

AGENDA
CITY OF ALLEN PARK
PLANNING COMMISSION MEETING
August 6, 2020 - 7:00 PM

Roll Call

Approval of the Agenda

Approval of Minutes: June 4, 2020

1. New Business
2. Old Business
 - A. City of Allen Park Bylaws
3. Discussion Items
4. Communications
5. Chairman Comments
6. Commissioner Comments
7. Planner Comments
8. Citizen Comments

Adjournment

“Accommodations for individuals with disabilities will be provided with 10 day advanced notice.”

MINUTES
CITY OF ALLEN PARK
PLANNING COMMISSION MEETING
June 4, 2020

The Planning Commission met for a regularly scheduled meeting on June 4, 2020 at the Allen Park City Hall. Chairman Graham called the meeting to order at 6:01 PM.

The Chairman Graham instructed the secretary to call the roll.

Graham	<u> X </u>	Muszynski	<u> X </u>
Babbage	<u>Excused</u>	Sych	<u> X </u>
Darin	<u>Excused</u>	McLean	<u> X </u>
Frank	<u>Excused</u>	Randt	<u> X </u>

Others present- Chris Atkin, Carlisle-Wortman

Approval of April 2, 2020 Planning Commission Meeting Minutes

Motion by McLean, seconded by Muszynski to approve the April 2, 2020 meeting minutes as presented.

Motion passed 5-0 Vote

NEW BUSINESS

A. City of Allen Park Bylaws

Significant conversation and discussion among Planning Commission and Planner was held to refine the proposed bylaws.

OLD BUSINESS

None

DISCUSSION ITEMS

None

COMMUNICATIONS

None.

COMMISSIONERS COMMENTS

None.

PLANNER COMMENTS

Planner Atkin informed of the regularly scheduled July 7, 2020 Planning Commission Meeting.

CITIZEN COMMENTS

None.

ADJOURNMENT

Motion by McLean, seconded by Muszynski to adjourn meeting at 6:35 PM. Motion passed.

**PROPOSED
BYLAWS and RULES of PROCEDURE**

April-June 2020

**BYLAWS and RULES of PROCEDURE
OF THE CITY PLANNING COMMISSION OF THE CITY OF ALLEN PARK, MICHIGAN**
(Hereinafter, also called "Commission")

**Chapter 2 – Administration
ARTICLE V. - BOARDS, COMMISSIONS, COMMITTEES AND AUTHORITIES**

Division 15. - PLANNING COMMISSION

Sec. 2.682. - Purpose of Division.

The purpose of this division is to provide for the creation and organization of a city planning commission and prescribe its powers and duties.

Sec. 2-683. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this division, except where the context clearly indicates a different meaning:

Appointed street members means members appointed by the mayor with the approval of a majority vote of the entire city council.

Commission means the city planning commission as established in this division.

Ex-officio members means those members who take membership on the Commission by virtue of other offices held by them within the city government.

Street means avenue, boulevard, road, lane, alley, viaduct or any other ways of travel as may be used.

Sec. 2-684. - Created.

A city planning commission is hereby created in accordance with the Charter and the provisions of Public Act No. 33 of 2008, as amended.

Sec. 2-685. - Composition; appointment.

The organization, composition, appointment, term, powers, and duties of the city planning commission shall be and are hereby governed by the provisions of the act cited in Section 2-684. The planning commission shall consist of nine voting members, eight of whom shall be appointed by the mayor with the consent of the majority vote of the city council and shall represent, so far as possible, different segments of the community such as the economic, governmental, educational, and social development of the city, in accordance with the major interests as they exist in the city, such as natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire geography of the city to the extent practicable. All but one member must be qualified electors in the city. The ex-officio member of the planning commission shall be an administrative official or elected official selected by the mayor.

Sec. 2-686. - Members prohibited from holding other city offices; exception.

Other than the ex-officio member, no member may be an administrative official or elected official.

~~Sec. 2-687. - Compensation.~~

~~All members of the planning commission shall serve as such with compensation as may be approved by the city council.~~

Sec. 2-688. - Terms of ex-officio members.

The terms of ex officio members shall correspond to their respective official tenures, except that the term of the administrative official selected by the mayor shall terminate with the term of the mayor.

Sec. 2-689. - Terms of appointed members.

Each of the appointed members, shall be appointed for a term of three years ending on the thirty-first (31st) day of December, of the third year after appointment or until a successor takes office. Appointed members shall serve staggered terms.

Sec. 2-690. - Removal of appointed members.

Any appointed members, in addition to ex-officio members, of the planning commission may be removed by city council for misfeasance, malfeasance, or nonfeasance in office upon written charges and after public hearing.

Sec. 2-691. - Vacancies.

Vacancies in the planning commission occurring other than through the expiration of a term of office shall be filled for the unexpired term by a person appointed by the mayor with the approval of a majority vote of the city council.

Sec. 2-692. - Voting.

- (a) **Voting Rights.** All appointed members, in addition to ex officio members, shall have full voting rights.
- (b) **Conflict of interest.** All appointed members, in addition to ex-officio members, who has a conflict between a personal interest and the public interest as defined by law shall fully disclose the nature of the conflict. Except as provided by law, no appointed members, in addition to ex-officio members, may participate in, act upon or vote upon any matter if a conflict exists.

Sec. 2-693. - Election of officers; duties; eligibility for reelection.

- (a) **Chairperson.** The Commission shall elect a chairperson annually at its first meeting after the first (1st) day of January. Such chairperson, who shall be one of the appointed members and not an ex officio member, shall be eligible for reelection, and shall be the chief executive officer of the Commission and shall preside over all meetings of the Commission. On behalf of the Commission, such chairperson shall sign all approved site plans, contracts and legal documents required to be signed by the Commission; provided, however, that prior approval of the Commission has been obtained.
- (b) **Vice-Chairperson.** The Commission shall elect a vice-chairperson annually at its first meeting after the first (1st) day of January. Such vice-chairperson, who shall be one of the appointed members and not an ex officio member, shall be eligible for reelection, and shall preside over all meetings of the Commission in the absence of the chairperson. On behalf of the Commission, in the absence of the chairperson, shall sign all approved site plans, contracts and legal documents required to be signed by the Commission; provided, however, that prior approval of the Commission has been obtained.
- (c) **Secretary.** The Commission created under this article shall elect one of its members to be its secretary at its first meeting after appointment and annually at its first meeting after the first (1st) day of January. The secretary shall be eligible for reelection; shall attend all meetings of

the Commission and prepare minutes of the proceedings of all such meetings; shall give all notice of meetings; shall be the custodian of the official records of the Commission; shall cause to be maintained a record of the members of the Commission who are eligible to vote and the members and terms of office of each member of the Commission; and in general shall perform all of the duties incident to the office of secretary and such additional duties as may be from time to time assigned by the chairperson or by the commission.

Sec. 2-694. - Attorney for commission.

The city attorney shall act as attorney for the planning commission.

Sec. 2-695. - Meetings

- (a) **Regular Meetings.** The planning Commission shall meet at regular business meetings ~~which shall be held once a month,~~ on the first Thursday of every month. The planning commission shall hold not less than four (4) regular meetings each year. All meetings shall be open to public attendance.
- (b) **Special Meetings.** Special meetings may be called by the chairperson or any two (2) members of the Commission. The purpose of the special meeting shall be stated in the public notice for that meeting. At the special meeting, the Commission may not conduct any business beyond the specific purpose stated in the public notice, except by unanimous consent of the members present.

The secretary shall send written notice of a special meeting to all planning commission members not less than 48 hours before the meeting.

Consistent with the Open Meetings Act (1976 PA 267, MCL 15.261 to 15.275), public notice of the special meeting shall be posted not less than eighteen (18) hours prior to the scheduled starting time.

Sec. 2-696. - Quorum

A majority of the members of the Commission shall constitute a quorum for the transaction of business, and the concurrence of a majority of the members present shall be sufficient for the passage of any vote.

Sec. 2-697. - Use of consultants

Consultants of the Commission shall serve subject to the will and pleasure of the City ~~Manager~~Administrator. Retention of services shall be the prerogative of the City Council ~~upon recommendation of the Commission, provided however, that the Commission shall not recommend employees for hire until funds have been duly appropriated, therefore.~~

Sec. 2-698. - Expenditures - Appropriations

The expenditures of the Commission, ~~exclusive of gifts,~~ shall be within the amount appropriated for specified purposes by the City Council of the City of Allen Park, and shall be processed and disbursed by the Building and Engineering Department ~~of Community Development.~~

Sec. 2-699. - Annual Report - Reports Requested by City Council

The Commission shall, on or before the first Thursday of January each year, make a written report to the City Council concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development of the

Commission from the preceding year. The Commission shall also make such reports as the City Council may, from time to time, request.

Sec. 2-700. - Powers of the Commission

The Commission shall be vested by such powers and duties as are authorized by City Council resolution dated March 14, 1972, of the City of Allen Park and shall perform such duties as therein prescribed under Public Act 285 of 1931, as amended, and Public Act 207 of 1921, as amended.

Sec. 2-701. - Amendments - Repeal

Members of the Commission shall have the power to make, amend, and repeal the Bylaws of the Commission by a vote of a majority of the entire membership of the Commission provided that intention to make, amend or repeal the Bylaws in whole or in part, shall have been given at the preceding meeting, or, without such notice by a vote of two-thirds ($\frac{2}{3}$) of the entire membership of the Commission.

Sec. 2-702. - Procedure - General

The Procedure of the Commission shall conform with the rules as stated in the Revised Edition of Robert's Rules of Order except in those instances where inconsistent with, or contrary to, any of the Ordinances of the City of Allen Park or the laws of the State of Michigan.

Sec. 2-703. - Business Order

The business of all regular meetings shall be transacted as far as practicable in the following manner:

1. Call to Order
2. Roll Call
3. Approval of the Agenda
4. Reading, correction, and adoption of minutes
5. Persons in the Audience
6. New Business
 - A. Hearings
 - B. Discussion Items
7. Old Business
 - A. Hearings
 - B. Discussion Items
8. Communications and Petitions
9. Comments
 - A. Chairperson
 - B. Commissioners
 - C. Planner
 - D. Citizen
10. Adjournment

Sec. 2-704. - Hearings.

Hearings shall be scheduled, and due notice given in accordance with the provisions of the Michigan Open Meetings Act and the relevant enabling act under which public hearing is being held. Public hearings conducted by the Planning Commission shall be run in an orderly and timely fashion, which shall be accomplished by adhering to the following public hearing procedure:

- (a) **Opening Announcement.** The Chairperson shall give an official opening announcement of the public hearing indicating the basic nature of the request and citing how public notice was provided of the hearing.
- (b) **Announcement of Order of Hearing.** The Chairperson shall explain the order of the public hearing as being as follows:
 - (1) Explanation of the request as received by the Commission.
 - (2) Review and recommendations by planning commission staff and consultants.
 - (3) Comments and explanations by applicant.
 - (4) Questions by the planning commission.
 - (5) Responses by staff, consultants, and/or the applicant.
 - (6) Opening of hearing for public comments.
 - (7) Closing of hearing to public comments.
 - (8) Consideration of action by the planning commission.
- (c) **Rules of Conduct.** The Chairperson shall then announce the rules of conduct of the public hearing as follows:
 - (1) All comments shall be addressed to the Chairperson.
 - (2) Each person shall be given an opportunity to be heard, but second comments will not be permitted until every person has had the opportunity to speak for the first time.
 - (3) In the interest of fairness to the public, statements from the floor should be as concise as possible.
 - (4) The Chairperson reserves the right to terminate a presentation or ask for a summation if comments become excessively repetitive or stray from the issues at hand.
 - (5) For large hearings, a time limit of three (3) minutes per person shall be placed on public comments.
 - (6) At all times during the public hearing, the Chairperson expects courtesy from all participants and catcalls, booing, or other outbursts from the public shall not be tolerated.
 - (7) Decisions of the planning commission shall be based upon findings of fact based upon proper facts and accepted principles of planning.
- (d) **Presentation of Proposal.** The Chairperson shall then turn the meeting over to the Commission's staff and consultants present their reports of findings of compliance with local ordinances and requirements; conformance with desirable and established principles of development; conflicts and discrepancies; recommendations; and answers to questions from the Commission for reasons of clarification. The applicant presents a brief review of the project proposal; responds to questions raised by the Commission's staff and consultants responds to questions by the Commission; and states for the record any changes to the proposal which will be made to correct problems noted.
- (e) **Opening of Hearing to Floor.** The Chairperson then opens the public hearing to comments from the floor, reminds the public of the rules of conduct, and indicates that once a person has

been recognized by the Chair they shall stand and give their name and address and a concise statement of their questions and/or concerns. In the event of large hearings, the Chairperson may encourage groups in attendance to be represented by a spokesperson. When individual time limits have been imposed, the Chairperson reserves the right to limit the amount of time allocated to a spokesperson to avoid filibustering. The Chairperson may elect, during public comments, to obtain brief answers from the Commission's staff or consultants or from the applicant if such comments may expedite the hearing. The Chairperson shall receive for the official record any letters and/or petitions received by the Commission regarding the matter at hand and shall read and/or summarize these materials.

(f) **Closing of Public Hearing.** When all public comments have been heard.

Sec. 2-705. - Questions of Order

All questions of order shall be decided by the Chairperson without debate.

When any question is under debate, no motion shall be received but the following: and they shall have precedent in the following order, to wit:

1. Motion to adjourn
2. To lay on the table
3. To postpone to a day certain
4. To Commit
5. To Amend
6. To postpone indefinitely