

ARTICLE 1. METROPOLITAN PLANNING COMMISSION

- 18-101. **PLANNING COMMISSION CREATED.** There is hereby created the Ulysses-Grant County Metropolitan Planning Commission, as authorized by Chapter 12, Article 7, Section 16 (12-716) of the Kansas Statutes Annotated, and amendments thereto. (Code 1975, Ord. 400, Sec. 1)
- 18-102. **PURPOSE OF PLANNING COMMISSION.** The purpose of the planning commission shall be to make studies and plans for the development of the area defined herein that will guide the unified development of the area, that will eliminate planning duplication and promote economy and efficiency in the coordinated development of the area and the general welfare and prosperity of its people. (Ord. 400, Sec. 2)
- 18-103. **MEMBERSHIP.** The planning commission shall consist of seven members which shall be appointed as follows:
- (a) Five members which reside within the corporate limits of the city shall be appointed by the mayor subject to the city council approval.
 - (b) Two members which live outside the city but within the three-mile zoning boundary shall be appointed by the Grant County commission.
 - (c) Appointment shall be for three year, non-remunerated (without pay) terms.
 - (d) In the event the residence of a planning commissioner becomes annexed to the city, such commissioner shall not be required to vacate their position, until their term has expired.
 - (e) In the event a vacancy shall occur, the size of the commission shall be considered to be reduced and quorums, and majority of votes shall likewise be reduced in number until such time as a vacancy is filled. (Ord. 902, Sec. 1)
- 18-104. **OFFICERS.** (a) The planning commission shall organize annually at the January meeting.
- (b) The planning commission shall elect, by majority vote, a chairperson and a vice chairperson who shall serve for a period of one year or until their successors are elected and qualified. The

officers may be elected for not more than two consecutive terms of one year each.

(c) A secretary shall be appointed by the planning commission annually and it is not required that the secretary be a member of the planning commission.

(d) The chairperson shall preside at all meetings and public hearings of the planning commission, and shall decide all points of order and procedure. The secretary shall transmit reports and recommendations of the planning commission. The chairperson and the secretary are required to certify plans and subdivision plats.

(e) The vice chairperson shall assume the duties of the chairperson in his or her absence.

(f) The secretary shall also perform the following duties:

(1) Maintain an accurate, complete and permanent record of all commission meetings.

(2) Forward copies of minutes of each meeting to each member of the commission before the next scheduled meeting.

(3) Prepare an agenda for each meeting and cause the agenda to be delivered to each member of the commission at least three days prior to each meeting together with the notice of time and place of the meeting and description of each request to be heard by the commission.

(4) Prepare such items as directed to be presented to the city council and/or the board of county commissioners hereinafter called the governing body.

(5) Maintain an up-to-date record of the commission membership.

(6) Perform other duties as assigned by the chairperson.
(Ord. 902, Sec. 1)

18-105. MEETINGS. (a) The planning commission shall hold its regular monthly meeting on the fourth Thursday of each month at a time and place designated by the commission.

(b) Special meetings of the planning commission may be called by the chairperson or in his or her absence by the vice chairperson. A

special meeting can be called for an initial rezoning hearing or other matter of business being heard for the first time. Notice of special hearings shall be given by the secretary to members of the commission at least three days prior to such meeting and shall state the purpose, time and place of the meeting.

(c) All regular and special meetings, hearings and records shall be open to the public. Provisions for recessed executive sessions may be made but no formal action may be taken.

(d) Four members, a majority of the commission, shall constitute a quorum for the transaction of business. This number may be reduced if vacancies on the commission exist. If a quorum is not present at a regular or special meeting, those present may either adjourn the meeting or hold the meeting to consider such matters as are on the agenda. No action at such a meeting shall be final or official unless and until ratified quorum is present.

(e) The meeting shall follow a predetermined agenda and the order of business at all meetings shall be as follows:

- (1) Call to order
- (2) Roll call
- (3) Approval of minutes
- (4) Visitors
- (5) Reports of standing and special committees
- (6) Old business
- (7) New business
- (8) Other items
- (9) Adjournment

(f) A motion shall be restated by the chairperson before a vote is taken. The name of the maker and seconder of a motion shall be recorded.

(g) An affirmative vote of at least three members, or whatever may be a majority of a required quorum, in the event of a vacancy on the commission, shall be necessary to authorize an official action of the commission, unless otherwise specified by statute. Approval of a comprehensive plan or a rezoning request, requires the affirmative vote of a majority of all the members of the planning commission present. Where such a vote is not possible either for or against a particular proposal, the results of such action shall be submitted to the governing body with an explanation of the failure to establish an official vote on the subject in question. All members, including the chairperson shall have a vote and shall vote when present, except

that any member shall automatically disqualify himself or herself from voting on any decision in which there might be a conflict of interest and should state the nature of that conflict for the minutes.

(h) An accurate record of the vote of each member present on all matters of business brought to vote shall be maintained.

(i) When procedural and parliamentary rules adopted by the planning commission do not conflict, parliamentary procedure shall be in accordance to "Robert's Rules of Order". (Ord. 902, Sec. 1)

18-106. AGENDA SUBJECTS. (a) Upon application by an interested party of a place upon the agenda of a planning commission meeting, the secretary of the planning commission shall require that all data pertaining to such subjects be presented in writing at least twenty days should elapse between the date of such publication and the date set for the planning commission hearing.

(b) Where the volume of the planning commission subjects may require such action, the chairperson of the commission may postpone discussion of certain subjects until sufficient time is available for the members to give proper review to such subjects.

(c) Subjects which are not listed on an official planning commission agenda will ordinarily not be considered at a meeting. (Ord. 902, Sec. 1)

18-107. HEARINGS. (a) Before adoption or recommendation of all or any part of the comprehensive plan, subdivision regulations, major street plan or zoning ordinance, the planning commission shall hold a public hearing on the matter.

(b) The secretary of the planning commission shall cause a notice of such public hearing to be published once in the official city or county newspaper and at least 20 days shall elapse between the date of such publication and the date set for the hearing. Such notice shall fix the time and place for such a hearing and shall describe such proposal in general terms.

(c) Action by the planning commission on any matter on which a hearing is held shall not be taken until the hearing has been concluded. (Ord. 902, Sec. 1)

18-108. RECOMMENDATIONS. An authorized representative of the planning commission shall appear before the governing body for the

purpose of reporting recommendations of the planning commission.
(Ord. 902, Sec. 1)

18-109. COMMITTEES. The chairperson may annually appoint the following standing committees:

- (a) Land Use/Comprehensive Plan Committee
- (b) Subdivision Committee
- (c) Ordinance Review Committee
- (d) Nominating Committee

The chairperson may appoint such other committees as shall be required from time to time. (Ord. 902, Sec. 1)

18-110. EXPENDITURES AND BUDGET. (a) Budgeted expenditures for staff supplies and publication shall be provided by the city in their annual budget.

(b) All application and permit fees shall be collected and retained by the city to offset these expenditures.

(c) Large expenditures shall be first requested from and approved by both city and county governing bodies. (Ord. 902, Sec. 1)

18-111. PLANNING COMMISSION STAFF. The city council and county commission shall employ such staff and professional consultants, as it may require in accordance with carrying out planning functions described in the Kansas Statutes Annotated. Amounts allocated shall be determined by approved budgetary requirements and limitations.
(Ord. 902, Sec. 1)

18-112. RECORDS AND REPORTS. (a) The commission shall keep a record of its recommendations, transactions, findings and determinations.

(b) All records of the planning commission shall be available for public review.

(c) The planning commission shall annually review the comprehensive plan to determine if any portion has become obsolete and shall make a report to the governing body regarding same on or before the first day of July of each year. (Ord. 902, Sec. 1)

18-113. PUBLICITY. The planning commission shall encourage the public to attend its regular meetings and shall take positive action to keep its activities before the public by supplying newspapers, radio and television stations with information, and by having members and staff appear before civic groups to discuss the purpose of planning and the work of the planning commission. (Ord. 902, Sec. 1)

18-114. VACANCIES. Any member who fails to attend three consecutive meetings without an excuse, which has been accepted by the chairperson, or any member who fails to attend more than half of the meetings during the calendar year, may be disqualified by the planning commission. Notice of member disqualification will be forwarded to the appropriate governing body who shall appoint a new member for the remainder of the term of the disqualified member. (Ord. 902, Sec. 1)

18-115. AMENDMENTS; BYLAWS. The Ulysses-Grant County Metropolitan Planning Commission is hereby authorized to amend the by-laws as adopted by ordinance and resolution and found in sections 18-103:115 in the following manner.

(a) The rules of procedures may be amended by an affirmative vote by a majority of the planning commission members at any regular planning commission meeting unless the amendment is in conflict with any regulations established by state statutes or city code in conformity with state statutes.

(b) Any amendment shall be reviewed by the governing bodies of the City of Ulysses and the County of Grant prior to implementation. (Ord. 921, Sec. 1)