

**BY-LAWS
GOVERNING THE PROCEDURE
OF THE PLANNING COMMISSION OF THE
CITY OF LEE'S SUMMIT, MISSOURI
AS AMENDED THROUGH AUGUST 28, 2018**

ARTICLE 1

STATEMENT OF PURPOSE

Pursuant to Chapter 89 of the Revised Statutes of Missouri, Section 21-32 of the Code of Ordinances of the City of Lee's Summit, Missouri (hereinafter Code of Ordinances) and Article 18 of the Unified Development Ordinance (UDO), the following rules are to govern the transaction of business by the Planning Commission of the City of Lee's Summit (hereinafter Commission). The objectives, purposes, powers and duties of the Commission are those set forth in Chapter 89 of the Revised Statutes of Missouri as amended, Chapter 21 of the Code of Ordinances as amended, and Article 18 of the UDO as amended.

ARTICLE 2

MEMBERSHIP

Section 1. Membership of the Commission shall be established, vacancies filled, and members removed in accordance with Chapter 89 of the Revised Statutes of Missouri, Chapter 21 of the Code of Ordinances and Article 18 of the UDO as follows:

- A. The Commission shall consist of a total of nine (9) members, including:
 - 1. The Mayor, if the Mayor chooses to be a member; and
 - 2. A member of the Council, selected by the Council, if the Council chooses to have a member serve on the Commission.
- B. All members of the Commission, except the aforesaid elected officials, should they choose to serve, shall be citizen members. Citizen members shall be residents of the City, who shall be appointed by the Mayor and approved by the Council. All citizen members of the Commission shall serve without compensation. The term of each citizen member of the Commission shall be for four (4) years, except that the term of the citizen members first appointment shall be for varying periods so that succeeding terms will be staggered. Any vacancy in a membership shall be filled for the unexpired term by appointment as aforesaid. The Council may remove any citizen member for cause stated in writing and after public hearing.

Section 2. Attendance

- A. Commissioners are expected to arrive on time and be present for the entire meeting. Commissioners are important City officials whose actions and decisions impact the quality of life in the city. Therefore, only in rare, unavoidable circumstances should Commissioners miss meetings, workshops or training sessions.
- B. Absences. If a Commissioner misses three (3) consecutive meetings or trainings/workshops or five (5) meetings during a calendar year, the Director of Planning and Special Projects (Director) shall forward this information to the Mayor for review of the attendance record. The Mayor may request a meeting with the respective Commissioner to determine interest in continuing to serve.

- C. Training. Each Commissioner shall attend at least three (3) hours per year of training in planning and zoning.
 - 1. Failure to meet the training requirements may result in the member not being reappointed to the Planning Commission.
 - 2. Training shall be provided by one or more of the following:
 - a. Planning staff;
 - b. Missouri American Planning Association;
 - c. Eastern Jackson County Planners Coalition; or
 - d. American Planning Association

Section 3. Voting

- A. Each member of the Commission present at a meeting shall be entitled to vote on a issue before the Commission, except as provided in these bylaws.
- B. No member may vote on an issue in which that member has a substantial personal or private interest, as defined in Chapter 105 of the Revised Statutes of Missouri.

ARTICLE 3

OFFICERS AND THEIR DUTIES

Section 1. The board of officers of the Commission shall consist of a chairperson, a vice-chairperson, a secretary and an assistant secretary. Each officer shall be a citizen member of the Commission. The officers shall perform the duties prescribed in these bylaws and by the parliamentary authority adopted by the Commission.

Section 2. Election of officers.

- A. The Commission shall elect a board of officers by a majority vote annually on the second regular meeting in the month of June.
- B. Nomination of officers shall be made from the floor and the elections shall follow immediately thereafter.
- C. A candidate receiving a majority vote of the entire membership of the Commission shall be declared elected and shall serve for one (1) year or until the successor shall take office.
- D. Any vacancies in offices shall be filled immediately by regular election procedure.

Section 3. The Chairperson's duties

The Chairperson:

- A. Shall be the presiding officer at all meetings and hearings of the Commission at which the Chairperson is present; and
- B. Shall have the privilege of discussing all matters before the Commission; and
- C. Shall not preside over or vote on an issue where the Chairperson has a substantial personal or private interest, as defined in Chapter 105 of the Revised Statutes of Missouri; and
- D. Shall decide all points of order and procedure in accordance with the parliamentary procedure adopted by the Commission.

Section 4. The Vice-Chairperson shall act as Chairperson in the absence or disability of the Chairperson.

Section 5. The Secretary's duties

The Secretary:

- A. Shall act as the Chairperson in the absence or disability of the Chairperson and the Vice-Chairperson; and
- B. Shall attend to correspondence of the Commission and such other duties as specified by the Commission.

Section 6. The Assistant Secretary's duties

The Assistant Secretary:

- A. Shall act as the Secretary in the absence or disability of the Secretary; and
- B. Shall act as the Chairperson in the absence or disability of the Chairperson, Vice-Chairperson and Secretary.

Section 7. Acting Officers

- A. In the absence or disability of the Chairperson, Vice-Chairperson, Secretary and Assistant Secretary, an acting Chairperson shall be selected by the members of the Commission present.
- B. In the absence or disability of both the Secretary and the Assistant Secretary, an Acting Secretary shall be selected by the members of the Commission present.
- C. A member of the Commission may act to fulfill the duties of only one office at a time and when serving in the absence or disability of another officer, the member must relinquish the duties of any other office held.

ARTICLE 4

SUPPORT STAFF

The Commission shall utilize the employees and staff provided by the City, in accordance with Section 21-33 of the Code of Ordinances, to assist in the completion of the Commission's work as necessary.

ARTICLE 5

MEETINGS

Section 1. Regular Meetings.

Regular meetings of the Commission shall be held on the second and fourth Thursdays of each month at 5:00 p.m. in the City Council Chambers at City Hall, 220 S.E. Green Street, Lee's Summit Missouri, unless it is otherwise agreed by the Commission and notice is given in compliance with the Revised Statutes of Missouri and the Code of Ordinances.

Section 2. Special Meetings.

- A. Special meetings may be called by the Chairperson, or at the request of three (3) members of the Commission to the Chairperson, provided that at least 24 hours' notice is given to

each member of the Commission of the time, place, and agenda of such meeting and public notice requirements are met.

- B. No business other than that specified in the agenda may be considered at a special meeting, except by unanimous consent of all Commission members present at the special meeting.

Section 3. A quorum shall consist of five (5) members of the Commission. A concurring vote of the majority of those present, constituting at least a quorum, is required to pass a motion unless otherwise specified by parliamentary procedure, these bylaws, the Code of Ordinances, or the Revised Statutes of Missouri. In the absence of a quorum of five (5) members, a meeting may be convened only for the specific purpose of making a motion to continue agenda items to a date certain, in which case, a concurring vote of the majority of those present is required to pass a motion. A meeting may be cancelled in advance if staff determines that a quorum cannot be assembled, and there are no public hearings that need to be continued by a vote of the Commission.

Section 4. Public notice of all meetings shall be given in accordance with the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.

Section 5. All meetings shall be open to the public unless closure is authorized in accordance with Chapter 2 of the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.

Section 6. Records

- A. Minutes of meetings and records of votes shall be kept in accordance with Chapter 2 of the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.
- B. All public records of the Commission shall be made available to the public in accordance with Chapter 2 of the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.

Section 7. The Commission may establish official policies governing consideration of matters presented to it. Such policies may address issues such as the referral of zoning amendments by the City Council, submission of applications for plat approval, and the filing of complaints before the Commission for consideration at the Commission's meetings. These policies may specify the form of application or filing and set procedures for the scheduling of such items on the Commission's agenda.

Section 8. The Commission will only review complete applications. If the Applicant does not supply the Development Services Department with the requested and/or revised materials to accommodate a timely Staff review and timely placement in the packet, the item should not be on the Commission agenda. If any item which does not meet these standards does appear on the agenda, the Applicant can anticipate the application being continued until the required information is submitted and reviewed.

Section 9. Applicants are encouraged to come to resolution on issues with the Staff prior to the Commission meeting in order to be placed on the Commission meeting Consent Agenda. On meeting dates with a particularly large number of agenda items to be considered, the Commission may ask for volunteers to continue their application or reconsider their issues with conditions in the Staff report to facilitate placement on the consent agenda at that Commission meeting.

Section 10. Unless otherwise agreed by the Commission, the order of business shall be as follows:

- A. Call to order and roll call
- B. Approval of agenda

- C. Public comment
- D. Approval of the consent agenda, including the minutes from the previous meeting
- E. Public hearings
- F. Other business
- G. Roundtable discussion among the members of the Commission
- H. Adjournment.

Section 11. It is the goal of the Commission to conclude the meetings at 9:00 p.m. This means some items will be continued. In an effort to assist with out of town applicants, (those traveling from outside the Kansas City metropolitan area) those applicants will be identified and every effort will be made to hear the application on the scheduled meeting date. Unless otherwise agreed by the Commission, no new issues or agenda items shall be considered after 9:00 p.m.

Section 12. The Commission may postpone consideration of any issue due to the lack of a quorum or for further study and information until the next regular meeting or until a special meeting designated for that purpose.

ARTICLE 6

COMMITTEES

Section 1. Standing committees and special committees may be appointed by the Chairperson for the purposes and terms which the Commission approves.

Section 2. Committee Members

- A. Unless the Commission agrees otherwise, committees shall be composed of members of the Commission.
- B. The Chairperson of the Commission shall be an ex officio member of all committees with the right to participate in the work of the committees.

Section 3. Committee meetings.

- A. Public notice of all committee meetings shall be given in accordance with the Code of Ordinances and the Revised Statutes of Missouri.
- B. All committee meetings shall be open to the public unless closure is authorized in accordance with Chapter 2 of the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.
- C. Minutes of meetings and records of votes shall be kept in accordance with Chapter 2 of the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.

Section 4. All public records of the committees shall be available to the public in accordance with Chapter 2 of the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.

ARTICLE 7

PARLIAMENTARY PROCEDURE

The rules contained in the current edition of Robert's Rules of Order shall govern the Commission in all cases to which they are applicable except where they are inconsistent with these bylaws, any

special rules of order the Commission may adopt, or any of the Revised Statutes of Missouri that are applicable to the operation of the Commission.

ARTICLE 8

PUBLIC HEARINGS

Section 1. In addition to those required by law, the Commission may at its discretion hold public hearings when it decides that such hearings will be in the public interest.

Section 2. Public notice of all hearings shall be given as required in the Code of Ordinances, the Revised Statutes of Missouri and Article 4 of the UDO.

Section 3. Minutes of public hearings and records of votes shall be kept in accordance with Chapter 2 of the Code of Ordinances and Chapter 610 of the Revised Statutes of Missouri.

Section 4. Unless the Commission otherwise agrees, the order of business in a public hearing shall be as follows:

- A. The public hearing shall be declared open by the Chairperson of the Commission.
- B. The subject matter of the public hearing shall be briefly stated by the Chairperson or his/her designee.
- C. The applicant or its agent shall present the issue to the Commission and respond to questions from the Commissioners.
- D. City staff shall provide a report to the Commission.
- E. Comments from citizens in favor of the issue shall be received.
- F. Comments from citizens opposed to the issue shall be received.
- G. The applicant or its agent shall have the opportunity to rebut comments from City staff or citizens.
- H. The Chairperson shall declare the public hearing closed.

Section 5. Unless the Commission otherwise agrees, the following rules shall govern the conduct of all meetings, including public hearings:

- A. The Commission reserves the right at all times to rule upon the admissibility of evidence.
- B. Oral testimony shall be given only after the speaker has been recognized by the Chairperson. Upon recognition, speakers shall approach the podium, state their name, current address, and limit comments to the issue under discussion.
- C. Irrelevant and unduly repetitious evidence may be excluded.
- D. Parties in interest shall appear and/or may be represented by another party.
- E. The Applicant shall have a fifteen (15) minute time limit for initial presentation and five (5) minutes for rebuttal. This does not include any question and answer exchanges with the Commission. The Commission encourages Applicants to come to the meetings prepared to attentively present their projects, answer questions, and keep the discussion and consideration moving forward, in order that all applications set for deliberation on that agenda may be timely heard.
- F. Each citizen desiring to speak during a public hearing shall be limited to three (3) minutes per person, and if there is a spokesperson, that person may take the total of the time of those he or she represents. However, the opponents of a project shall have no more than

an aggregate total of twenty (20) minutes to voice their opinions regarding the application. The time allotted to the spokesperson shall begin to run upon recognition by the Chairperson.

- G. The time allotted to speakers may be extended at the Chairperson's discretion, on application made prior to the meeting, or by consent of the Commission during hearings.
- H. Verbal outbursts, heckling, jeering, or denigrating physical gestures will not be allowed. Persons demonstrating such actions shall be asked to leave the meeting.

ARTICLE 9

AMENDMENT OF BYLAWS

Section 1. These bylaws may be amended by an affirmative vote of two-thirds of the entire membership of the Planning Commission.

Section 2. Proposals for amendment of the bylaws shall be presented in writing at a meeting of the Commission and action taken at a subsequent meeting.

These bylaws are approved and adopted by the Planning Commission this ____ day of _____, 2018.

Chairperson

Vice-Chairperson