

## ARTICLE IV. BOARDS, COMMISSIONS AND COMMITTEES\*

### DIVISION 1. GENERALLY

**Secs. 2-126--2-130. Reserved.**

### DIVISION 2. PLANNING COMMISSION†

**Sec. 2-131. Established.**

A planning commission for the city is hereby established pursuant to M.S.A. §§462.351-462.364.  
(Code 1982, § 204.101)

**Sec. 2-132. Members generally.**

The members of the planning commission shall be appointed by a majority of the city council. The council shall appoint nine (9) members to the planning commission.

- (a) *Composition.* Each ward shall be continually represented by at least one member residing in such ward, with no more than 3 members from any one ward.
- (b) *Qualifications.* Every member shall be a registered voter in the city, and before entering upon disposition of their duties, each member shall take an oath that they will faithfully perform the duties of office.
- (c) *Compensation.* All members shall serve without compensation.
- (d) *Ex-officio member.* The city council shall appoint one of its members to serve as an ex-officio member of the planning commission. Such council member shall not have a vote in any proceedings, nor hold any office in the commission.

(Code 1982, § 204.102; Ord. 3-2009, 4/21/09)

**Sec. 2-133. Terms of office.**

The members of the planning commission shall be appointed for overlapping terms of three years, effective February 15 of each year.

(Ord. 1997-57, 1/21/03; Ord. 2006-11, 11/21/06)

**Sec. 2-134. Terminations.**

Any planning commission member's term shall terminate upon his resignation, or upon his ceasing to reside within the city, or it by reason of his change of residence a ward ceases to be represented, or by four/fifths (4/5) vote of the city council for cause. Cause shall include, but not be limited to, having more than three absences or more than one unexcused absence in any one calendar year. The council may consider exceptional circumstances when applying this rule.

**Sec. 2-135. Vacancies.**

The city council shall fill any vacancy occurring in the membership of the planning commission by appointment for the unexpired term of such vacancy.

(Ord 1997-50, 8/22/00)

**Sec. 2-136. Officers.**

The members of the planning commission shall elect a chairperson, a vice-chairperson and a secretary from among its appointed members at the annual meeting each year, for a term of one year. The chairperson shall preside at all meetings of the commission, is present, and shall perform all other duties and functions assigned by the

commission or the city council. The vice chairperson shall perform these duties in the absence of the chairperson. If a vacancy occurs in the chairperson's office, the vice-chairperson shall assume the chairperson's duties for the remainder of the year, and a new vice chairperson shall be elected by the commission at a special election to be held at the next regularly scheduled commission meeting, after at least three days written notice to each commission member. The secretary shall take the minutes of the commission meetings.

**Sec. 2-137. Duties and powers.**

The planning commission shall be the planning agency of the city and shall have the powers and duties given such agencies generally by M.S.A. §§ 462.351—462.364, together with the following:

(a) The commission shall exercise the duties and powers conferred upon it by any ordinance of the city now existing or hereafter enacted.

(b) It shall be the duty of the commission to study and make its recommendation to the city council concerning the following:

- (1) A comprehensive plan for the land use of the city;
- (2) All applications for special use permits, rezoning, variances, other zoning permits and other related matters;
- (3) Proposed plat; minor subdivisions, parks and open spaces plans;

---

\***Cross references** – Board of adjustment, § 12-1194; board of adjustment and appeals, § 12-2082,  
†**Cross reference** – Land use, Ch. 12.

- (4) Laying out of streets and public ways and other related matters;

(c) The commission shall undertake studies and recommend actions on such planning matters as the city council may from time to time refer to the commission.

(d) The commission shall have the power to hold a public hearing upon any application for a special use permit, rezoning or amendment to the zoning ordinance, upon ten days public notice.

(e) The commission shall have the power to form and appoint committees to carry out its duties and powers, including, but not limited to committees for zoning, parks, open spaces, natural resources and capital improvements. (Code 1982, § 204.107)

**Sec. 2-138. Zoning ordinances: public hearings.**

No zoning ordinance or amendment thereto, shall be adopted by the city council until a public hearing has been held thereon by the planning commission upon notice as provided in M.S.A. § 462.357, subd.3 and 4. The record of the public hearing by the planning commission shall include the name of every person speaking for or against the proposal and a summary of the testimony of each witness.

**Sec. 2-139. Annual work plan.**

The planning commission shall meet with the City council at their annual meeting in January to develop an annual work plan, including a list of projects, points of interaction on projects, programs and goals for the year. (Res. 1996-48, §210.108, 12-17-96; Res. 1997-16, §3, 6-17-97)

**Sec. 2-140. Regular meetings.**

- (a) The planning commission shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business and shall keep a record of its regulations, transactions, and findings, which shall be a public record. Expenditures of the commission shall be within amounts appropriated for the purpose by the city council.
- (b) No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date. A regular meeting may be canceled or rescheduled by the commission at a prior meeting or if there are no scheduled agenda items, ten days prior to the meeting.
- (c) All action taken by the commission shall be by the affirmative vote of a majority of the members present.

**Sec. 2-141. Special meetings.**

Special meeting of the planning commission shall be held in the city hall at a time and designated or at a public place at the time designated and shall be called by the chairperson. Upon the written request of at least three members, the chairperson shall be required to call a special meeting to be held within seven days of the request. Written notice thereof shall be given to all members not less than three days in advance of the meeting.

**Sec. 2-142. Quorum.**

A quorum of the planning commission shall consist of a simple majority.

**Sec. 2-143. Voting.**

Each member of the planning commission attending any meeting shall be entitled to cast one vote. Voting shall be by voice vote. If any member shall have a personal interest of any kind in the matter then before the commission, he shall disclose this interest and be disqualified from voting upon the matter, and the secretary shall record in the minutes that no vote was cast by such member.

**Sec. 2-144. Proceedings.**

At any regular meeting of the planning commission, the following shall be the regular order of business:

- (1) Roll call.
- (2) Minutes of the preceding meeting.
- (3) Approval of agenda.
- (4) Public hearings as scheduled on the agenda.
- (5) Other business.
- (6) Adjournment.

**Sec. 2-145. Rules of procedure.**

All meetings of the planning commission shall be conducted in accordance with the Revised Robert's Rules of Order.

**Sec. 2-146. Agendas.**

The city administrator shall cause all items to be considered at any regular meeting to be placed on a written agenda ten days before the regular meeting. The city administrator shall advise the chairperson of any matters the commission must consider by council directive, ordinance or statute and shall have prepared and mailed a written agenda of all meetings to all commission members, the city council and the public, no less than five days before each meeting.

**Sec. 2-147. Records.**

Each formal action of the planning commission shall be embodied in full upon the minute book as a formal motion or resolution after an affirmative vote as provided in this division. The minutes of each meeting shall be provided to each member, the City council and the public no more than seven days after the date of each meeting. The recommendations and findings of the commission shall be presented to the City council at the next regularly scheduled City council meeting. The record of meetings, actions and recommendations shall be transmitted to the City Administrator for keeping and distribution.

**Sec. 2-148. Member training.**

The planning commission members shall be encouraged to avail themselves of training courses offered by the city, the state and other government and public training agencies and the city council shall budget for the reimbursement of expenses incurred in training each year.

(Ord 1997-50, 8/22/00)