

AGENDA SECTION: NEW BUSINESS  
ORGANIZATIONAL  
MEETING

AGENDA ITEM # 1

PC LETTER # 4

CASE #



# PLANNING COMMISSION STAFF REPORT

**PC MEETING DATE: FEBRUARY 22, 2010**

ITEM FOR PLANNING COMMISSION CONSIDERATION:  
Approval of Planning Commission Bylaws.

**I. RECOMMENDED ACTION:**

**Review the attached Planning Commission Bylaws.**

**II. BACKGROUND**

Part 3, Section 3 of our Bylaws requires the Planning Commission to review the Bylaws each year at the February organizational meeting.

The Planning Commission most recently amended the Bylaws in April of 2009, when a change in Part I. (Meetings), Section 7 (Proceedings), Paragraph c) Rules of Procedure from "Robert's Rules of Order" to 'Sturgis' Standard Code of Parliamentary Procedure". The change will make the Commission procedures consistent with those of the City Council.

**III. BASIS OF RECOMMENDATION**

1. The above action is required by the Planning Commission Bylaws.
2. Amendments are covered by Section 2 of Part III of the Bylaws requiring presentation at one meeting and 2/3 vote at the following meeting.

**IV. ATTACHMENTS**

1. Planning Commissions Bylaws.

**BYLAWS AND RULES OF PROCEDURE  
OF THE CITY PLANNING COMMISSION  
RICHFIELD, MINNESOTA**

The following Bylaws and Rules of procedure are adopted by the City's Planning Commission to facilitate the performance of its duties and functions as empowered under Chapter III, Section 305.05, Subdivision 1-8 of the City Ordinance Code.

**PART I. MEETINGS**

**Section 1. Regular Meetings**

Regular meetings of the Planning Commission shall be on the fourth Monday of each month commencing at 7:00 P.M. in the Council Chambers of the City Hall.

**Section 2. General Planning Meetings**

The second Monday of every month shall be reserved for discussing and deliberating on general planning matters related to the property development and future well being of the Community.

**Section 3. Special Meetings**

Special meetings of the Planning Commission can be called by the Chairperson and one member or by three members of the Commission or at the request of the City Council. Notice, designating the time and place of the meetings, shall be given to all members not less than twenty-four (24) hours in advance thereof.

**Section 4. Deadline for Hearing Items**

The Planning Commission will accept all applications to be heard before it, no later than fifteen (15) working days preceding the regular Planning Commission meeting. Upon written notice to the Community Development Director prior to the Planning Commission meeting, an application may be withdrawn. Once an application is withdrawn, it must be re-filed with the Community Development Department, City of Richfield, before any Planning Commission hearing is held.

**Section 5. Quorum**

Five members of the Planning Commission shall constitute a quorum for the transaction of business. No action shall be taken in the absence of a quorum with the exception that the Planning Commission members present may take testimony for use at a later meeting at which a quorum is present, and may adjourn a meeting to a later time without further notice.

## **Section 6. Voting**

At all meetings of the Planning Commission, each member attending shall be entitled to cast one vote. Voting shall be by voice. An affirmative vote of a majority of members present or four members, whichever is greater, shall be necessary for the passage of any matter before the Planning Commission, except as otherwise provided in these Bylaws.

## **Section 7. Proceedings**

### a) Format of Meeting

At a regular meeting of the Planning Commission, the following format shall be followed in conducting the business of the meeting.

- 1) Secretary will note the attendance
- 2) Approval of Minutes
- 3) Regular Business and Public Hearing Items
- 4) New Business
- 5) Old Business
- 6) Liaison Reports
- 7) Adjournment

### b) Public Hearing

The purpose of a hearing is to collect information and facts in order for the Commission to develop a planning recommendation for the City Council. At a public hearing the following procedure shall be followed for each case for which a public hearing is held:

- 1) Chair shall state the case to be heard.
- 2) Chair shall call upon the Community Development Director or designee to present the staff report.
- 3) Chair shall ask the applicant to present his/her case.
- 4) Members of the Planning Commission shall be allowed to question the applicant about his/her proposal.
- 5) Interested persons may address the Commission, giving relevant information regarding the proposal before the Commission.
  - a) All questions or statements by Richfield staff personnel, planning commissioners, applicants or interested citizens will be directed through the Chair.
  - b) All who wish to speak will be heard, but only in accordance with the above procedure and after recognition by the Chair.

- c) No individual may speak longer than five (5) minutes, except through previous arrangement with the Chair, or by vote of the Commission.
  - d) The spokesperson for a group will be allowed ten (10) minutes.
  - e) In addition to the statements by individual or groups, there will be a period, not to exceed thirty (30) minutes, during which the public may question the City's staff members present, the applicant or their representatives or any member of the Planning Commission. Questions must be directed through the Chair.
- 6) The hearing shall be closed. Interested persons shall not be heard again unless the hearing is reopened by a majority vote of the Commission.
  - 7) The Commission shall discuss and clarify the item before it, and take action on it.
  - 8) Any decision of the Commission on the merits of any planning question before it shall be embodied in the form of a motion, resolution, or report, and referred to the City Council for action.

c) Rules of Procedure

At all regular meetings of the Planning Commission where formal action is required on a matter before the Commission, the meetings shall be governed by Sturgis' Standard Code of Parliamentary Procedure. At general meetings of the Planning Commission no formal parliamentary procedure shall govern the conduct of the proceedings unless found to be necessary such as when a formal motion is before the Commission.

<b>PART II. ORGANIZATION</b>
------------------------------

**Section 1. Election of Officers**

At the first regular meeting in February of each year, the Commission shall hold an organizational meeting and elect from its membership a Chairperson, Vice-chairperson, and Secretary. Each member shall cast a ballot for the member he/she wishes to be elected Chairperson. If no one receives a majority of all the members of the Commission, balloting shall continue until one member receives majority support. Vice-chairperson and Secretary shall be elected from the remaining members by the same procedure.

If the Chairperson resigns from office before the next regular organization meeting, the Vice-chairperson shall automatically become acting Chairperson. If both Chairperson and Vice-chairperson resign, the Secretary shall become acting Chairperson. In any instance, where an officer of the Commission resigns or retires from office a new officer shall be elected to the vacated position at the next regular meeting of the Commission.

If the Chairperson, Vice-chairperson, and Secretary are absent from a meeting, the Commission shall elect a temporary Chairperson by voice vote.

In the event that the Secretary is absent from a meeting, the Chairperson shall appoint a member of the Commission to approve the minutes of that meeting.

## **Section 2. Tenure**

The Chairperson, Vice-chairperson, and Secretary shall take office immediately following their election and hold office until their successors are elected and assume office.

## **Section 3. Duties of Officers**

The duties and powers of the officers of the Planning Commission shall be as follows:

### **a) Chairperson**

- 1) Presides over all meetings of the Commission.
- 2) Appoints committees and performs such other duties as may be ordered by the Commission.
- 3) Signs documents of the Commission.
- 4) Sees that all actions of the Commission are properly taken.
- 5) Calls special meetings of the Commission in accordance with these Bylaws.
- 6) Works with appropriate city staff in organizing agendas of all general Planning Commission meetings.

### **b) Vice-chairperson**

Performs all of the duties and responsibilities of the Chairperson in his/her absence.

c) **Secretary**

- 1) Assumes duties and responsibilities of the Chairperson when both Chairperson and Vice-chairperson are absent.
- 2) Keeps the minutes of the meetings of the Commission in an appropriate minute book.
- 3) Signs all minutes of the Commission as well as other official documents of the Commission.

**PART III. MISCELLANEOUS**

**Section 1. Suspension of Rules**

The Commission may suspend any of these Rules by a 2/3 vote of those members present.

**Section 2. Amendments**

These Rules may be amended at any regular meeting by a 2/3 majority of the members of the Commission, provided that the amendment was presented and written into the minutes of a previous meeting.

**Section 3. Review**

The contents of these Bylaws and Rules of procedure should be comprehensively reviewed, evaluated, and modified where necessary, at the organization meeting held in February of each year.

**Adopted this 22nd day of February, 2010.**

---

Chairperson, Richfield Planning Commission

---

Secretary, Richfield Planning Commission

