

**Minutes of the Planning Commission  
Of the City of Portland**  
Held on Wednesday, November 9, 2011  
In Council Chambers at City Hall

Portland Planning Commission Members Present: Grapentien, Kmetz, Swaney-Frederick, Gorman, Krause, Clement

Absent: Segerlind

Staff: City Manager Dempsey, City Clerk Miller

Guests: None

Chairman Grapentien called the meeting to order at 7:00 P.M. with the Pledge of Allegiance.

Motion by Clement, supported by Kmetz to approve the Agenda as amended.  
All in favor. Approved.

Motion by Swaney-Frederick, supported by Gorman, to approve the Minutes of the September 14, 2011, regular meeting as presented.  
Member Clement abstained due to her absence from the meeting.  
Five in favor. Approved.

City Manager Dempsey gave a synopsis of the discussion of the bylaws as based on the minutes of the September 14<sup>th</sup> meeting of the Planning Commission. The Commission agreed on Alternative 2 but tabled the discussion of the Bylaws until more members were present to decide on the two alternatives. Alternative A would state that four members support the motion. Alternative B would state that a majority of the members present would need to support the motion. The Commission also questioned its ability to appoint subcommittees and if this needed to be addressed in the Bylaws.

Member Kmetz stated his favor with Alternative 2B as the public would suffer if there are not enough members of the Commission in attendance.

There was discussion of the two alternatives.

Secretary Clement stated she favored Alternative 2A.

Members Krause and Gorman stated their agreement with Secretary Clement. They noted that the minutes of the September 14<sup>th</sup> meeting incorrectly reflect their preference, either by misunderstanding or typographical error. They stated they would not be comfortable with the minority of the Commission making decisions.

There was further discussion of the two alternatives.

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Member Krause suggested an addition could be made to the Bylaws to remove members from the Commission if they are absent from 25% of Planning Commissions held.

City Manager Dempsey clarified the debate, which comes up at the State level, as well. Allowing a majority of the members present to make a decision protects the applicants, who have followed the required procedures and have no control over the members' attendance; they should not be penalized when the full Commission is not present. On the other hand, requiring the majority of the Commission to approve a request protects the process itself. And when only four or five members are present, a party can ask for the issue to be tabled if it appears that the vote may be to deny the request.

Member Gorman stated that Member Kmetz makes a good point; it undermines the authority of the Planning Commission and due process when all seven members are not present.

Chairman Grapentien stated that the Planning Commission is a board of seven members; the majority of the board should make the decisions.

Member Gorman stated the Bylaws should ensure the decisions of the Planning Commission are legitimate.

Motion by Clement, supported by Krause, to accept the bylaws as amended with Alternative 2A to state that a motion does not pass unless a majority of the Planning Commission—four members—support it. Five in favor. 1 opposed. Approved.

City Manager Dempsey commented on the Notice of Intent from Portland Township that it is preparing to update its existing master land use plan. This is an information item for the Planning Commission to keep apprised of. He stated he would request electronic copies of documents throughout the process so he can distribute it more easily to Commission members.

Under Member Comments, Secretary Clement noted that Holidayfest will be held November 18<sup>th</sup> & 19<sup>th</sup> in Downtown Portland. There will be many activities, including a parade on Saturday evening.

The Commission extended congratulations to Member Krause on her election to the City Council; she will now be the liaison between the Planning Commission and the City Council.

Motion by Clement, supported by Krause, to adjourn the meeting at 7:27 P.M.  
All in favor. Approved.

Respectfully submitted,

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Julie Clement, Secretary