

CITY OF GRANT PLANNING COMMISSION BY-LAWS

ARTICLE 1: AUTHORITY

These rules of procedure are adopted by the City of Grant Planning Commission (hereinafter referred to as the "Commission") pursuant to Public Act 33 of 2008 and the Open Meetings Act.

ARTICLE 2: PURPOSE

The general purpose of the City of Grant Planning Commission shall be to guide and promote the efficient, coordinated development of the city in a manner which will best promote the health, safety, and general welfare of its people, preserve and protect the city and its natural resources, and to address the goals and recommendations of the Master Plan.

ARTICLE 3: DUTIES OF THE COMMISSION

The Commission shall perform the following duties:

- (1) Draft, conduct hearings, and make recommendations to the Zoning Ordinance, and subsequent amendments thereto, to the Grant City Commission.
- (2) Adopt a Master Plan (or assist the governing body), review the plan regularly, and make necessary updates as required.
- (3) Prepare an Annual Report to the City Commission.
- (4) Review and take action or recommend appropriate actions to the City Commission on site plan, special land use, and planned unit development requests.
- (5) Review subdivision proposals (if needed) and recommend appropriate actions to the City Commission.
- (6) Prepare special studies and plans, as deemed necessary by the Commission or City Commission and for which appropriations of funds have been approved by the City Commission, as needed.
- (7) Attend training sessions, conferences, or meetings as needed to properly fulfill the duties of Commissioner, and for which appropriations of funds have been approved by the City Commission, as needed.
- (8) Perform other duties and responsibilities as may be requested by the City Commission.

ARTICLE 4: MEMBERSHIP

Section 4.1 Membership Requirements. Membership of the Commission shall consist of five (5) members appointed by the Grant City Commission. Members of the Commission shall be residents of the City of Grant.

Section 4.2 Terms. Each member shall be appointed to hold office for a three (3) year term. Vacancies shall be filled by the Grant City Commission for the unexpired term.

ARTICLE 5: OFFICERS

Section 5.1 Officers. The officers of the Commission are appointed members of the Commission and shall consist of a chairperson, and vice-chairperson.

Section 5.2 Duties of the Chairperson. The chair shall preside at all meetings, appoint committees, and perform such duties as may be delegated by the Commission or Grant City Commission. The Commission chairperson shall have the right to appoint new committee members at any time to fill a vacancy.

Section 5.3 Duties of the Vice-Chairperson. The Vice-Chairperson shall act in the capacity of the Chairperson in his/her absence.

Section 5.4 Duties of Planner and Recorder. The City Manager or designated consultant as the planner shall serve as the liaison between the Commission and City Commission. They are responsible for the execution of documents in the name of the Commission, performing the duties hereinafter listed below, and performing such other duties as the commission may determine.

- (1) Minutes. The Recorder shall be the City Clerk or other designated City staff shall be responsible for a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records.
- (2) Correspondence. The designated City of Grant Planning Commission staff shall be responsible for the issuance of formal written correspondence with other groups or persons, as directed by the Commission. All communications, petitions, reports, or other written materials received by the designated City of Grant Planning Commission staff shall be brought to the attention of the Commission.
- (3) Attendance. The designated City of Grant Planning Commission staff shall be responsible for maintaining an attendance record for each Commission member and report those records annually to the Commission for inclusion in the Annual Report to the City Commission.

(4) Notices/Agendas. The designated City of Grant Planning Commission staff shall issue such notices and prepare the agendas for all meetings, as may be required by the Commission.

Section 5.5 Duties of the City Commission Representatives. The City Commission representatives to the commission shall report the actions of the City Commission to the commission and update the commission on actions by the City Commission that relate to the functions and duties of the commission.

Section 5.6 Elections.

- (1) At the first meeting of the calendar year, the commission shall select from its membership a Chairperson and Vice-Chairperson who shall serve for a one (1) year period and who shall be eligible for re-election.
- (2) A candidate receiving a majority vote of the membership present shall be declared elected.
- (3) Newly elected officers will assume their office immediately after the election.

Section 5.7 Terms. All officers shall serve a term of one (1) year, or until their successors are selected and assume office. Officers may be re-elected.

Section 5.8 Vacancies. Vacancies in offices shall be filled immediately by regular election procedure with the term expiring in accordance with (3) above.

ARTICLE 6: MEETINGS

Section 6.1 Regular Meetings. Meetings of the commission shall be held at the Grant City Office on dates established by the Commission through staff. The dates and times shall be posted at the Grant City Office and a notice should be published in accordance with the Open Meetings Act. Any changes in the date or time of the meetings shall be posted and noticed in the same manner as originally established.

Section 6.2 Meeting Notices. All meetings shall be posted at the Grant City Office according to the Open Meetings Act. The notice shall include the date, time, and place of the meeting.

Section 6.3 Special Meetings. A special meeting may be called by two (2) members of the commission upon written request to the chairperson. The business, which the commission may perform, shall be conducted at a public meeting of the commission held in compliance with the Open Meetings Act. Public Notice of the time, date, and place of the special meeting shall be given in a manner as required by the Open Meetings Act, and the

Recorder, Planner, or designated City Staff shall send written notice of a special meeting to commission members not less than 48 hours in advance of the meeting.

Section 6.4. Open Meetings. All meetings of the Commission shall be opened to the public and held in a place available to the general public. All deliberations and decisions of the Commission shall be made at a meeting open to the public. A person shall be permitted to address a hearing of the Commission under the rules established in Section 6.11, and to address the Commission concerning non-hearing matters under the public comment portion of the agenda, as established in Section 6.9 to the extent that they are applicable. A person shall not be excluded from a meeting of the Commission except for breach of the peace, committed at the meeting.

Section 6.5 Public Record. All meetings, minutes, records, documents, correspondence, and other materials of the Commission shall be open to public inspection in accordance with the Freedom of Information Act, except as may otherwise be provided by law.

Section 6.6 Minutes. Commission minutes shall be prepared by the Recorder, which is the City Clerk or designee. The minutes shall contain a brief synopsis of the meeting, complete statement of the conditions or recommendations made on any action, and recording of attendance. All communications, actions, and resolutions shall be attached to the minutes. The official records shall be maintained by the City Clerk.

Section 6.7 Quorum. In order for the Commission to conduct business or take any official action, a quorum consisting of the majority of the voting members of the Commission shall be present. When a quorum is not present, no official action shall be taken, except for closing the meeting. The members of the Commission may discuss matters of interest, but can take no action until the next regular or special meeting. All public hearings without a quorum shall be scheduled for the next meeting or special meeting and no additional public notice is required provided the date, time, and place are announced at the meeting.

Section 6.8 Voting. An affirmative vote of the majority of the Commission members present shall be required for the approval of any requested action or motion placed before the commission. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any commission member or directed by the chairperson. All commission members shall vote on every motion placed on the floor unless there is a conflict of interest, as established in ARTICLE 7.

Section 6.9 Agenda. A written agenda for all regular meetings shall be prepared as followed. The agenda for all regular meetings shall be:

- (1) Call to Order
- (2) Pledge of Allegiance
- (3) Public Hearings

- (4) Public comment on non agenda items
- (5) Approval of Consent Agenda-Minutes-Literature/Correspondence/Staff Report-Routine Permits approved administratively
- (6) Unfinished Business
- (7) New Business
- (8) Other Business
- (9) Information Items/Updates
- (10) Public comment on agenda items
- (11) Adjournment

Any Commissioner may request that an item be placed on the regular meeting agenda for discussion provided such request is made not less than one (1) week prior to the next regular meeting and provided that such request is approved by the Chairperson.

Section 6.10 Rules of Order. All meetings of the Commission shall be conducted in accordance with generally accepted parliamentary procedure, as determined by the Commission. "Robert's Rules of Order" shall be used as a guide by the Commission.

Section 6.11 Public Hearings. Hearings shall be scheduled and due notice given in accordance with the provisions of the acts and ordinance cited in ARTICLE 1. Public hearings conducted by the commission shall be run in an orderly and timely fashion. This shall be accomplished by the established hearing procedures as follows:

- (1) Announce Subject. The chairperson announces each agenda item and describes the subject to be considered.
- (2) Present Proposal. Typically, the order begins with the applicant's presentation, followed by staff/consultant review; however, this order is flexible. Any reports prepared by staff or other officials should be considered along with any presentations made. The Commission may ask questions of the applicant, staff, or consultants during this time.
- (3) Hearing Procedures. Chairperson summarizes the hearing rules:
 - 1. Anyone having a legitimate interest in the actions of the Commission may participate during the public portion of a meeting.
 - 2. Participants must be recognized by the presiding officer and must preface their comments by an announcement of their name, address, and group affiliation, if and when appropriate.
 - 3. Each statement made by a participant shall be limited to a three (3) minute duration.

4. No participant may speak more than once on the same topic unless all others who wish to speak on that topic have been heard.
5. Participants shall direct all comments to the Commission and not to staff or other participants.
6. All statements shall be directed to the presiding officer; a person may address or question Commission members individually after addressing the presiding officer.
7. The presiding officer may
 - a. interrupt, warn, or terminate a participant's statement when the statement is too lengthy, personally directed, abusive, obscene, or irrelevant.
 - b. request any individual to leave the meeting when that person does not observe reasonable decorum.
 - c. request the assistance of law enforcement officers in the removal of a disorderly person when that person's conduct interferes with the orderly progress of the meeting.
 - d. Call for a recess or an adjournment to another time when the lack of public decorum so interferes with the orderly conduct of the meeting as to warrant such action.
8. The Commission will take all concerns under advisement.

- (4) Open the Hearing to the Floor. The Chairperson calls on one (1) speaker at a time. The Chairperson may call upon the applicant, staff, or the consultant to help clarify information about the proposal; however, interactive discussion between the audience and the Commission or applicant should be avoided during the public comment portion of the hearing. Response to questions may be addressed after the hearing is closed.
- (5) Close Public Hearing. The Chairperson should give ample opportunity for comment, including a "last call" for comments. The Chairperson may then close the hearing.
- (6) Deliberation. Any action of the Planning Commission must be supported by reasonable findings, which will become part of the record through minutes, resolutions, staff reports, etc. All motions should summarize these findings, or provide reasons for the suggested action. If a matter is tabled to a specific meeting date, it is not necessary to re-advertise the hearing. After deliberation, the Planning Commission may take any of the following actions:
 - Approve the proposal
 - Approve the proposal with conditions
 - Deny the proposal
 - Table the hearing to a later date, in order to gather additional information or to prepare Findings of Fact, or if there are unresolved issues

Section 6.12 Notice of Decision. A written notice containing the decision of the Commission be sent to petitioners and originators of a request.

ARTICLE 7: CONFLICT OF INTEREST

Section 7.1 Declaration of Conflict. Commission members shall declare a conflict of interest when any one (1) or more of the following occur:

- (1) A relative or other family member is involved in any request for which the Commission is asked to make a decision.
- (2) The Commission member has a business or financial interest in the property involved in the request, or has a business or financial interest in the applicant's company, agency, or association.
- (3) The Commission member owns or has a financial interest in neighboring property. For purposes of this Section, a neighboring property shall include any property falling within the notification radius for the proposed development, as required by the Zoning Ordinance or other applicable Ordinance. The Commission shall make a determination Regarding the presence of a conflict of interest.
- (4) There is a reasonable appearance of a conflict of interest, as determined by the Commission member declaring such conflict.

Section 7.2 Requirements. When declaring a conflict, the Commission member shall do all of the following:

- (1) Announce a conflict of interest and state its general nature.
- (2) Abstain from any discussion or votes relative to the matter which is the subject of the conflict.
- (3) Absent himself/herself from the room in which the discussion takes place.

ARTICLE 8: ABSENCES, REMOVALS, AND RESIGNATIONS

Section 8.1 Absences. In order to be excused from a meeting, members of the Commission shall notify the City Manager when they intend to be absent from the meeting. Failure to make this notification at least twenty-four (24) hours prior to the meeting shall result in an unexcused absence unless it is an emergency (for less than twenty-four (24) hour notice). More than four (4) consecutive, unexcused absences or absences at twenty-five (25%) percent of all meetings in any one (1) calendar year shall be considered nonperformance of duty and cause of removal from the Commission automatically.

Section 8.2 Removal. Members of the Commission may be removed by the Grant City Commission for nonperformance of duty, misconduct in office, or upon failure to declare a conflict of interest upon vote by the majority, after written charges have been prepared and a hearing conducted.

Section 8.3 Resignation. A member may resign from the Commission by sending a letter of resignation to the Grant City Commission or Commission Chairperson.

ARTICLE 9: AMENDMENTS

These rules may be amended after Planning Commission approval and City Commission approval to be effective.

Adopted: February, 2012