

ORDINANCE NO. 87

(Planning Commission)

**CITY OF NEW GERMANY
CARVER COUNTY, MINNESOTA**

November 1, 2005

AN ORDINANCE ESTABLISHING THE PLANNING COMMISSION OF THE CITY OF NEW GERMANY.

THE CITY COUNCIL OF THE CITY OF NEW GERMANY, CARVER COUNTY, MINNESOTA, ORDAINS:

Section 1. Establishment of a Planning Commission. Pursuant to authority of Minnesota Statutes, a Planning Commission of the City of New Germany is hereby established. This Commission shall be the planning agency of the City.

Section 2. Composition. The Planning Commission shall consist of five members appointed by the City Council. Each member shall be a resident of the City.

Section 3. Removal. Each newly appointed Planning Commission member shall be subject to a six month probationary period. At the end of the probationary period the City Council shall review the status and work effort of the member and determine if the member should remain on the Planning Commission or be removed. A vote to remove the member shall be by majority vote. After the probationary period a Commission member may be removed at any time by a four-fifths vote of the City Council.

Section 4. Term and Vacancies. Planning Commission members shall be appointed for terms of three calendar years, except the term of the first appointed member shall be one year terminating at the end of 2006, the term of the next two appointed members shall be two years terminating at the end of 2007, and the term of the next two appointed members shall be three years terminating at the end of 2008. Members shall hold their offices until their successors are appointed and qualified. Vacancies shall be filled by the City Council for the unexpired portion of the term.

Section 5. Oath. Every appointed member shall, before entering upon the discharge of their duties, take an oath that they will faithfully discharge the duties of their office.

Section 6. Compensation. Members of the Planning Commission shall be compensated as determined appropriate by the City Council. Any such compensation shall be established by resolution at the first meeting of the council each year.

Section 7. **Officers and Their Duties.**

- (a) At the first meeting of each year the Commission shall elect from its membership a chairman, a vice chairman and a secretary. The officers shall take office immediately following their election and shall hold office for a term of one calendar year until their successors are elected and assume office.
- (b) The chairman shall preside at all meetings, appoint committees and perform such other duties as may be directed by the Commission. The vice chairman shall act in the capacity of the chairman in the absence of the chairman. If the office of the chairman becomes vacant, the vice chairman shall succeed to this office for the unexpired term and the Commission shall elect a successor to the office of vice chairman for the unexpired term. The secretary shall be responsible for taking the minutes of the meeting and any other correspondence of the Commission.

Section 8. **Meetings; Records; Reports; Expenditures.**

- (a) The Commission shall hold regular meetings as it determines appropriate and necessary to efficiently and effectively carry out the work and duties of the Commission or as directed by the City Council. All meetings shall be open to the public and posted as required by law.
- (b) The Commission shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions, findings and minutes of each meeting. These records shall be a public record and the original or a copy shall be submitted to the City Clerk to distribute to the City Council for review. On or before the first meeting of each year the Commission shall submit to the City Council a report of its work during the preceding year. Expenses of the Commission shall be within the amount appropriated for such purposes by the City Council.

Section 9. **Powers and Duties.** The Planning Commission shall have all powers and duties as provided by State law and City Ordinances. The Commission shall work under the direction of the City Council. Duties include but are not limited to investigating, reviewing, holding hearings and making recommendations to the City Council in regard to:

- City Comprehensive Plan
- Zoning and Subdivision Codes
- Subdivision Sketch Plans, Preliminary and Final Plats
- Variances
- Conditional Use Permits
- General Planning Matters

All commissioners are expected to be knowledgeable of the City Codes and Plans.

Section 10. **Effective Date.** Upon its adoption and publication this ordinance shall be in effect on November 1, 2005.

Passed and adopted by the City Council of the City of New Germany this 1st day of November, 2005.

APPROVED:

Franklin Schoenke, Mayor

ATTEST:

Shelly Quaas, Clerk

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