

## **CITY OF MUSKEGON PLANNING COMMISSION BYLAWS**

### **OFFICERS**

The offices to be filled by the Planning Commission are:

1. Chairperson
2. Vice-Chairperson
3. Representative to the Zoning Board of Appeals (appointed by the mayor)

### **ELECTION OF OFFICERS**

Officers shall be elected **February** of each year. Officers shall serve for a one (1) year term.

### **DUTIES**

A Chairperson shall preside at all meetings and shall conduct all meetings in accordance with the rules provided herein. The vice-chairperson shall act in the capacity of the chairperson in the absence of the chairperson and shall succeed to the office of chairperson in the event of a vacancy in that office.

### **REGULAR MEETINGS**

The Planning Commission shall schedule at least twelve (12) regular meetings per year. All regular meetings, special meetings, and/or hearings shall be conducted in compliance with the Open Meetings Act P.A. 267 of 1976, the Planning Enabling Act P.A. 33 of 2008, and the Planning Enabling Act P.A. 110 of 2006.

All meetings shall be publicly posted at least 84 hours in advance of the meeting in a place visible to the public.

The schedule of regular meetings will be posted for the public within ten (10) days of the first meeting of the calendar/fiscal year.

All meetings shall begin at 4:00 p.m. At any time during the meeting, any member of the board may make a motion to adjourn.

### **SPECIAL MEETINGS**

A special meeting may be called by the Chairperson or staff after an applicant request a meeting and pays the associated fees. Two members of the Planning Commission may

also call a meeting upon written request to the Planning Department. The business which the Planning Commission may perform shall be conducted at a public meeting of the Planning 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 Opening Meetings Act, and the Planning Department shall send written notice of a special meeting to commission members not less than 48 hours in advance of the meeting.

#### QUORUM OF THE COMMISSION

Five (5) members of the total nine (9) members serving constitutes a quorum for the transaction of business.

Whenever a quorum is not present, those present shall adjourn the meeting or hearing to another date. 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 regular or special meeting and no additional public notice is required, other than the 18-hour notice dictated by the Open Meetings Act, provided the date, time, and place is announced at the meeting.

All motions shall be passed with at least a majority of the seated board members.

#### MOTIONS

Motions may be restated by the secretary before a vote is taken. The identities of the maker and supporter of the motions shall be recorded.

#### VOTING

All votes shall be made by "yes" or "no" and recorded in the minutes in a manner which ascertains how each member voted.

All members are expected to exercise their obligation to vote upon a question unless a conflict of interest is present.

The order of the roll call vote shall be varied from meeting to meeting and from one vote to the next in a random manner, but the Chairperson shall vote last.

#### ABSTENTION FOR A VOTE

A Commission member shall request abstention from a vote if the member might gain personal and/or financial benefits or if direct involvement exists which prevents objectivity. The abstaining member shall state so at the time the item is addressed on the agenda and shall not participate in the discussion as a member of the commission. A Commission member may request to abstain from voting with explanation.

### GOVERNING PROCEDURE

The Michigan Statutes, Planning Commission Bylaws and the Robert's Rules of Order Revised, in that order, shall govern the order of business before the Planning Commission.

Robert's Rules shall not apply when they conflict with federal law, Michigan Statutes or they deny a member his/her Constitutional rights.

### COMMUNICATIONS WITH CITIZENS

Contact with Commissioners by citizens falls into two categories:

The first category would be contacts of general information seeking (i.e.; meeting dates, composition of commission, procedure to appear before, location of meeting site, or others that merely describe the system.) These may be shared or noted in the minutes at the discretion of the individual commissioner.

The second category consists of significant communications, written or verbal, that address Planning Commission business and shall be shared and noted in the minutes (i.e., requests concerning possible change in land use, possible zoning changes, developers inquiries). Ex-parte contact shall be avoided by Commissioners, if possible. Persons wishing to discuss issues with Commissioners should address concerns either in writing to the Planning Commission as a whole or at a Planning Commission meeting.

Complaints should be referred to the appropriate City Official.

### CITIZEN PARTICIPATION

Any persons who wishes to speak on an item included on the printed meeting agenda may do so when they are recognized by the Chair, at which time they will be required to step forward to a microphone and requested to state their name and address, or provide it to staff on a piece of paper, and then be allowed three (3) minutes maximum to address the Commission. Citizens may also speak on an item by way of telephone. The telephone number will be broadcast during the filming of the meeting.

### DISORDERLY CONDUCT AT MEETINGS

Persons addressing the Commission shall make responsible comments and shall refrain from making personal, impertinent, slanderous or profane remarks. The Chairperson may call to order any person who is being disorderly by speaking longer than the allotted time; or by speaking vulgarities. Such persons shall thereupon be seated until the Chair shall have determined whether the person is in order. If the person shall continue to be disorderly and disrupt the meeting, the chair may order the Police Department to remove the person from the meeting.

ATTENDANCE

Members shall follow the attendance policy set forth by the City Commission for appointed Boards and Commissions:

The Chairperson of each board, commission, or committee shall be responsible to see that attendance is recorded at each meeting.

When deemed appropriate by the Chairperson, a letter will be sent to any member whose attendance is not satisfactory. The letter shall ask if the member is interested in continued appointment.

On a yearly basis, staff shall submit a report to the City Clerk showing member attendance and indicating correspondence notices sent to members.

At any time the Chairperson deems it appropriate to do so, that Chairperson may recommend replacement of a member for reasons related to the member's attendance.

AMENDMENTS

These rules may be amended by the Planning Commission by a concurring vote, during any regular meeting, provided that all members have received an advanced copy of the proposed amendments at least three (3) days prior to the meeting at which such amendments are to be considered.

THESE BYLAWS AND RULES OF PROCEDURES ARE ADOPTED THIS 11TH DAY OF APRIL, 2024. City of Muskegon Planning Commission.

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Chairperson

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Vice-Chairperson