

RESOLUTION NO: 25-15

**CITY OF BALDWIN
COUNTY OF SHERBURNE, MINNESOTA**

ESTABLISHMENT AND REVISION OF PLANNING COMMISSION BYLAWS.

WHEREAS, an advisory Planning Commission was established by the Baldwin Town Board by Ordinance 200 adopted on March 7, 2011; and,

WHEREAS, the Planning Commission is to render assistance to the City Council in an advisory capacity in all such matters including, but not limited to:

- To prepare and maintain as current a Comprehensive Plan for meeting present requirements and such future needs as may be foreseen, based on demographic and statistical trends and data available.
- To establish principles and policies for guiding action affecting development in the City and its environs.
- To prepare and recommend to the City Council ordinances, regulations, and other controls or processes to promote orderly and economically sound development consistent with the Comprehensive Plan.
- To determine whether specific proposed developments conform to the goals, policies, and requirements for the Comprehensive Plan and City ordinances.
- To keep the City Council and the general public informed and advised as to all planning and development matters.

WHEREAS, the Planning Commission is governed by bylaws that were last amended by the Town Board on April 27, 2022; and,

WHEREAS, the City Council does hereby amend and establish the following bylaws for the Planning Commission:

A. AUTHORIZATION:

1. The authorization for the establishment of this Planning Commission is as set forth by Minnesota Statute Chapter 462, as may be amended.
2. The Powers and duties delegated to the Planning Commission by the City Council are provided for by Ordinance No.200.

B. COMPOSITION:

1. Members of the Planning Commission shall be appointed by majority vote of the City Council.
2. Membership shall consist of seven property owners who are residents of the City.
3. The seven commissioner positions shall be identified by the letters A, B, C, D, E, F, and G to serve the terms as outlined below:
 - a. The terms of positions A, B, and G shall expire on April 1 of years having a remainder of two when divided by three (2024, 2027, 2030, etc.).
 - b. The terms of positions C and D shall expire on April 1 of years evenly divisible by three (2025, 2028, 2031, etc.).
 - c. The terms of positions E and F shall expire on April 1 of years having a remainder of one when divided by three (2023, 2026, 2029, etc.).
 - d. An appointment to fill a vacancy shall be only for the un-expired portion of the term.
4. Vacancies:
 1. A Commissioner intending to resign from the Planning Commission shall provide written notice to the City Clerk as soon as practical.
 2. The resignation shall be placed on the next agenda of the City Council to be accepted and to declare a vacancy.
 3. The City Council, upon recommendation of the Planning Commission, shall determine the process to consider an appointment to fill a vacancy.
 4. Applicants to fill a vacancy shall be interviewed by the Planning Commission, unless otherwise determined by the City Council.
 5. The Planning Commission shall interview the applicants to fill a vacancy and make recommendations as to appointment by majority vote of the members present.
5. The City Council shall have the authority to remove any member of the Planning Commission by a majority vote for valid cause, including but not limited to the following:
 - a. Missing three (3) or more consecutive meetings without just cause or notification to the Planning Commission Chair or City Clerk;
 - b. Neglect of duties of the office;
 - c. Failure to disclose a conflict of interest;

- d. Misrepresentation of the organization; and
 - e. Conviction of a felony or other illegal activities.
- 6. One City Council member shall be appointed as liaison to the Planning Commission to act in an ex-officio capacity.
- 7. The City Council may also appoint alternate member(s) to a term determined by the City Council from time to time, as they deem necessary, to act as a replacement at any meeting in the event of the absence, for whatever reason, of any regularly appointed member of the Planning Commission.
- 8. The Zoning Administrator shall serve as the City staff liaison to the Planning Commission.

C. OFFICERS:

- 1. The officers of the Planning Commission shall consist of a Chair and Vice-Chair.
- 2. The Chair shall preside at all meetings of the Planning Commission and shall have the duties normally conferred by parliamentary usage on such officers.
- 3. In the absence of the Chair, the order of succession for conduct of a meeting of the Planning Commission shall be the Vice-Chair, the most recent past Chair, and then the most senior member thereafter.
- 4. The secretary for the Planning Commission shall be the City Clerk or their designee and shall:
 - a. Keep the minutes and records of the Commission;
 - b. Prepare the agenda of regular and special meetings at the direction of the Chair;
 - c. Provide notice of all meetings to Commission members,
 - d. Attend to correspondence of the Commission; and
 - e. Other such duties as are normally carried out by a secretary.

D. ORGANIZATION:

- 1. The first meeting held each calendar year shall include commission organization to elect a Chair and Vice-chair as an agenda item.
 - a. Nominations for Chair and Vice-Chair shall be made by Commissioners.
 - b. A candidate nominated and seconded for an officer position receiving a majority vote of the entire membership of the Planning Commission shall be declared elected and shall serve for a term of one year.

- c. Officer vacancies shall be filled immediately by the election procedure established by this section.
- 2. The Planning Commission shall at the first meeting held each calendar year adopt a schedule of meetings to be held at least monthly on the fourth Wednesday.

E. MEETINGS:

- 1. Schedule:
 - a. Regular Meetings: The Planning Commission shall hold a meeting on the fourth Wednesday of each month for the purpose of conducting public hearings, reviewing zoning or subdivision applications, or other business as appropriate.
 - b. Special Meetings:
 - (1) The Planning Commission shall hold a meeting on the third Wednesday of each month to discuss topics related to the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, development best practices, or other land use related issues as appropriate for the Planning Commission to consider and make recommendations upon.
 - (2) Additional special meetings may be called:
 - (a) By the Chair.
 - (b) By a majority of members of the Planning Commission.
 - (c) The secretary shall notify all members of the Planning Commission not less than four days in advance of such special meeting.
- 2. A quorum of the Planning Commission necessary to hold a meeting and conduct business shall be four members.
- 3. All meetings, or portions of meetings, at which official action is taken are subject to the Open Meeting Law and shall be open to the public.
- 4. Each member, with the exception of the City Council liaison, shall be entitled to one vote.
- 5. Voting shall be by voice call unless requested otherwise; a record of the roll call vote shall be kept as a part of the minutes.

F. ORDER OF BUSINESS:

1. Unless otherwise amended, the order of business for the agenda at regular Planning Commission meetings shall be:
 - a. Call to Order:
 - (1) Pledge of Allegiance.
 - (2) Roll call.
 - (3) Planning Commission claim forms.
 - b. Approval of the Agenda.
 - c. Approval of Minutes.
 - d. Public Hearings.
 - e. New Business.
 - f. Old Business.
 - g. City Council Liaison Update.
 - h. Commissioner Update/Comments/Questions.
 - i. City Staff Update.
 - j. Miscellaneous Information and Communications.
 - k. Adjourn.
2. Agendas for special meetings shall be as established by the secretary in consultation with City staff and the Chair.
3. A motion from a Commission member shall be made, seconded, and carried in order to amend an agenda.

G. HEARINGS:

1. In addition to those required by law, the Planning Commission may hold public hearings when it decides that such hearings will be in the public interest.
2. Notice of all public hearings shall be as provided for by Minnesota Statutes as applicable for the matter under consideration.
3. The following procedure shall be used for each public hearing agenda item:
 - a. The Chair is to announce the application.

- b. City staff will present the Planning Report.
 - c. The applicant will be given an opportunity by the Chair to describe the request, make additional statements, and state if they agree with the recommendations of City staff.
 - d. The Chair will open the public hearing and invite comments and questions from the audience:
 - (1) Speakers shall state their name and address to be recorded in the meeting minutes.
 - (2) Comments and questions shall be directed to the Chair.
 - (3) Individual comments or questions shall be limited to 5 minutes or less.
 - (4) The Chair may request that only new information be presented.
 - e. The Chair will ask for any additional public comments and, if hearing none, will ask for a motion to close the public hearing.
 - f. The Chair may ask the applicant and/or City staff to respond to comments or questions received during the public hearing.
 - g. The Planning Commission will discuss the application and ask questions of the applicant and/or City staff.
 - h. The Chair will ask for a motion for a recommendation to the City Council as to the whether the application be approved or denied, including any recommended stipulations; the Planning Commission may also table consideration of an application.
 - i. The Chair will announce the date the application is likely to be considered by the City Council.
4. A record shall be kept of those speaking before the Planning Commission at all public hearings.

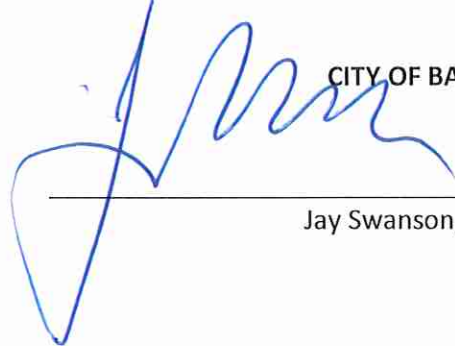
H. AMENDMENTS. These bylaws may be amended by a majority vote of the appointed members of the Planning Commission and approval of the City Council.

(remainder of page intentionally blank signatures follows)

NOW THEREFORE BE IT RESOLVED by the Baldwin City Council that the by-laws set forth herein are adopted.

ADOPTED by the Baldwin City Council this 9th day of June, 2025.

MOTION BY: *Case*
SECONDED BY: *walker*
IN FAVOR: *All*
OPPOSED: *None*


CITY OF BALDWIN

Jay Swanson, Mayor

ATTEST:



Joan Heinen, City Clerk/Treasurer