

**WASILLA PLANNING COMMISSION
RESOLUTION SERIAL NO. 13-03**

**A RESOLUTION OF THE WASILLA PLANNING COMMISSION AMENDING THE
WASILLA PLANNING COMMISSION BY-LAWS TO ESTABLISH A MEETING DATE
FOR ELECTION OF OFFICERS, REVISE THE MEETING SCHEDULE AND TIME,
AND OTHER MINOR CLARIFICATIONS AND UPDATES.**

WHEREAS, the City of Wasilla Planning Commission adopted the most recent version of the Planning Commission by-laws on June 23, 2009 that govern how the Planning Commission functions; and

WHEREAS, the public hearing date and time was publicly advertised; and

WHEREAS, on March 12, 2013, the Wasilla Planning Commission held a public hearing on these amendments; and

WHEREAS, the Wasilla Planning Commission deliberated on this request and agree that the proposed amendments are appropriate.

NOW, THEREFORE BE IT RESOLVED, that the Wasilla Planning Commission hereby adopts the amendments to the Planning Commission by-laws as follows. Note: new language is underlined and language to be deleted is shown in ~~strikethrough~~ format.

Purpose

The following by-laws are hereby adopted by the Wasilla Planning Commission ("Commission") of the City of Wasilla in order to:

1. improve interactions between the Commission and the 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 progressive development in Wasilla.

Officers

1. The officers of the ~~Planning~~ Commission shall be Chairperson and Vice-Chairperson.
- ~~4.2.~~ The annual election of officers shall be the first order of business at the first Commission meeting in January.
- ~~2.3.~~ Officers shall be elected by a majority of the eCommission members for a term of one year.
- ~~3.4.~~ Election of officers shall be the first order of business at any time that an officer's seat is not filled.

Duties and Powers of Office

1. The duties of the Chairperson shall be to preside at all eCommission meetings, to call meetings and to perform other duties as required, retaining the full right to vote in all deliberations of the Commission.
2. The Chairperson shall decide on all points of order and procedure, subject to Robert's Rules of Order and the Wasilla Municipal Code.
3. The Chairperson shall sign documents on behalf of the -Commission.
4. The duties of the Vice-Chairperson shall be to perform the duties of the Chairperson in the Chairperson's absence.

Open Meetings

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

Regular Meetings

1. ~~The r~~Regular meetings of the Planning Commission of Wasilla shall be held at 7:00 P.M. on the second and fourth Tuesday of each month at 6 PM, unless otherwise designated by the Commission; the Commission will convene for only one regular meeting in November and 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.~~
2. Only those matters stated in the public notice of the meeting shall be acted upon at a regular meeting.
3. No new agenda item will be considered after ~~10:00 P.M.~~PM unless agreed to by five members present and the meetings will adjourn prior to ~~11:00 P.M.~~PM 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~~ Commission members for the purposes of these by-laws.
5. The Chairperson, after discussion with the city planner, may cancel meetings when appropriate.

Special Meetings

1. Special meetings may be called by the Chairperson or three members of the ~~e~~Commission.

2. Only those matters stated in the public notice of the meeting shall be acted upon at a special meeting.

Rules of Proceedings

Meetings shall be conducted ~~under~~ in accordance with the current edition of Robert's Rules of Order, Newly Revised or other rules the Commission may adopt.

Order of Business

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of ~~the~~ Agenda
- V. Approval of Minutes
- VI. Reports
- VII. Public Participation
- ~~VII. Consent Agenda~~
- VIII. Unfinished Business
- ~~VIIIIX. New Business~~
- ~~IX. Unfinished Business~~
- X. Communications
- XI. Audience Comments
- XII. Staff Comments
- XIII. Commission Comments
- XIV. 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~~ participation 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 that is not on the agenda for a~~ maximum of three minutes.
3. ~~The time for such public participation, and any reasonable limitations thereon, shall be established from time to time by the Commission.~~ Teleconferencing may be used for all lawful activities of the Commission and, if all voting individuals have an opportunity to evaluate all testimony and evidence, to vote on actions. Teleconferencing may not be used as a regular form of participation for regular meetings of the Commission.

Committee of the Whole

1. At any regular or special meeting at ~~which doing~~ where convening as the Committee of the Whole ~~so~~ is an agenda item, the Commission may, by vote, ~~to~~ convene as a eCommittee of the wWhole. 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~~ while 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

No Commission member of a ~~commission~~ shall vote on any question upon ~~that~~ which he/she has a substantial direct or indirect financial interest. Additionally, nNo Commission member shall represent any person before the commission of which he/she is a member.

Voting

1. Each member of the Commission, including the Chairperson, 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.

Decisions

A1. All permit actions of the Commission must be in the form of a resolution setting forth:

- 1a. ~~T~~he date of significant meetings or hearings related to the request;
- 2b. ~~T~~he decision;
- 3c. ~~T~~he basic facts and the reasoning leading to the decision; and
- 4d. Conditions ~~on the permit~~of approval.

The decision must be signed by the Chairperson and the ~~C~~ocity ~~P~~lanner or planning clerk.

B2. All permit actions by the Commission shall be summarized in a permit by the planning staff. The conditions of approval on a permit shall be mailed to each applicant. A copy of every permit issued will be retained in the permanent records of the planning office.

Consensus

1. With the consent of the Commission, the Chairperson 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

A~~1~~. The ~~C~~city ~~P~~planner and the ~~City Planner's~~ planning staff shall assist the ~~Planning~~-Commission.

B~~2~~. The planning clerk shall act as the secretary to the Commission and shall keep minutes of all meetings, which shall be a public record.

Notice of Meetings

Reasonable public notice of all regular and special meetings of the commission shall be posted at City Hall.

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 Commission 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.

FAILED by the Wasilla Planning Commission on March 12, 2013.

APPROVED:

Daniel Kelly, Jr., Chairman

ATTEST:

Tina Crawford, City Planner

VOTE: YES: Dean and Ledford
 NO: Brown, Green and Kelly