

Meeting Announcement and Agenda of the Cambridge Planning Commission  
City Hall Council Chambers  
Regular Meeting, Tuesday, February 5, 2019, 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 Arianna Weiler, Aaron Berg, and Robert Boese
  - B. Councilmember Marlys Palmer to serve as Council representative
  - C. Election of Chairperson and Vice Chairperson
3. Approval of Agenda (p. 1)
4. Approval of Minutes
  - A. January 2, 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** – Interim Use Permit (extension) for Local Pawn, 107 Main St. N. (p. 7)
  - B. **PUBLIC HEARING** - Preliminary Plat for Cambridge Isanti Schools plat (p. 11)
  - C. 2019 Schedule (p. 19)
  - D. Commission Bylaws (p. 21)
  - E. Member List (handed out at meeting)
  - F. Chapter 32 Planning Commission of the City Code (p. 38)
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, January 2, 2019**

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

**Members Present:** Vice Chair Chad Struss, Monte Dybvig, Julie Immel, Marisa Harder-Chapman, Arianna Weiler, and Jim Godfrey (City Council Representative).

**Members Absent:** Chair Mike Stylski has resigned from the Planning Commission.

**Staff Present:** Community Development Director Frank Westover.

**Call To Order, Pledge of Allegiance and Approval of Agenda**

Struss called the meeting to order at 7:01 pm and led the public in the Pledge of Allegiance. Immel moved, seconded by Dybvig to approve the agenda. Motion carried unanimously.

**Approval of Minutes**

*November 7, 2018 Regular Meeting Minutes*

Harder-Chapman moved, seconded by Weiler, to approve the November 7, 2018 meeting minutes. Motion carried unanimously.

**Public Comment**

Struss opened the public comment period at 7:05 pm and, without any comments, closed the public comment period at 7:15 pm.

**New Business**

*Public Hearing – Rezoning of 430 1<sup>st</sup> Avenue E. and 130 Cleveland Street N.  
from BT Zoning District to BT Zoning District*

Westover stated on November 7, 2018, the Planning Commission discussed the Interim Use Permit (IUP) request for a VS performance located at 430 1<sup>st</sup> Avenue E. During the discussion, zoning and location of the property was discussed. If the property is rezoned, then an IUP wouldn't be required for the retail sales and service. The Planning Commission ultimately recommended that rezoning be reviewed at a future date.

Westover stated the Planning Commission discussed that the property is adjacent to Highway 95 (1<sup>st</sup> Avenue E.) and near an existing Business Transition zoning district. The properties abutting Highway 95 in this area are subject to redevelopment in the future and may be best suited for commercial (business) use.

Westover explained that the Polzin (Recycling) property (130 Cleveland Street N.) is located in between 430 1<sup>st</sup> Avenue E. (RVS Performance) and the existing Business Transition district. The property at 130 Cleveland Street N. needs to be rezoned along with 430 1<sup>st</sup> Avenue E. to eliminate spot zoning.

Westover stated this rezoning isn't required to take place. The owner of 430 1<sup>st</sup> Avenue E. can continue to request Interim Use Permit extensions to operate the business. Although, looking at future growth and the widening of 1<sup>st</sup> Avenue E (Highway 95), the area may be best suited for future commercial development and a rezoning would make sense at this time. Westover stated the Future Land Use Map identifies this area as commercial.

Westover stated the owner of 130 Cleveland Street N. is concerned that by rezoning the property, the taxes will be increased. Staff checked with Michelle Moen, Isanti County Assessor, who explained that zoning does not affect the classification for tax purposes, so the taxes will not be raised because of rezoning.

Westover stated the Planning Commission needs to decide whether or not to recommend 430 1<sup>st</sup> Avenue E. and 130 Cleveland Street N. be rezoned to the Business Transition district.

Westover stated if the Planning Commission recommends rezoning, a motion is needed to recommend City Council approve the proposed ordinance approving an amendment to the City's Zoning Map rezoning 430 1<sup>st</sup> Avenue E and 130 Cleveland Street N. from I-3 General Industrial district to B-T Business Transition district.

Struss opened the public hearing at 7:07 pm.

Ryan Scheeler, 401<sup>st</sup> St. and owner of RVS Performance at 430 1<sup>st</sup> Ave E, stated he was in attendance to hear the Commission discussion.

Jeannette Polzin, 44226 Ancker Ave, Morris, and owner of 130 Cleveland Ave N., Cambridge, stated her concerns were that their business does not do retail; they buy things. Polzin said that after 18 years of doing business at this location, she doesn't agree with her property needing to be rezoned since the buildings are primarily sheds just because 430 1<sup>st</sup> Ave E is being rezoned. She did state that her concerns regarding taxes being increased have been resolved after discussions with staff.

Harder-Chapman asked if Westover could define what Business Transition (BT) zoning is and how these properties fit into this zoning district.

Westover explained that the Polzin property is currently in the I-3 (General Industrial) zoning district and a recycling center could only be allowed through an IUP in an I-3 district. However, they are considered existing nonconforming. Rezoning from I-3 to BT would allow a commercial use but does not change anything for this property and they can remain existing nonconforming for as long as they own the property and the business.

Harder-Chapman asked if this business was sold, would it still be eligible for existing nonconforming.

Westover stated yes, as long as the use remains the same (recycling), and the use doesn't discontinue according to State statute. If the use discontinues for more than the number of days identified in State statute, they would fall out of that nonconforming classification and would need to conform to the Business Transition zoning district.

Struss closed the public hearing at 7:11 pm.

Dybvig confirmed if the property remained I-3 or changed to BT, the business would still be nonconforming.

Commissioners discussed spot zoning.

Dybvig stated this rezoning doesn't affect the recycling business as long as it stays recycling. Rezoning this to the BT zoning district seems consistent with where the City wants to go with this area in the future and, as long as this won't affect the tax base, he is in favor of rezoning these properties at this time.

Mr. Scheler stated he can operate RVS performance with the current zoning; however, he is uncomfortable with having an interim use permit that is subject to being denied or approved by the City Council every few years. Scheler stated he has invested a lot of time, effort and money into moving his business to Cambridge.

Immel moved, seconded by Dybvig, to recommend City Council approve the proposed Ordinance No. 225 as presented, which is an amendment to the City's Zoning Map rezoning 430 1<sup>st</sup> Avenue E. and 430 Cleveland Street from its General Industrial district to B-T Business Transition district. Motion carried unanimously.

**Public Hearing – Interim Use Permit (Extension) for  
River of Life Church, 150 Birch Street N.**

Westover stated River of Life Church, 150 Birch Street N, Cambridge, was granted an Interim Use Permit (IUP) on January 21, 2014. Late this fall, staff went through all the current Interim Use Permits (IUPs) and built a database in order to effectively track expiration dates for IUPs. During this project, staff discovered that River of Life Church's IUP discontinued on January 21, 2018. Staff immediately sent out a letter to Pastor Mark Radeke, he filled out the application and promptly sent it and the application fee back to the City.

Westover went on to explain that River of Life Church holds a Sunday Service at 10:15 am which averages 42 people each Sunday. They also hold a high school youth group Monday evenings from 7:30–9 pm and the weekly attendance is around 16 people. On Wednesday evenings from 6:30–8 pm, there is a small group bible study where anywhere from 8–12 people attend. Saturdays from 7–8 am, there is a group of 8–10 men that attend a bible study. All weddings,

funerals, or other special occasion meetings are scheduled in a manner that does not conflict with the other businesses located in Westside Commons Mall.

Westover stated River of Life has had a positive relationship with the businesses in the mall since locating there in 2014. Staff have contacted the current tenants and none of them expressed concern with parking. The majority of the businesses in the mall operate Monday-Friday 8 am-5 pm. The only businesses that operate outside of those hours have minimal clients at a time. Staff have also checked with the owner of the property and he supports the request.

Struss opened the public hearing at 7:21 pm. No one appeared, so Struss closed the public hearing at 7:22 pm.

Discussion ensued regarding the length of the interim use permit in this case four years. The consensus of the Commission was this length of time was fair as it allowed for possible growth and for any possible changes with the downtown area.

Dybvig moved, seconded by Harder Chapman, to recommend City Council approve the proposed resolution of the Interim Use Permit for a Place of Worship in the B-1 Downtown Business District at 150 Birch Street as long as the conditions listed on the Resolution are met. Motion carried unanimously.

**Other Business/Miscellaneous**

*City Council Update*

Westover updated the Commission on the previous City Council meeting.

*Parks, Trails, and Recreation Commission Update*

Westover updated the Commission on the Parks Commission.

**Adjournment**

Being no further business before the Commission, Harder-Chapman moved, seconded by Immel, to adjourn the meeting at 7:28 pm. Motion carried unanimously.

\_\_\_\_\_  
Chad Struss  
Cambridge Planning Commissioner

ATTEST:

\_\_\_\_\_  
Marcia Westover  
Community Development Director

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Author: Carri Levitski

**Request**

Krystle Lindelof of 107 Main St N, Cambridge, MN 55008, is requesting an Interim Use Permit (IUP) to continue to allow a Pawn Shop at 107 Main St. N.

**Zoning**

The subject property is located in the B-1, Downtown Business District. Pawn Shops are identified as an Interim Use in all business zoning districts. The property is surrounded by B-1 Downtown Business District to the north, south, east, and west.

**Background**

Local Pawn was granted a 5-year IUP on March 17, 2014 to allow their business to operate in the B-1 Zoning District. Local Pawn has been in business since January 2012. The Cambridge Police Department works with Ms. Lindelof and reviews the transactions through the Automated Pawn System. Detective Jason Harvey with the Cambridge Police Department works with the owner and reviews the transactions through the Automated Pawn System. No citations have been issued to the business. They have been compliant with city ordinances and are cooperative with law enforcement officials. Each year, a new license, investigation, and fees are required for the pawn shop. The most recent results of the investigation was positive and it was recommended to approve the pawn license.

All transactions that take place must be recorded and include description, serial number, purchase price, names and personal information about the person from whom the property was received. A photograph or video must be taken of each person involved in a billable transaction. All transactions are reported to the Police Department on a daily basis through the Automated Pawn System. Each transaction reported is charged \$2.50. Receipts of reportable transactions must be kept for three years.

The requirements of the city code have been implemented to prevent pawn businesses from being used as facilities for the transfer of stolen property. The use of the Automated Pawn System and other requirements in the code help to better regulate the businesses and increase identification of criminal activities.

We have received no complaints regarding Local Pawn and the Police Department has stated they have a great working relationship and supports the renewal of the IUP.

The purpose of an IUP is to allow a use that reasonably utilizes the property for a limited period of time or allow a use that is presently acceptable but with anticipated development or other changes will not be acceptable in the future. Interim use permits terminate upon a specific date, but can be extended upon re-application before the Planning Commission and City Council.

**Fiscal Note**

There is no budgetary impact by approving the Interim Use Permit.

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**Recommendation**

Staff is recommending that the Interim Use Permit for a pawn shop located at 107 Main St. N. be approved based on the following conditions:

1. The Interim Use Permit for a pawn shop is not transferrable and shall only be used by Krystle Lindelof and shall discontinue after 5 years from the date of approval.
2. If the use causes undue traffic concerns, parking concerns, or congestion, the interim use shall cease.
3. Chapter 117 Pawnbrokers of the City Code must be met at all times.
4. No outdoor storage will be allowed on site.

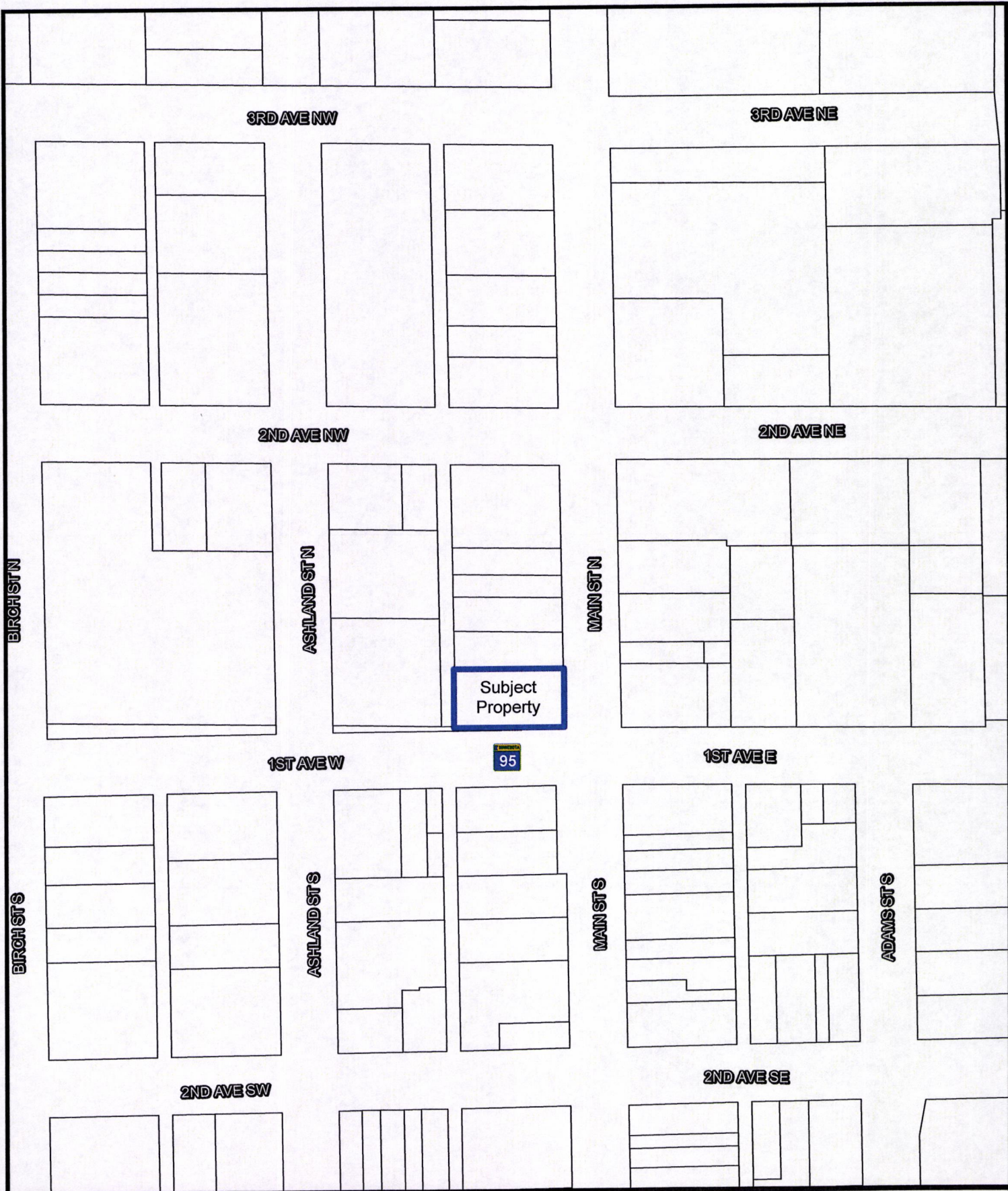
**Planning Commission Action:**

Motion on the attached draft resolution, as may be modified by the Commission, recommending approval of the Interim Use Permit for a pawn shop in the B-1 Downtown Business District located at 107 Main St. N. as long as the conditions listed above are met.

**Attachments**

1. Subject Property
2. Draft Resolution R19-XXX



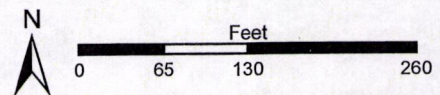


Subject Property



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*A request by Krystle Lindelof (Local Pawn),  
 107 Main St. N. to request an Interim Use  
 Permit to extend the permit to allow a pawn  
 shop in the B-1 Zoning District*



This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources and is to be used for reference purposes only. The City of Cambridge does not warrant that the GIS data used to prepare this map are error free, and The City of Cambridge does not represent that the GIS data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that the City of Cambridge shall not be liable for any damages which arise out of the user's access or use of data provided.

clevitski

**Resolution No. R19-XXX**

**RESOLUTION APPROVING AN INTERIM USE PERMIT  
LOCAL PAWN  
TO ALLOW A PAWN SHOP IN THE B-1 ZONING DISTRICT  
(SITE ADDRESS-107 MAIN ST. N)**

**WHEREAS**, Krystle Lindelof, 107 Main St N., Cambridge, MN 55008, representative of the property located at:

Lot 12 & Part Lot 9, Bunkers Addition, Isanti County, Minnesota,

has applied for an Interim Use Permit to allow a pawn shop in the B-1 zoning district; and

**WHEREAS**, The Planning Agency of the City has completed a review of the application and made a report pertaining to said request, a copy of which has been presented to the City Council; and

**WHEREAS**, The Planning Commission of the City, on the 5th day of February, 2019, following proper notice, held a public hearing to review the request and adopted a recommendation that the Interim Use Permit be approved; and

**WHEREAS**, the City Council, on the 19th day of February, 2019, reviewed the Planning Commission's recommendation and the information prepared by the Planning Agency of the City and finds that the proposed Interim Use is compatible with the City's Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Cambridge, Minnesota, approves the Interim Use Permit to allow a pawn shop in the B-1 zoning district at the location listed above, upon satisfying the conditions listed below:

1. The Interim Use Permit for a pawn shop is not transferrable and shall only be used by Krystle Lindelof and shall discontinue after 5 years from the date of approval.
2. If the use causes undue traffic concerns, parking concerns, or congestion, the interim use shall cease.
3. Chapter 117 Pawnbrokers of the City Code must be met at all times.
4. No outdoor storage will be allowed on site.

Adopted by the Cambridge City Council  
This 19th day of February, 2019

\_\_\_\_\_  
Jim Godfrey, Mayor

ATTEST:

\_\_\_\_\_  
Lynda J. Woulfe, City Administrator

Acknowledgement of receipt by Applicant:

\_\_\_\_\_  
By: \_\_\_\_\_

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

**PRELIMINARY PLAT...CAMBRIDGE ISANTI SCHOOLS...ISD #911...**

**Request**

A request by Eric Linner, Wold Architects, 332 Minnesota Street, St. Paul, MN 55101, to request a preliminary plat.

**Overview**

Cambridge Isanti Independent School District #911 is preparing plans for a new special education building. As part of this planning, a plat is being proposed. The location is 1700 305<sup>th</sup> Ave NE, and is on the very southern edge of the city (south of County Road 19 or 305<sup>th</sup> Ave NE, and east of Highway 65). This staff report summarizes the preliminary plat and review by city staff.

Upon review, city staff originally thought that the school district owned two existing separate parcels and that this plat was moving the existing property line between the two parcels. However, it has been verified by the surveyor that a Certificate of Title was completed in 2009 identifying the land as one parcel only. The Certificate of Title was done pursuant to a Torrens proceeding. When a Torrens proceeding is done, the Isanti County Auditor does not show the parcels combined. This is based on the requirements of the Isanti County Examiner of Titles.

After this discovery and further explanation from the certified surveyor, city staff is now comfortable that the preliminary plat is satisfactory. The proposed plat will create two new separate parcels from the one existing parcel. The total plat has an area of 66.509 acres. Lot 1 will have 28.953 acres and will maintain the new special education facility. Lot 2 will have 35.525 acres and will be vacant. The property is zoned RA Rural Residence/Agricultural district. Public schools are a permitted use in this district.

A Site Plan Review is currently being done by city staff. This is done administratively and not reviewed by the Planning Commission or Council. Site Plan Review consists of planning, public works, engineering, and building preliminary review. During this process, staff obtains information and plans to review the property's buildability and city code standards. Also, since this parcel involves wetlands, we have forwarded the plans to the Isanti County Wetland Specialist for review and approval. Isanti County governs all wetlands in the city. In addition, we have forwarded the plans to the Isanti County Highway Engineer for review and approval since this property abuts a county road.

This area of the city does not have city services (sewer and water) available. At this time (and/or at the time of building permit application) a septic and well will also be reviewed for compliance with the Minnesota Pollution Control Agency and Minnesota State Statutes.

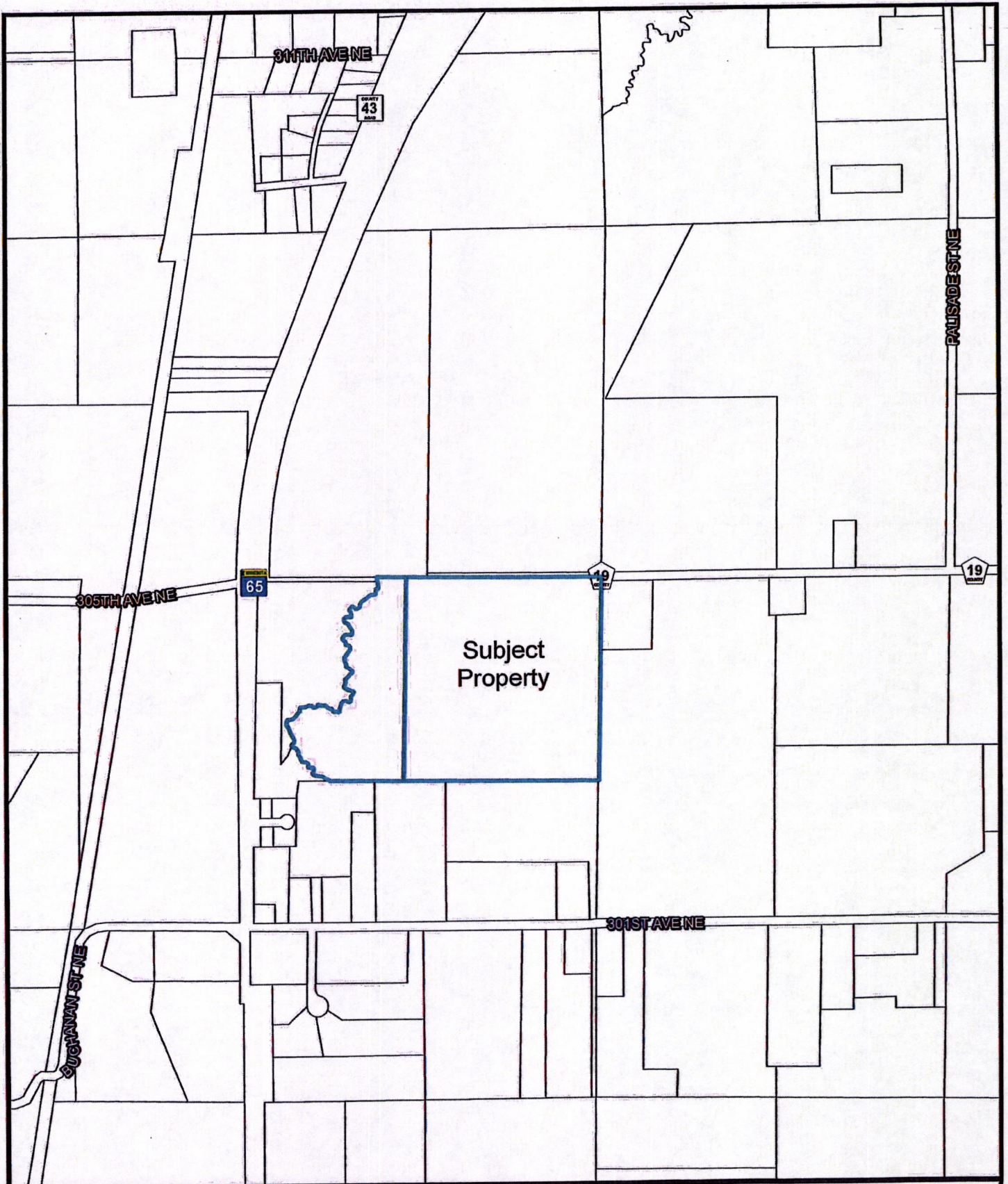
**Planning Commission Action**

A motion on the attached resolution, as may be modified by the Commission, recommending approval of the proposed preliminary plat named Cambridge Isanti Schools, as long as the following conditions are met.


1. Site Plan Review must be completed and approved by the city prior to building permit issuance.
2. All state, local, and federal permits and applications must be completed and submitted by the applicant and all approvals from each agency must be met.
5. Final plat must be approved within one year of approval of the preliminary plat approval.

**Attachments**

1. Location Map
2. Preliminary Plat
3. Resolution



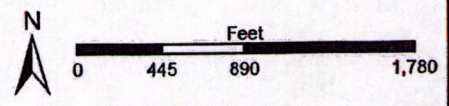
Subject Property



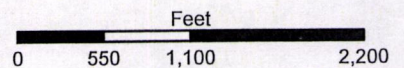
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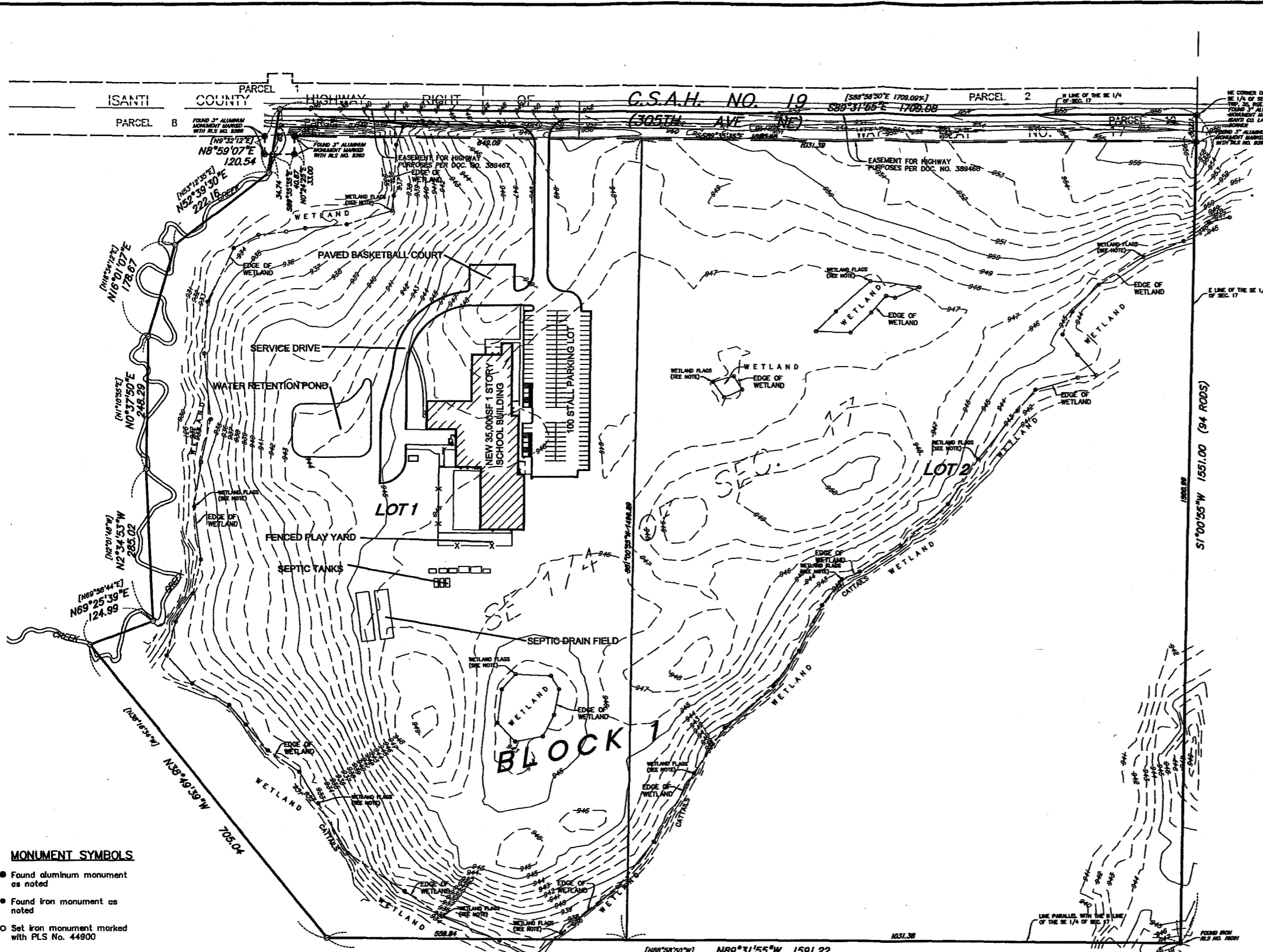
300 Third Ave NE, Cambridge, MN 55008 - 763-819-3211  
www.ci.cambridge.mn.us

*A request by Wold Architects & Engineers,  
to request a preliminary plat named  
Cambridge Isanti Schools and will move  
an existing property line to accomodate  
a new building.*



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**DESCRIPTION OF PROPERTY SURVEYED**

(Per Certificate of Title No. 199.0)  
 That part of the Southeast Quarter, Section 17, Township 35, Range 23, Isanti County, Minnesota, described as follows:  
 Beginning at the northeast corner of said Southeast Quarter; thence southerly, along the east line of said Southeast Quarter a distance of 1551.00 feet (94 rods); thence westerly, parallel with the north line of said Southeast Quarter (the north line of said Southeast Quarter has an assumed bearing of North 88 degrees 58 minutes 50 seconds West for the purpose of this description) a distance of 1591.22 feet; thence North 38 degrees 16 minutes 34 seconds West a distance of 705.04 feet; thence North 69 degrees 56 minutes 44 seconds East a distance of 124.99 feet; thence North 2 degrees 01 minutes 48 seconds West a distance of 285.02 feet; thence North 1 degree 10 minutes 55 seconds East a distance of 248.29 feet; thence North 16 degrees 34 minutes 12 seconds East a distance of 178.67 feet; thence North 53 degrees 12 minutes 35 seconds East a distance of 222.16 feet; thence North 9 degrees 32 minutes 12 seconds East a distance of 120.54 feet, more or less, to the north line of said Southeast Quarter; thence South 88 degrees 58 minutes 50 seconds East, along said north line, a distance of 1709.09 feet, more or less, to said point of beginning.

NOTE: Property appears to be subject to Parcels 9 and 10, ISANTI COUNTY HIGHWAY RIGHT OF WAY PLAT NO. 17. Said Parcels do not appear as a memorial on the Certificate of Title.

[ ] Bearings and/or dimensions listed within brackets are per plat or record documents.

**TITLE COMMITMENT**

This survey was prepared without the benefit of current title work. Easements, appurtenances, and encumbrances may exist in addition to those shown hereon. This survey is subject to revision upon receipt of a current title insurance commitment or attorney's title opinion.

**GENERAL NOTES**

- 1.) Survey coordinate and bearing basis: Isanti County Coordinates
- 2.) Wetlands shown hereon are per delineation markers observed in the process of conducting the fieldwork. Markers were set by Pinnacle Engineering and located by Sunde Land Surveying, LLC on September 19, 2018.

**AREAS**

Lot 1 = 1,261,184 square feet or 28.953 acres  
 Lot 2 = 1,547,452 square feet or 35.525 acres  
 Right of Way = 88,481 square feet or 2.031 acres  
 Gross = 2,897,117 square feet or 66.509 acres

**OWNER AND SUBDIVIDER**

ISD #911  
 625a Main St N  
 Cambridge, MN 55008-1269

Contact:  
 Phone:

**ZONING NOTES**

Property is zoned Rural Residence/Agricultural (RA) Per City of Cambridge Zoning Map dated November 2012.

**MONUMENT SYMBOLS**

- Found aluminum monument as noted
- Found iron monument as noted
- Set iron monument marked with PLS No. 44900

**UTILITY NOTES**

- 1.) Utility information from plans and markings was combined with observed evidence of utilities to develop a view of the underground utilities shown hereon. However, lacking excavation, the exact location of underground features cannot be accurately, completely and reliably depicted. In addition, Gopher State One Call locate requests from surveyors may be ignored or result in an incomplete response. Where additional or more detailed information is required, excavation and/or a private utility locate request may be necessary.
- 2.) Other underground utilities of which we are unaware may exist. Verify all utilities critical to construction or design.
- 3.) Some underground utility locations are shown as marked onsite by those utility companies whose locators responded to our Gopher State One Call, ticket numbers 182533988, 182533848, 182534361 and 182534318.
- 4.) Contact GOPHER STATE ONE CALL at 651-454-0002 (800-252-1166) for precise onsite location of utilities prior to any excavation.

**BENCHMARKS (BM)**  
 (NAVD 88)

- 1.) MnDOT control disk 3003D located 3.5 miles south of Cambridge, 3.75 miles southwest along Trunk Highway 65 from the junction of Trunk Highway 65 and Trunk Highway 95 in Cambridge to Trunk Highway 65 milepost 37.9, thence 0.7 mile east on County Road 19 (305th Avenue), 123 feet west of pipeline post number 4-12, 31.8 feet south of County Road 19, 1.0 foot northeast of a witness post. Elevation = 960.119 feet
- 2.) Top of iron marked with SLS cap on the north side of 305th Avenue NE 51 1/2 feet northeast of the northeast corner of subject property. Elevation = 956.28 feet
- 3.) Top of iron marked with SLS cap on the north side of 305th Avenue NE 77 3/4 feet east of the northwest corner of subject property. Elevation = 952.15 feet
- 4.) Scribed "X" on top of concrete culvert on the north side of 305th Avenue NE 37 1/2 feet north of the northwest corner of subject property. Elevation = 932.20 feet

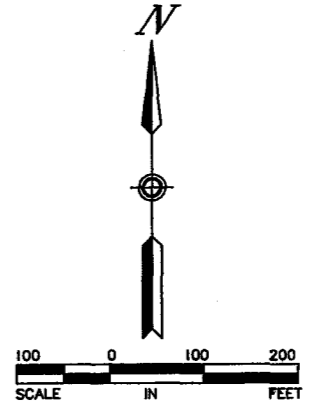
I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Dated this 9th day of January, 2019

SUNDE LAND SURVEYING, LLC.

By: *Arbee J. Carlson*  
 Arbee J. Carlson, P.L.S. Minn. Lic. No. 44900

Revision	By	Date
Drawing Title:		
PRELIMINARY PLAT OF:		
CAMBRIDGE ISANTI SCHOOLS		
305th Avenue NE, Cambridge, MN		
		Main Office: 9001 East Bloomington Freeway (35W) - Suite 118 Bloomington, Minnesota 55420-3435 652-861-2455 (Fax: 652-868-8528)
Project: 2018-150-A	By: P/L 1225/1	Date: 01/09/2019
Township: 35 Range: 23 Section: 17		Sheet: 1 of 1
File: 2018150APREPLAT.dwg		



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**Resolution No. R19-XXX**

**RESOLUTION APPROVING A PRELIMINARY PLAT  
CAMBRIDGE ISANTI SCHOOLS  
(1700 305<sup>TH</sup> AVE NE)**

**WHEREAS**, Cambridge Isanti Independent School District #911, 625A Main St. N, Cambridge, MN 55008 is the owner of the property located at:

That part of the Southeast Quarter, Section 17, Township 35, Range 23, Isanti County, Minnesota, described as follows:

Beginning at the northeast corner of said Southeast Quarter; thence southerly, along the east line of said Southeast Quarter a distance of 1551.00 feet (94 rods); thence westerly, parallel with the north line of said Southeast quarter (the north line of said Southeast Quarter has an assumed bearing of North 88 degrees 58 minutes 50 seconds West for the purpose of this description) a distance of 1591.22 feet; thence North 38 degrees 16 minutes 34 seconds West a distance of 705.04 feet; thence North 69 degrees 58 minutes 44 seconds East a distance of 124.99 feet; thence North 2 degrees 01 minutes 48 seconds West a distance of 285.02 feet; thence North 1 degree 10 minutes 55 seconds East a distance of 248.29 feet; thence North 16 degrees 34 minutes 12 seconds east a distance of 178.67 feet; thence North 53 degrees 12 minutes 35 seconds East a distance of 222.16 feet; thence North 9 degrees 32 minutes 12 seconds East a distance of 120.54 feet, more or less, to the north line of said Southeast Quarter; thence South 88 degrees 58 minutes 50 seconds East, along said north line, a distance of 1709.09 feet, more or less; to said point of beginning

Is requesting a Preliminary Plat; and

**WHEREAS**, The Planning Agency of the City has completed a review of the application and made a report pertaining to said request, a copy of which has been presented to the City Council; and

**WHEREAS**, The Planning Commission of the City, on the 5th day of February, 2019, following proper notice, held a public hearing to review the request; and

**WHEREAS**, the Planning Commission made a recommendation to approve said request, and it was brought forward for City Council consideration as long as the following conditions can be met:

1. Site Plan Review must be completed and approved by the city prior to building permit issuance.
2. All state, local, and federal permits and applications must be completed and submitted by the applicant and all approvals from each agency must be met.
5. Final plat must be approved within one year of approval of the preliminary plat approval.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of Cambridge, Minnesota, approves the proposed Preliminary Plat.

Adopted by the Cambridge City Council

This 19th day of February, 2019

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Marlys A. Palmer, Mayor

ATTEST:

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Lynda J. Woulfe, City Administrator

CITY OF CAMBRIDGE – PLANNING COMMISSION  
2019 DEVELOPMENT REVIEW SCHEDULE

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 2019 schedule for all items brought before the Planning Commission.

Application Submittal Date:	December	7
Publication Deadline:	December	14
<b>Planning and Zoning Commission:</b>	<b>January</b>	<b>2 (Wed.)</b>
<b>City Council Meeting:</b>	<b>January</b>	<b>22</b>
60 Day Agency Action:	February	5
Application Submittal Date:	January	11
Publication Deadline:	January	18
<b>Planning and Zoning Commission:</b>	<b>February</b>	<b>5</b>
<b>City Council Meeting:</b>	<b>February</b>	<b>19</b>
60 Day Agency Action:	March	12
Application Submittal Date:	February	8
Publication Deadline:	February	15
<b>Planning and Zoning Commission:</b>	<b>March</b>	<b>5</b>
<b>City Council Meeting:</b>	<b>March</b>	<b>18</b>
60 Day Agency Action:	April	9
Application Submittal Date:	March	8
Publication Deadline:	March	15
<b>Planning and Zoning Commission:</b>	<b>April</b>	<b>2</b>
<b>City Council Meeting:</b>	<b>April</b>	<b>15</b>
60 Day Agency Action:	May	7
Application Submittal Date:	April	12
Publication Deadline:	April	19
<b>Planning and Zoning Commission:</b>	<b>May</b>	<b>7</b>
<b>City Council Meeting:</b>	<b>May</b>	<b>20</b>
60 Day Agency Action:	June	11
Application Submittal Date:	May	10
Publication Deadline:	May	17
<b>Planning and Zoning Commission:</b>	<b>June</b>	<b>4</b>
<b>City Council Meeting:</b>	<b>June</b>	<b>17</b>
60 Day Agency Action:	July	9
Application Submittal Date:	June	7
Publication Deadline:	June	14
<b>Planning and Zoning Commission:</b>	<b>July</b>	<b>2</b>
<b>City Council Meeting:</b>	<b>July</b>	<b>15</b>
60 Day Agency Action:	August	6
Application Submittal Date:	July	12
Publication Deadline:	July	19
<b>Planning and Zoning Commission:</b>	<b>August</b>	<b>6</b>

CITY OF CAMBRIDGE – PLANNING COMMISSION  
2019 DEVELOPMENT REVIEW SCHEDULE

**City Council Meeting:** August 19  
60 Day Agency Action: September 10

Application Submittal Date: August 9  
Publication Deadline: August 16  
**Planning and Zoning Commission:** September 3  
**City Council Meeting:** September 16  
60 Day Agency Action: October 8

Application Submittal Date: September 6  
Publication Deadline: September 13  
**Planning and Zoning Commission:** October 1  
**City Council Meeting:** October 21  
60 Day Agency Action: November 5

Application Submittal Date: October 11  
Publication Deadline: October 18  
**Planning and Zoning Commission:** November 6 (Wed.)  
**City Council Meeting:** November 18  
60 Day Agency Action: December 10

Application Submittal Date: November 8  
Publication Deadline: November 15  
**Planning and Zoning Commission:** December 3  
**City Council Meeting:** December 16  
60 Day Agency Action: January 7

2017

Application Submittal Date: December 13  
Publication Deadline: December 20  
**Planning and Zoning Commission:** January 7  
**City Council Meeting:** January 21  
60 Day Agency Action: February 11

- 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.