

CITY PLANNING COMMISSION OF THE CITY OF GROSSE POINTE PARK

AMENDED AND RESTATED BYLAWS

Adopted, effective immediately, 12/08/2022

As amended and restated through 12/08/2022

I. Name and Purpose

- A. The name shall be the City of Grosse Pointe Park City Planning Commission, hereafter known as the “Planning Commission.”
- B. These Amended and Restated Bylaws are adopted by the Planning Commission to facilitate the performance of its duties as outlined in P.A. 33 Of 2008, as amended, being the Michigan Planning Enabling Act, (M.C.L.A. §125.3801 *et seq.*), hereinafter “the Act.”
- C. The Planning Commission was formed in 1957 pursuant to Act 285, Public Acts of Michigan, 1931, M.C.L.A. §125.31 *et seq.*

II. Membership

A. Members.

1. Members of the Planning Commission shall be appointed by the Mayor subject to the approval of the City Council.
2. The Planning Commission shall consist of seven (7) members, six (6) of whom shall be representative, insofar as possible, of important segments of the community, such as economic, governmental, educational, and social development, in accordance with the major interests as they exist in the City.
3. One (1) member of the Planning Commission shall be an *ex-officio* member, namely, a member of the City Council appointed by the Mayor subject to approval by a majority vote of the Council. An Administrative officer of the City selected by the Mayor may serve on the Planning Commission as an administrative liaison and a non-voting member.
4. All members shall serve for a term of three (3) years, or until their successor takes office, except that the term of the *ex-officio* member shall correspond to their respective official tenure. Terms shall expire in September.
5. No member of the Planning Commission, other than *ex-officio* members, shall hold any other office or position with the City. Members of the Planning Commission shall be qualified electors of the City.

III. Meetings

- A. Attendance. In accordance with the City's Charter, if any member of the Planning Commission misses four (4) consecutive regular meetings, or twenty-five percent (25%) of Planning Commission meetings in a fiscal year, said member may be found guilty of nonfeasance, following a public hearing in accordance with Article VIII of these bylaws unless such absences are excused by majority vote of the City Council.
- B. If a member of the Planning Commission is appointed to another office, which is an incompatible office with his or her membership on the Planning Commission, then on the effective date of the appointment to the other office, that shall result in an automatic resignation from the Planning Commission. If a member of another office is appointed to the Planning Commission, which is an incompatible office with his or her membership in the other office, then on the effective date of the appointment to the Planning Commission, that shall result in an automatic resignation from the other office.
- C. Rules for Meetings.
 - 1. Meeting procedures and conduct shall comply be generally consistent with Robert's Rules of Order, unless superseded by The Open Meetings Act (MCL 15.261, et seq.), the Planning Enabling Act, or these amended Planning Commission By-Laws.
- D. Regular meetings.
 - 1. Regular meetings of the Planning Commission will be held at such time and place, as the Commission shall determine from time to time.
 - 2. Notices of regularly scheduled Planning Commission meetings shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meeting Act M.C.L.A. §15.261 *et seq.*).
- E. Special Meetings.
 - 1. Special meetings of the Planning Commission shall be called by the Chairperson, or at the request of the City Manager.
 - 2. Notices of special meetings shall be given to members of the Planning Commission at least forty-eight (48) hours prior to such meeting and shall state the purpose, time, day, month, date, year and location of the meeting (the Secretary may delegate this function to staff). In addition, notices shall comply with P.A. 267 of 1976, as amended, (being the Michigan Open Meetings Act M.C.L.A. §15.261 *et seq.*).
- F. Quorum. More than half the total number of seats for members of the Planning Commission, regardless of if vacancies exist or not, shall constitute a quorum for the transaction of business and the taking of official action for all matters before the Planning Commission. Whenever a quorum is not present at a regular or special meeting, those present shall adjourn the meeting to another day.

G. Planning Commission Action. Action by the Planning Commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded.

H. Ex Parte contact.

1. Members shall avoid ex parte contact about matters where an administrative decision is before the Planning Commission.
2. Despite one's best efforts it is sometimes not possible to avoid ex parte contact. When that happens, the Member should take detailed notes on what was said and report to the Planning Commission at a public meeting or hearing what was said, so that every member and other interested parties are made aware of what was said.

IV. Officers

A. Selection. At the regularly scheduled meeting of each year, the Planning Commission shall select from its membership a Chair, Vice-Chair, and Secretary. All offices are eligible for reelection. In the event the office of the Chair becomes vacant, the Vice-Chair shall succeed to this office for the unexpired term and the Planning Commission shall select a successor to the office of Vice-Chair for the unexpired term. In the event the office of the Secretary becomes vacant, the Planning Commission shall appoint a successor for the unexpired term. The Planning Commission or Secretary may also designate another person who is not a member of the Planning Commission to be the recording secretary.

B. Tenure. The Chair, Vice-Chair and Secretary shall take office immediately following their selection and shall hold office for a term of one year or until their successors are selected and assume office.

C. Chair's Duties. The Chair retains his or her ability to discuss, make motions and vote on issues before the Commission. The Chair shall have all duties and powers as provided under the Act.

D. Vice-Chair's Duties. The Vice-Chair shall act in the capacity of Chair, with all the powers and duties found herein of these Rules, in the Chair's absence.

E. Secretary's Duties. The Secretary shall have all duties as provided under the Act.

1. Execute documents in the name of the Commission.
2. Be responsible for the minutes of each meeting, pursuant to these Bylaws if there is not a recording secretary.
3. Review the draft of the minutes, sign them, and submit them for approval to the Planning Commission and shall have them spread in suitable volumes. Copies of minutes shall be distributed to each member of the Planning Commission prior to the next meeting of the Planning Commission (the Secretary may delegate this duty to Planning Commission staff).

4. Receive all communications, petitions, and reports to be addressed by the Planning Commission, delivered or mailed to the Secretary in care of the Planning Department Office.

V. Record

- A. Minutes and Records. The Planning Commission Secretary (or his or her designee) shall keep, or cause to be kept, a record of Planning Commission meetings, in accordance with the requirements of the Michigan Open Meetings Act.

VI. Committees

- A. Ad Hoc/Advisory Committees. The Planning Commission or Chair may establish and appoint ad hoc/advisory committees for special purposes or issues, as deemed necessary, to provide recommendations to the full Planning Commission. Ad hoc/advisory committees are only allowed to make recommendations to the Planning Commission.
- B. Citizen Committees. The Planning Commission or Chair may establish citizen committees with the consent of the Planning Commission. Membership can be any number, so long as less than a quorum of the Planning Commission serve on a citizen committee at any given time. The purpose of the citizen committee is to have more citizen and municipal government involvement, to be able to use individuals who are knowledgeable or expert in the particular issue before the Planning Commission and to better represent various interest groups in the City.

VII. Conflict of Interest

- A. Definition. A conflict of interest exists if any member has a personal or financial interest in the matter or has an interest such that the member cannot be unbiased in the decision-making process. A Planning Commission member shall declare a conflict of interest when:
 1. A relative or other family member is involved in any request for which the Commission is asked to make a decision;
 2. The Planning Commission member will benefit financially, either directly or indirectly, from either a business or financial interest in the property involved in the request or from the Member's business or financial interest in the applicant's company, agency, or association;
 3. There is a reasonable appearance of a conflict of interest, as determined by the Planning Commission member declaring such conflict.
- B. Failure to Disclose a Conflict. Should a Planning Commission Member fail to disclose a conflict of interest prior to casting a vote on a matter constitutes malfeasance in office.

VIII. Removal of Members

The Grosse Pointe Park City Council may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.

IX. Powers.

The Planning Commission shall have all powers provided under the Act, the City's Charter and the City's Code of Ordinances.