



	Presented 8/23/04
Action taken	
Other:	
Verified by:	<i>ASmiths</i>

WASILLA CITY COUNCIL ACTION MEMORANDUM

IM No. 04- 10

TITLE: Wasilla Planning Commission By-Laws

Agenda of: August 23, 2004
 Originator: Sandra Garley, City Planner

Date: August 17, 2004

Route to:	Department	Signature/Date
	Police	
	Recreational and Cultural Services Library, Museum	
X	Public Works Planning	<i>Sandra Garley 8-16-04</i>
X	Finance *signature required	<i>J. Holligan</i>
X	Clerk	<i>ASmiths</i>

REVIEWED BY MAYOR DIANNE M. KELLER: *Dianne M. Keller*

FISCAL IMPACT: yes\$ or no Funds Available yes no

Account name/number:

Attachments: Wasilla Planning Commission Resolution No. 04 -22
 Planning Commission By-Laws

SUMMARY STATEMENT:

The Planning Commission has developed a set of by-laws that describe the way the commission will operate their meetings. In developing their by-laws, the commission has worked to provide for an open and consistent meeting format that follows the Municipal Code and appropriate state statutes.

The commission by-laws provide information for the public and for new members of the commission on the procedures that the Wasilla Planning Commission will follow on selecting officers, the open meetings act, scheduling regular and special meetings, the order of business during a meeting, voting, when finding of fact will be made, notice of meetings and other similar topics.

To continue the good working relationship and communication enjoyed by the two bodies, the Planning Commission has asked that their By-Laws be forwarded to City Council.

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 04 - 22**

A RESOLUTION OF THE WASILLA PLANNING COMMISSION ADOPTING A SET OF BY-LAWS FOR THE PROCEDURAL OPERATIONS OF THE COMMISSION AND RECOMMENDING AFFIRMATION OF THE BY-LAWS BY THE WASILLA CITY COUNCIL.

WHEREAS, the Wasilla Planning Commission wishes to adopt a set of by-laws governing the proceedings of the Commission; and

WHEREAS, the adoption of a set of by-laws would:

1. improve interactions between the Commission and applicants, the public, and other administrative agencies;
2. provide for the efficient use of time by Commission members, the public, applicants, and the planning staff; and
3. balance the efforts of the Commission between land use applications and the planning work necessary to guide progressive development in Wasilla; and

WHEREAS, the Commission has developed a set of by-laws that adequately address and clarify the basic procedures of the Commission; and

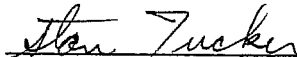
WHEREAS, the Commission would like to send these by-laws forward to the Wasilla City Council for their review and affirmation.

NOW THEREFORE BE IT RESOLVED that the Wasilla Planning Commission hereby adopts the by-laws set forth in attachment "A" as the by-laws governing the proceedings of the Planning Commission; and

BE IT FURTHER RESOLVED that the Wasilla Planning Commission wishes to forward these by-laws to the Wasilla City Council for their review with a recommendation that the by-laws be affirmed.

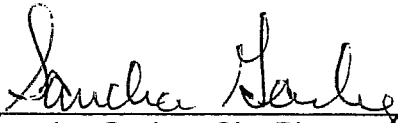
ADOPTED by the Wasilla Planning Commission on August 10, 2004.

APPROVED:



Stan Tucker, Chairman

ATTEST:



Sandra Garley, City Planner

[seal]

City of Wasilla Planning Commission By-Laws

Purpose

The following bylaws are hereby adopted by the Planning Commission of the City of Wasilla in order to:

1. improve interactions between the Commission and applicants, the public, and other administrative agencies;
2. provide for the efficient use of the time by Commission members, the public, applicants, and the planning staff; and
3. balance the efforts of the Commission between land use applications and the planning work necessary to guide the progressive development in Wasilla.

Officers

1. The officers of the Planning Commission shall be Chair and Vice-Chair.
2. The officers shall be elected not later than the last regular meeting in February by a majority vote of the members of the Planning Commission pursuant to the provisions in the WMC.
3. In the absence of the Chair and Vice-Chair, the members present may select a member to preside over the meeting.

Duties and Powers of Office

1. The Chair shall preside over the meetings of the Commission and exercise all the powers usually incident to the office, retaining the full right to vote in all deliberations of the Commission.
2. The Chair shall decide on all points of order and procedure, subject to these by-laws and other rules adopted by the Commission.
3. The Chair shall call special meetings in accordance with the by-laws and sign documents on behalf of the Commission.
4. The Vice-Chair shall, in the absence of the Chair, assume the duties and responsibilities of the Chair.

Open Meetings

All meetings of the Commission shall be open to the public and shall proceed in accordance with provisions of AS 44.62.310, the State of Alaska Open Meetings Act.

Regular Meetings

1. The regular meetings of the Planning Commission of Wasilla shall be at 7:00 P.M. on the second and fourth Tuesday of each

- month; the Commission will convene for only one regular meeting in December.
2. When a regular meeting date falls on a holiday or city election day, the meeting shall be held at the regular time on the subsequent Thursday.
 3. No new agenda item will be considered after 10:00 P.M. unless agreed to by five members present and the meetings will adjourn prior to 11:00 P.M. unless an extension is approved by five of the members present.
 4. Before official and formal action can be taken, a quorum shall be present. A quorum is defined for the purposes of the by-laws as four (4) members.
 5. The Chair, after discussion with the city planner, may cancel meetings when appropriate.

Special Meetings

1. Special meetings may be called by the Chair, upon written request of a majority of the Commission, or the City Council provided that at least forty-eight hours advance public notice has been given, setting out the date, time, place, and the agenda item or issue to be considered at the special meeting.
2. Only those matters referred to in the notice of a special meeting may be considered at a special meeting.

Work Sessions

The Chair may from time to time call for work session meetings for the purpose of receiving information, hearing presentations, and discussing information, provided that no action is taken or determination made.

Rules of Proceedings

Meetings shall be conducted under Robert's Rules of Order except where such rules of procedure are modified by these By-laws.

Order of Business

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of the Agenda
5. Reports
6. Consent Agenda
7. Public Hearings
8. Persons To Be Heard
9. Unfinished Business

10. New Business
11. Communications
12. Audience Comments
13. Staff Comments
14. Commission Comments
15. Adjourn

Procedure

1. At each regular meeting of the Planning Commission the applicant and all persons having an interest in or desiring to be heard upon any matter which is the subject of a specific agenda item requiring a public hearing, shall be given an opportunity to be heard during the public hearing portion of the meeting.
2. There shall be a time during regular meetings for members of the public to address the Planning Commission concerning any matter relevant to the Planning Commission's jurisdiction but not on the agenda.
3. The time for such public participation, and any reasonable limitations thereon, shall be established from time to time by the Commission.

Committee of the Whole

1. Discussion of any and all internal matters of the Commission, including reports of the staff of a general nature or of a subcommittee of the Commission may be considered by the Commission acting as a Committee of the Whole.
2. There shall be no public participation in Committee of the Whole except as follows:
 - a. By those persons specifically scheduled in advance to meet with the Commission on a specific topic; or
 - b. By persons specifically permitted and authorized to speak by a majority vote of the Commission prior to convening as a Committee of the Whole.

Conflict of Interest

A member shall disqualify himself/herself from participating in any official action in which he or she has a substantial financial interest as defined in WMC 2.12.010.

Voting

1. Each member of the Commission, including the Chair, shall be entitled to one vote on any matter before the Commission.

2. Four affirmative votes shall be required to carry any measure before the Commission unless a greater number is required by ordinance.
3. Failure of a motion to approve any matter upon which the Commission is authorized to act shall be deemed a denial.
4. Failure of a motion to deny any matter upon which the Commission is authorized to act shall not constitute approval.
5. All Commission members present will vote unless the Commission permits a member to abstain. A member of the Commission requesting to be excused from voting may make a brief oral statement of the reasons for the request and the question of granting permission to abstain shall be taken without further debate.

Findings

The Commission shall include findings of fact supporting any action taken on an application for a conditional use, variance, or zoning. Findings will articulate the basis of the action taken on the application.

Consensus

The Commission may from time to time express its opinion or preference concerning a subject brought before it for consideration. An opinion representing the will of the body and a meeting of the minds of the members may be given by the presiding officer as the consensus of the Commission without taking a motion or vote.

Committees

1. With the consent of the Commission, the Chair may appoint ad hoc committees of the Commission for special study or review.
2. No committee of the Commission shall have the power to commit the planning Commission to the endorsement of any plan or program without its submission to the Commission for consideration at a regular or special meeting.

Staff Support

The City Planner shall be expected to attend all public meetings, committee of the whole, and subcommittee meetings of the Planning Commission.

Notice of Meetings

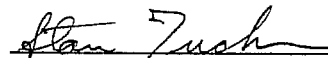
1. All regular and special meetings of the commission shall be posted at City Hall at least seven days prior to the meeting.
[WPC 97-10]

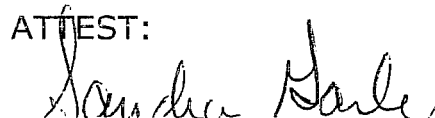
2. Notice shall be published in a newspaper of general circulation available in the community.

Amendment

These By-laws may be amended by majority vote of the Commission at any regular or special meeting, provided that notice in writing has been given to each member at least ten days prior to the meeting, or provided that the proposed amendment was read at the last regular meeting of the Commission.

ADOPTED by the Wasilla Planning Commission on August 10, 2004.


STAN TUCKER, Chairman

ATTEST:

SANDRA GARLEY, City Planner

[SEAL]