-karts, hovercrafts, snowmobiles, all-terrain vehicles, off road vehicles, mini-trucks or dune buggies.
- (4) *Person.* An individual, firm, partnership, corporation or association of persons.

### § 98.03 PARK REGULATIONS

- (1) *Equipment.* No person shall willfully mark, deface, disfigure, injure, tamper with, displace or remove any building, bridge, table, bench, waste receptacle, fireplace, railing, paving or paved material, waterline or other public utility or part or appurtenance thereof, sign, notice or placard (whether temporary or permanent), monument, stake, post or other boundary marker, or other structure, equipment, park property or park appurtenances whatsoever, either real or personal.
- (2) *Rest Room Facilities.* No person shall fail to cooperate in maintaining rest rooms, wash rooms and other sanitation facilities in a neat, orderly and sanitary condition. No person over the age of five years shall use the rest rooms and washrooms designed and designated for members of the opposite sex.



- (3) *Public Waters.* No person shall throw, discharge, or otherwise place or cause to be placed in the water of any fountain, pond, lake, stream, bay or other body of water in or adjacent to any park or in any tributary, stream, storm sewer or drain flowing into such water, any substance, matter or thing, liquid or solid; nor shall any person bring in or dump, deposit or leave any bottles, broken glass, ashes, paper boxes, cans, dirt, rubbish, waste, garbage, or refuse or any other trash, in any park or portion thereof, or in any waters in or contiguous to any park. All such garbage, refuse or trash shall be placed in the proper receptacles; where proper receptacles are not provided, all such garbage, refuse or trash shall be carried away from the park by the person responsible for its presence and properly disposed of elsewhere.
- (4) *Alcoholic Beverages.* No person shall bring into any park nor possess, display, consume or use intoxicating liquor in any park unless prior written approval has been issued by the City Administrator or the City Administrator's designee.
- (5) *Fires.* Fires are prohibited in City parks except in a metal grill. No person shall leave before the fire has been completely extinguished, and all garbage, trash, and refuse have been placed in the receptacles provided. Where no receptacles have been provided, all garbage, trash and refuse shall be carried away from the park area and shall be properly disposed of elsewhere.
- (6) *Public Sales.* No person shall within any park or property, expose or offer for sale, rent or hire any article or thing unless they have obtained prior written approval to do so from the City Administrator. No person shall announce, advertise, or call the public attention to any article or service for sale or hire in any way.
- (7) *Posters; Advertisements.* No person shall post, glue, tack or otherwise post any sign, placard, advertisement, or inscription whatsoever in park lands, or on any public lands, highways or roads adjacent to park lands, unless prior written approval is received from the City Administrator or the City Administrator's designee.
- (8) *Golfing.* No person shall play the game of golf or engage in putting, practice swinging or the striking of any golf balls in any City park.
- (9) *Camping.* Overnight camping is prohibited in City parks without first obtaining the written permission of the City Administrator or the City Administrator's designee.
- (10) *Pets.* Pets are allowed in City parks provided they are on a leash and their waste is disposed of properly. Pets are allowed off of the leash only in those areas designated by the City as an animal or dog park. No pets other than service animals are permitted on athletic fields or in the Sandquist Family Park Softball Complex.
- (11) *Group Activity.* No group, association, or organization desiring to use park facilities for a particular purpose including, but not limited to, picnics, parties, or theatrical or entertainment performances, may do so without first obtaining written approval for such use from the City Administrator. The City Administrator shall grant the application if in the Administrator's judgment the use for which the permit is sought will not interfere with the health, safety, welfare and morals and use of the park by the general public and if the applicant meets all other

conditions contained in the application form. The Administrator may require an indemnity bond, in form and substance satisfactory to the City Attorney, holding the City harmless from liability of any kind or character and protecting the City in case of property damage. The bond shall be filed with the City Clerk.

- (12) *Flowers, Trees and Shrubs.* It is unlawful to willfully and without authority cut, pluck, or otherwise injure any flowers, shrubs or trees growing in or around any public park, or on other public lands.
- (13) *Park Hours.* Except as otherwise provided here, parks shall be closed between the hours of ten o'clock (10:00) p.m. and five o'clock (5:00) a.m. of the following day. No person shall be in, remain in, or leave or park any vehicle in any park, parkway or drive during such hours. Groups, associations, or organizations wishing to meet in a park area past the time designated by the Council must obtain prior written approval from the City Administrator or the City Administrator's designee. The City Administrator shall grant the application if, in the Administrator's judgment, the use for which the permit is sought will not interfere with the health, safety, welfare and morals of the general public and if the applicant meets all other Cambridge City Codes and conditions required by the Administrator contained in the application form. The application form may contain a requirement for an indemnity bond, in form and substance satisfactory to the City Attorney, holding the City harmless from liability of any kind or character and protecting the City in case of property damage. The bond shall be filed with the City.
- (14) *Park Closing.* The Chief of Police may close any public park, parkway or drive at any time, and for such period as the Chief deems necessary, in order to protect or restore order or terminate or prevent breaches of the peace and order of the City. No person having been informed of such an order closing any such area shall remain in the area longer than is necessary to leave the closed area.
- (15) *Hunting.* No person shall rob, injure or destroy any bird or animal nest within the limits of any park, nor shall any person aim or discharge any air gun, sling shot, arrow or other weapon, or throw any stone or other projectile, at any bird or animal within any park, nor in any manner capture, kill or harm in any way any bird or animal therein.
- (16) *Trapping.* No person shall set, lay, prepare or have in his possession any trap, snare, artificial light, net, bird line, ferret or any contrivance whatever, for the purpose of trapping, catching, taking, or killing any bird or animal within any park or parkway.
- (17) *Firearms and Fireworks.* Except as otherwise permitted by law in this Code, no person shall within the limits of any park or parkway, fire or discharge any cannon, fowling piece, pistol, revolver, paintball gun, airsoft gun, or firearm of whatever description or fire, explode or set off any firecracker, or any other thing containing powder or other combustible or explosive material.
- (18) *Motorized Vehicles.* No motorized vehicles or machines of any kind or character, except those operated by and for the City or other competent governmental authority, shall drive on or across park lands, the ice skating rinks, whether on lakes or flooded, nor shall such vehicle or machine

park on these areas, without first obtaining a permit from the City Council or its designated officials, paying the fees fixed from time to time by Council resolution.

(19) *Swimming.* Persons who swim in a City park that has a lake, river or stream shall do so at their own risk as lifeguards are not provided in any City park.

(20) *Glass Beverage Containers.* No person shall bring a glass beverage container into any City park, nor use, possess or deposit the same therein, including deposit in a trash container.

(21) *Litter.* No person shall litter any City park or any lake, pond or water course within or draining into a City park with any form of trash or waste material. Such trash or waste material shall be deposited in the proper receptacles when provided; where receptacles are not provided, all trash or waste material shall be carried away from the area by the person responsible for its presence.

(22) *Penalties.* Any person violating any provision of this Chapter, upon conviction thereof, shall be punished by a fine not to exceed one thousand dollars (\$1,000) or by imprisonment not to exceed ninety (90) days, or both, together with the costs of prosecution.

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Prepared by: Carri Levitski

**Background**

I applied for a \$22,750 grant through the Bernick’s Family Foundation on November 7, 2019 to help get us started on the Parkwood Park Improvements. I am happy to announce that I received an email on January 3rd that we have been awarded the grant.

City Council approved the grant agreement on January 6<sup>th</sup> and the publicity items were due to Bernick’s on February 1<sup>st</sup>. There will be a check presentation at the March 2, 2020 City Council meeting.

The equipment and site work that we plan to cover with this money is in the planning stages and we are also working on applying for an Initiative Foundation grant in cooperation with Walker Levande. We also anticipate receiving a restricted donation from Affinity Plus Federal Credit Union specifically for a wheelchair accessible swing at this location. More information regarding the improvements will be shared at a future Parks, Trails, and Recreation Commission meeting.

**Commission Action:**

For informational purposes, no formal action required.

**Attachments**

1. Resolution R20-008

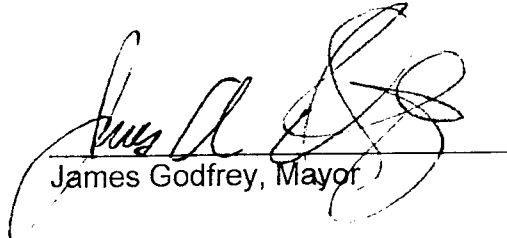
**RESOLUTION NO. R20-008**

*Resolution Accepting Restricted Grant Donation  
to the City of Cambridge Park Department for Parkwood Park Improvements*

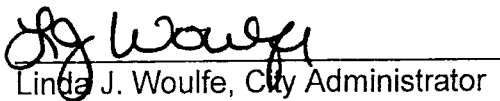
**WHEREAS**, Bernick's Beverages and Vending Fund of the Central Minnesota Community Foundation has made a grant donation in the amount of \$22,750 with the restriction that the funds be used for Parkwood Park Improvements;

**NOW THEREFORE, BE IT RESOLVED** by the City Council of Cambridge, Minnesota, that the donations detailed above are hereby received and accepted for the purposes as described above.

Adopted this 3rd day of February, 2020.

  
James Godfrey, Mayor

ATTEST:

  
Linda J. Woulfe, City Administrator