

Introduced by: City Manager Healy
 Date: February 22, 2005
 Public Hearing: March 8, 2005
 Action: Postponed to March 22 meeting
 Date: March 22, 2005
 Action: Adopted
 Vote: Unanimous

CITY OF PALMER, ALASKA

ORDINANCE NO. 05-013

AN ORDINANCE AMENDING CHAPTER 2.20 (PLANNING COMMISSION) OF TITLE 2 (ADMINISTRATION AND PERSONNEL) OF THE PALMER MUNICIPAL CODE

THE CITY OF PALMER ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Chapter 2.20 is hereby amended to read as follows (new language is underlined and deleted language is stricken out):

Chapter 2.20

PLANNING AND ZONING COMMISSION

Sections:

- 2.20.010 Creation—Officers—Membership.
- 2.20.020 Membership terms.
- 2.20.025 Compensation.
- 2.20.030 Incorporation of state law by reference.
- 2.20.040 Powers and duties.
- 2.20.050 Staff assistance to commission.
- 2.20.055 Quorum.
- 2.20.060 Presiding officer.
- 2.20.061 Meetings.
- 2.20.065 Public meetings required.
- 2.20.070 Public meeting notification.
- ~~2.20.071 Presiding officer.~~
- ~~2.20.081 Time and location—Public meetings required.~~
- ~~2.20.091 Special meetings—Notice.~~

- ~~2.20.101 Commission meetings—Time of adjournments.~~
- ~~2.20.111 Location change.~~
- ~~2.20.121 Emergency special meetings.~~
- ~~2.20.122 Agenda and agenda packets.~~
- ~~2.20.131 Order of business.~~
- ~~2.20.141 Amending amendments.~~
- ~~2.20.151 Speaking procedure~~
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- ~~2.20.211 Ordering previous questions.~~
- ~~2.20.221 Withdrawal.~~
- ~~2.20.231 Division of question.~~
- ~~2.20.241 Motion to reconsider and rescind.~~
- ~~2.20.251 Rules—Amendment—Observance required—Transgression.~~
- ~~2.20.151 Appeals from decision of chair.~~
- ~~2.20.161 Parliamentary inquiry of chair.~~
- ~~2.20.171 Point of order.~~
- ~~2.20.181 Ordering previous question.~~
- ~~2.20.191 Order of questions.~~
- ~~2.20.201 Motions—defeat—reconsideration.~~
- ~~2.20.211 Motions—Reduction to writing.~~
- ~~2.20.221 Motions—Rescinding vote.~~
- ~~2.20.231 Second required.~~
- ~~2.20.241 Motions—Division of question.~~
- ~~2.20.251 Motion—Questions under debate—Motions received.~~
- ~~2.20.261 Motions—Disposition—Withdrawal.~~
- ~~2.20.271 Speaking procedure.~~
- ~~2.20.281 Voting.~~
- ~~2.20.311 Informal meetings.~~
- ~~2.20.321 Cause for removal.~~

2.20.010 Creation--Officers--Membership.

- A. There is created a city planning and zoning commission which shall consist of seven members who shall be nominated by the mayor and confirmed by the city council. All members must be residents of the city.
- B. A chair and vice-chair of the commission shall be selected ~~annually~~ and ~~shall be~~ appointed from and by the appointive members during the first regular meeting of November each year.
- C. The mayor and council may attend all meetings, but they shall have no vote.

2.20.020 Membership terms.

The term of each appointed member of the commission shall be three years. The terms shall be staggered so that three members shall be appointed ~~in October~~ at the first regular meeting in November of the city council of every third year, and two members shall be appointed ~~in~~

~~October~~ at the first October meeting of the city council of each of the other two years of every such three-year period.

2.20.025 Compensation.

- A. Each commission member shall receive fifty dollars per regular meeting;
- B. Each commission member shall receive fifty dollars per special meeting;
- C. Each commission member shall receive twenty-five dollars per work session.

2.20.030 Incorporation of state law by reference.

To the extent applicable, the laws of the state dealing with planning and zoning commissions, present and future, and all amendments thereto, are incorporated into this chapter and expressly included herein.

2.20.040 Powers and duties.

The commission shall be required to do the following:

- A. From time to time, develop, adopt, alter or revise, subject to approval and amendment by the city council, a comprehensive plan for the physical development of the city. Such comprehensive plan, with accompanying maps, plats, charts, descriptive and explanatory matter, shall show the commission's recommendations for the development of the city territory and may include, among other things:
 - a. A statement of policies, goals, and standards;
 - b. A land use plan;
 - c. A community facilities plan;
 - d. A transportation plan; and
 - e. Recommendations for implementation of the comprehensive plan.
- B. 1. Make recommendations to the borough platting board regarding platting and subdividing of lots, blocks or lands, roads, water and sewer, within the city limits and, to the extent allowed by the borough platting board, regarding water and sewer within the city's water and sewer district outside the city limits.
- 2. In exercising the powers granted it by this section, the commission may prepare and recommend for city council adoption ordinances and policies governing the subdivision of land within the city limits. Such ordinances and policies may provide for the harmonious development of the city and its environs; for the coordination of streets and other ways within the subdivided land with other existing or planned streets and ways and for conformance to the comprehensive plan or official map; for adequate open spaces; for spaces for traffic, utilities, recreation, light and air; and for the avoidance of congestion of population.
- 3. Subdividing for the purposes of this section shall be deemed to include the division of any lot, tract, or parcel of land into two or more lots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development.
- C. Perform duties as set out in PMC 17, Zoning Code; and
- D. Perform those duties established by council from time to time.

2.20.050 Staff assistance to commission.

To assist the commission, there may be a community development coordinator who shall be qualified by special training and experience in the field of city planning. The coordinator will be the regular technical adviser of the commission and may also be designated its executive secretary, but the coordinator shall not have the power to vote.

2.20.055 Quorum

A quorum shall be made up of four members and be required to conduct a meeting, except that less than a quorum can adjourn a meeting to another time or date.

2.20.060 Presiding officer.

- A. The chair shall preside at all meetings of the commission. The chair shall preserve order and decorum among the commission members and is responsible for conduct of all meetings in compliance with these rules. The chair may at any time make such rules as the chair deems necessary and proper to preserve order among the persons in the commission chamber during sessions of the commission. The chair shall instruct the members of the public to be as brief as possible and, when speaking as an individual, to contain their remarks to three minutes, and if representing a group, to contain their remarks to five minutes.
- B. The chair may speak to points of order in preference to other members and shall decide all points of order, subject to appeal by the commission by motion duly seconded as provided in this chapter.
- C. A motion to appeal the ruling of the presiding officer may be made by any commission member, subject to a second. The motion to appeal is not debatable. The presiding officer's ruling stands unless disapproved by a majority vote of the commission.
- D. The chair may participate in the debate on any matter. The chair may at any time call any member to the chair during any meeting, such substitution to discontinue when the chair elects to resume as presiding officer, and in no event beyond the adjournment of the meeting at which such substitution is made.
- E. In the temporary absence or disability of the chair, the vice-chair shall exercise all the powers of chair during such temporary absence or disability of the chair and may also vote.

2.20.061 Meetings.

- A. Regular meetings of the commission shall be held on the third Thursday of each month beginning at 7:00 p.m. in the city council chambers, unless otherwise designated by the commission. The commission shall only be required to hold only one regular meeting in any month. ~~There shall be a regular monthly meeting of the commission, which shall be open to the public.~~ Permanent records or minutes shall be kept of the commission's proceedings, and such minutes shall record the vote of each member upon every question. Every decision or finding shall immediately be filed in the office of the city clerk and shall be a public record open to inspection by any person.
- B. If a majority of the commission members are given at least 24 hours' written or oral notice and reasonable efforts are made to notify all commission members, a special meeting of the commission may be held at the call of the chair, any two members of the commission, or the city manager.
- C. Teleconferencing may be used for all lawful activities of the city and, if all voting individuals have an opportunity to evaluate all testimony and evidence, to vote on actions.
- D. No business shall be transacted at any special meetings except that which is specifically stated in the notice of the meeting.
- E. The commission shall adjourn not later than 11 p.m. and may not reconvene any earlier than 9 a.m. the next day. However, by two-thirds consent of the commission the meeting may be extended for up to one hour, at which time adjournment is mandatory.

- F. If, after having been lawfully assembled in a location properly designated, the commission determines that a condition exists which renders such location unsuitable, it may recess the meeting and reconvene at a different location suitable to the needs of the commission. The location to which the meeting shall be reconvened shall be made known publicly prior to recess and notices shall be posted at the place originally designated by the clerk or designee, provided that failure to post shall not affect the jurisdiction of the meeting.
- ~~B. A quorum shall be made up of four members and be required to conduct a meeting, except that less than a quorum can adjourn a meeting to another time or date.~~
- ~~C. The affirmative or negative vote of at least four members shall be required for official action by the commission.~~
- ~~D. Commission members shall be compensated at the rate of fifty dollars per special or regular meeting attended. In addition, commission members shall be compensated at the rate of twenty-five dollars per work session.~~

2.20.065 Public meetings required.

- A. All meetings are open to the public and shall be electronically recorded. The public shall have the reasonable opportunity to be heard.
- B. In order to give the public a greater opportunity to attend and participate in the meetings of the commission, the commission may hold regular meetings in public locations throughout the city other than the usual meeting place. A public location includes any public building within the city owned by the city or the Matanuska-Susitna Borough. In the selection of a meeting place other than the normal meeting place of the commission, consideration shall be given to the reasonable accommodation of the public. When the commission intends to hold a regular meeting at a public location other than the usual place of the commission meeting, the city clerk or designee shall give notice of the meeting by posting advertisement thereof on the city hall bulletin board. Such The notice shall set forth with particularity the location of the meeting. The notice shall be posted at least three five days prior to the scheduled meeting.

2.20.070 Public meeting notification.

- A. All public notices must include the date, time and place of a meeting and if, the meeting is by teleconference, the location of teleconferencing facilities that will be used.
- B. Regular meeting. Public meeting notification shall be by means of posting and/or publishing the agenda for a regular meeting five days prior to the meeting.
- C. Special meeting. Public meeting notification shall be by means of posting and/or publishing the agenda for a special meeting twenty-four hours prior to the meeting.
- D. Emergency meeting. Public meeting notification shall be by means of posting and/or publishing the agenda with reasonableness related to the emergency.
- E. Work session. Public meeting notification shall be by means of posting and/or publishing the work session notice containing the topic of the work session three days prior to the session.

2.20.071 Presiding officer.

- ~~A. The chair shall preside at all meetings of the commission. The chair shall preserve order and decorum among the commission members and is responsible for conduct of all meetings in compliance with these rules. The chair may at any time make such rules as the chair deems necessary and proper to preserve order among the persons in the commission chamber during sessions of the commission. The chair may speak to points of order in~~

~~preference to other members and shall decide all points of order, subject to appeal by the commission by motion duly seconded as provided in this chapter. The chair may participate in the debate on any matter. The chair may at any time call any member to the chair during any meeting, such substitution to discontinue when the chair elects to resume as presiding officer, and in no event beyond the adjournment of the meeting at which such substitution is made.~~

- ~~B. In the temporary absence or disability of the chair, the vice chair shall exercise all the powers of the chair during such temporary absence or disability of the chair and may also vote.~~

2.20.081 Time and location—Public meetings required.

- ~~A. All regular meetings of the commission shall be held on a Thursday starting at seven p.m. A regular meeting is any meeting called by the chair for that day and time upon at least three days' notice; provided, however, that the commission may meet on the third Thursday of every month without such notice, and the commission shall only be required to hold only one regular meeting in any month.~~

- ~~B. The usual place of commission meetings shall be in the council chambers of the city hall. In order to give the public a greater opportunity to attend and participate in the meetings of the commission, the commission may hold regular meetings in public locations throughout the city other than the usual meeting place. A public location includes any public building within the city owned by the city or the Matanuska Susitna Borough. In the selection of a meeting place other than the normal meeting place of the commission, consideration shall be given to the reasonable accommodation of the public. When the commission intends to hold a regular meeting at a public location other than the usual place of the commission meeting, the city clerk shall give notice of the meeting by posting advertisement thereof on the city hall bulletin board. Such notice shall set forth with particularity the location of the meeting. The notice shall be posted at least three days prior to the scheduled meeting.~~

- ~~C. If a regular meeting is held at a location other than that specified above, the city clerk shall give notice, including time, place and date, by posting a copy of the same on the city hall bulletin board no later than three days prior to the meeting and on the date of the meeting except as otherwise authorized under this chapter.~~
- ~~D. All regular meetings of the commission shall be public meetings and the public shall have reasonable opportunity to be heard.~~

2.20.091 Special meetings—Notice.

- ~~A. Special meetings of the commission are those meetings which are called for by the city clerk, on written request of the chair, or any two members of the commission, or the city manager for a time different than that fixed for the regular commission meetings. The location of all special commission meetings shall be the same as that authorized for regular meetings.~~
- ~~B. All special meetings shall have at least six hours' written notice given which designates the time, place and subject matter of the meeting, and no business shall be transacted at the meeting which is not included in the notice. Such notice shall be served personally on each member of the commission or left at the member's usual place of business or residence by the city clerk or designee. A copy of the notice shall also be posted on the city hall bulletin board, but failure to post a copy shall not affect the jurisdiction of any~~

~~special meeting. An affidavit of service of any notice required by this section shall be made a part of the record of the special meeting.~~

~~C. The affirmative or negative vote of at least four members shall be required for official action by the commission.~~

~~2.20.101 Commission meetings—Time of adjournments.~~

~~The commission shall adjourn all regular and non-emergency special commission meetings not later than eleven p.m. and may not reconvene any earlier than nine a.m. the next day. However, upon the consent of four members, the meeting may be extended for up to one hour, at which time adjournment of the meeting is mandatory.~~

~~2.20.111 Location change.~~

~~If, after having been lawfully assembled in a location properly designated, the commission determines that a condition exists which renders such location unsuitable, it may recess the meeting and reconvene at a different location suitable to the needs of the commission. The location to which the meeting shall be reconvened shall be made known publicly prior to recess and notices thereof shall be posted at the place originally designated by the clerk, provided that failure to post shall not affect the jurisdiction of the meeting.~~

~~2.20.121 Emergency special meetings.~~

~~In an emergency, any special meeting shall be a legal meeting if all members are present, or if there is a quorum present and all absent members have waived in writing the required notice. Such waivers may be made before or after the time of the meeting and any waivers shall be made a part of the record of the special meeting.~~

2.20.122 Agenda and agenda packets.

- A. The agenda for each meeting shall be prepared by the community development coordinator or designee after consultation with the chair. Items not on the agenda may not be discussed at the meeting if two or more commission members object.
- B. The community development coordinator or designee shall attempt to notify each commission member at least 48 hours prior to a regular meeting. Notification shall be by means of a packet including information on the time and place of meeting and the agenda. Whenever practicable, minutes of the previous meeting and other background material pertinent to the agenda shall be included in the packet.

2.20.131 Order of business.

At every regular meeting of the commission the order of business shall be as follows:

- A. Call to Order;
- B. Roll Call, Determination of a Quorum;
- C. Pledge of Allegiance;
- ~~C~~D. Approval of Agenda;
- ~~D~~E. Minutes for approval of Previous Meetings;
- ~~E. Council member's report;~~
- ~~F. Borough representative's report;~~
- ~~F. G. Persons to be Heard;~~
- ~~G. H. Public hearings;~~
- ~~H. I. New Unfinished business;~~
- ~~I. J. New business;~~

- J. K. Public comments;
- K. L. Staff report;
- L. M. Commissioner's comments;
- M. N. Adjournment;

provided, however, the agenda can be changed by the majority vote of the commission if such change would serve the public interest or expedite business.

2.20.151 Speaking procedure.

- A. Any commission member, wishing to speak, shall address the presiding officer, and shall refrain from speaking until recognized.
- B. When two or more members request recognition simultaneously, the presiding officer shall determine which one shall speak first.
- C. Every member shall confine debate to the subject at hand, shall refrain from personalities, and shall not refer to any other member of the commission except in a respectful manner.
- D. Unless a member who has the floor yields for that purpose, no member shall interrupt another while speaking, except to submit a parliamentary inquiry or make a point of order.
- E. No member shall speak more than twice or for more than ten minutes continuously to any one question, except that one or more additional periods of ten minutes may be granted by unanimous consent.

2.20.161 Parliamentary inquiry of chair.

Any commission member may make a parliamentary inquiry of the presiding officer at any time during the meeting.

2.20.171 Point of order.

Any member may request a point of order without a second. The presiding officer may speak to points of order in preference to other members and shall decide all such questions, subject to appeal to the commission. No further business shall be conducted until resolution of the point of order.

2.20.181 Second required.

All motions shall require a second, unless otherwise provided.

2.20.191 Reduction to writing.

Any motion must be reduced to writing if the presiding officer so requires or any member so demands. No other business shall be entertained until reasonable time (not over ten minutes) is afforded for compliance with this rule.

2.20.201 Amending amendments.

A motion to amend an amendment shall be in order; but a motion to amend an amendment to an amendment shall not be in order.

2.20.211 Ordering previous question.

When a motion requesting that the previous question be moved, stating the previous question to be ordered is made, all debate shall be suspended and a vote to accept the motion shall be taken. A two-thirds affirmative vote is required to order the previous question. If the motion is carried, the ordered previous question shall be voted on. If the motion to order the previous question fails, debate is resumed where previously left off.

2.20.221 Withdrawal.

After a motion is moved and seconded and is stated or read by the presiding officer, it shall be deemed to be in the possession of the commission and may not be withdrawn by the maker of the motion or the member seconding the motion. If a motion is made and seconded but not moved to the commission for debate, the maker of the motion and the member seconding the motion may withdraw the motion.

2.20.231 Division of question.

Any member may make a motion to divide the question, when allowed.

2.20.241 Motion to reconsider and rescind.

A. A motion to reconsider a vote may be made only by a member who voted with the prevailing side. The motion shall be made during the meeting at which the action is taken.

1. A proper motion to reconsider suspends implementation and effect of the decision for which reconsideration is moved, until the next regular meeting or until the commission takes action on that motion, whichever occurs first. Actions that cannot be reconsidered are defined in the current edition of Robert's Rules of Order Newly Revised.

2. Only one motion to reconsider shall be entertained on any ordinance, resolution or other action even if the commission overturns the original action. If a motion to reconsider a particular ordinance fails, a second motion to reconsider the same action shall not be in order.

3. Debate on motions to reconsider shall be limited to thirty-five minutes and no member shall speak for more than five minutes.

B. A motion to rescind something previously adopted may be moved by any member. Action approving an ordinance may not be rescinded after the effective date of the ordinance. Other actions that cannot be rescinded are defined in the current edition of Robert's Rules of Order Newly Revised.

1. A motion to rescind requires a two-thirds vote unless notice of the motion was given at the regular meeting immediately preceding the meeting when the motion is to be considered. If this notice was given only a majority of the commission is required for approval. Upon failure of a motion to rescind for which previous notice has been given, no further motions or notices of intent to rescind the same action are in order.

2. Debate on motions to rescind shall be limited to thirty-five minutes and no member shall speak for more than five minutes.

3. No measure to rescind shall be reconsidered more than once.

2.20.251 Rules—Amendment—Observance required—Transgression.

A. In all matters of parliamentary procedure not covered by these rules, Robert's Rules of Order shall be applicable and govern.

B. The commission rules and order of business shall be observed in all cases, unless suspended temporarily for a special purpose of an emergency nature by a vote of four members present. Any member may move at any time for the suspension of any rule, and such motion must be seconded to entitle it consideration.

C. If any member, in speaking or otherwise, transgress the rules of the commission, the presiding officer shall, or any member can, call the member to order; in which case the member so called to order shall immediately cease discussions unless permitted by the presiding officer to explain; and the commission if appealed to, shall decide the question without debate. If the decision is in favor of the member so called to order, the member

shall be at liberty to proceed; if otherwise, the member shall not proceed without leave of the commission to proceed in order.

~~2.20.141 Amending amendments.~~

~~A motion to amend an amendment shall be in order; but a motion to amend an amendment to an amendment shall not be entertained.~~

~~2.20.151 Appeals from decision of chair.~~

~~No appeal from any decision of the chair shall be entertained unless it is seconded, and no other business shall be in order until the question on appeal has been decided. The question on the appeal is not debatable and shall be put as follows: "Shall the decision of the chair stand as the judgment of the commission?" It shall be deemed to be decided in the affirmative unless a majority of the votes are given to the contrary.~~

~~2.20.161 Parliamentary inquiry of chair.~~

~~Any member may make a parliamentary inquiry of the chair at any time during the meeting.~~

~~2.20.171 Point of order.~~

~~Any member may make a point of order without a second at any time. The presiding officer may speak to points of order in preference to other members and shall decide all such questions, subject to appeal to the commission by motion duly seconded; and no other business shall be in order until the question on the appeal has been decided.~~

~~2.20.181 Ordering previous question.~~

~~When the previous question is moved by any member, all debate on the main question shall be suspended immediately and the presiding officer shall put the question in the following form: "The previous question is moved on (specifying the motion on which the previous question is demanded). As many as are in favor of ordering the previous question will so indicate." If four members assent, the affirmative has it, the previous question is ordered and the chair will proceed immediately to put to a vote the question on which the previous question was ordered. If less than four members so indicate, the negative has it, the motion is lost and the question reverts to the immediately pending question which is again open to debate and amendment as if the previous question had not been demanded.~~

~~2.20.191 Order of questions.~~

~~The presiding officer shall put all questions in the order in which they are moved unless a subsequent motion shall be previous in its nature.~~

~~2.20.201 Motions--Defeat--Reconsideration.~~

- ~~A. Any proposition shall be deemed defeated if less than four votes are cast for the measure, and this rule shall govern even though less than the full number of commission members vote upon the measure.~~
- ~~B. When a vote has been taken either passing or defeating any proposition, any commission member who voted on the prevailing side may move for reconsideration at the same meeting or at the next succeeding meeting whenever motions are in order, provided that the subject matter has not passed out of the control of the commission. The term "prevailing side" includes the negative side which has prevailed because the affirmative side has failed to muster four votes required for passage of the measure. A motion to reconsider requires~~

~~four affirmative votes and, if it prevails, the subject shall be open to debate and amendment in the same manner as the original question. Debates on motions to reconsider shall be limited to thirty five minutes and no member shall speak for more than five minutes. No measure shall be reconsidered more than once.~~

~~2.20.211 Motions--Reduction to writing.~~

~~Any motion must be reduced to writing if the presiding officer so requires or any member so demands, and no other motion shall be entertained until reasonable time (not over ten minutes) is afforded for compliance with this rule.~~

~~2.20.221 Motions--Rescinding vote.~~

~~Any previous vote may be rescinded by vote of four members of the commission at any time, provided the subject matter has not passed out of the control of the commission.~~

~~2.20.231 Second required.~~

~~All motions shall require a second, unless otherwise provided.~~

~~2.20.241 Motions--Division of the question.~~

~~Any member may require the division of a question, when the sense of it will admit.~~

~~2.20.251 Motions--Questions under debate--Motions received.~~

~~A. When a question is under debate, the presiding officer shall receive any of the following motions but no other:~~

- ~~1. To adjourn;~~
- ~~2. To recess;~~
- ~~3. To raise a question of privilege;~~
- ~~4. To call for the order of the day, or the regular order;~~
- ~~5. To lay on the table;~~
- ~~6. For the previous question;~~
- ~~7. To limit or extend limits of debate;~~
- ~~8. To postpone to a certain time;~~
- ~~9. To refer;~~
- ~~10. To amend;~~
- ~~11. To postpone indefinitely.~~

~~B. When one of the above motions has been made, none of the others inferior to it in the order in which they stand above shall be made, and in proceeding to vote, motions pending shall be put in the order of their rank as above arranged. The first seven are not subject to debate. A motion to postpone to a certain time, refer, amend or to postpone indefinitely may be amended; the previous question may be demanded before an amendment, which motion shall be decided without debate. A motion to adjourn shall always be in order provided that business of a nature to be recorded in the journal has been transacted since any previous motion to adjourn has been defeated. No motion or proposition of a subject different to that under consideration shall be admitted under color of an amendment. When a matter has been especially assigned to be taken up at a fixed time, or at a certain stage of proceedings, such matter shall, at the appointed time or at any time subsequent thereto, be in order upon the call of any member and take precedence over all other business.~~

~~2.20.261 Motions--Disposition--Withdrawal.~~

~~After a motion is stated or read by the presiding officer, it shall be deemed to be in the possession of the commission and shall be disposed of by vote, but the mover may withdraw it at any time before decision or amendment, by consent of the second.~~

~~2.20.271 Speaking procedure.~~

- ~~A. A member about to speak shall respectfully address the chair, and shall not commence to speak until recognized by the presiding officer. When two or more members request to speak at the same time, the presiding officer shall determine which one is recognized.~~
- ~~B. Every member while speaking shall confine himself or herself to the subject under debate, shall refrain from personalities and shall not refer to any other member of the commission except in a respectful manner.~~
- ~~C. Unless a member who has the floor yields for that purpose, no member shall interrupt another while speaking, except to propound a parliamentary inquiry or make a point of order.~~
- ~~D. No member shall speak more than twice or for more than ten minutes continuously to any one question, except that one or more additional periods of ten minutes may be granted by unanimous consent. The reading of papers desired by any member shall be read by the member within the member's time limitation, unless permission for the member to read such paper outside the time limitation is unanimously granted.~~

~~2.20.281 Voting.~~

- ~~A. The presiding officer shall declare all votes; but if any member doubts a vote, the presiding officer, without further debate upon the question, shall request the members voting in the affirmative and negative respectively to so indicate, and the presiding officer shall declare the result.~~
- ~~B. The vote upon all matters considered by the commission shall be taken by yes or no votes which shall be entered upon the record, except that when the vote is unanimous, it shall be necessary only to so state.~~
- ~~C. Every member who shall be present when a question is put shall vote, unless the commission presiding officer excuses the member for special reasons or the presiding officer excuses the member because of substantial financial interest and the commission does not override the presiding officer's action. Applications Declarations to be excused for special reasons must be made before the vote, and shall be decided without debate.~~
- ~~D. The affirmative or negative vote of at least four members shall be required for official action by the commission.~~
- ~~D. Anything to the contrary in these rules notwithstanding, when no motion is before the commission, the presiding officer may, in lieu of calling for or awaiting a motion to be made, put the question in the following form: "Without objection, it will be so ordered." If no objection is heard, the presiding officer shall announce: "It is so ordered," which will have the same effect as if a motion to that effect had been made and voted upon favorably. If a single question is reasonably expressed when the question is put, the presiding officer shall not proceed further under this rule, but instead shall call for a motion, which motion shall be handled in the regular manner.~~

~~2.20.291 Procedural rules--Suspension--Observance required--Transgression.~~

- ~~A. The order of business and procedural rules set out in Sections 2.20.131 through 2.20.291 of this chapter shall be observed in all cases, unless suspended temporarily for a special~~

~~purpose or an emergency nature by a vote of four members present. Any member may move at any time for the suspension of any rule, and such motion must be seconded to entitle it to consideration.~~

- ~~B. If any member, in speaking or otherwise, transgresses the procedural rules, the presiding officer shall, or any member can, call the transgressing member to order; in which case the member so called to order shall immediately cease discussion unless permitted by the presiding officer to explain; and the commission if appealed to, shall decide the question without debate. If the decision is in favor of the member so called to order, the member shall be at liberty to proceed; if otherwise, the member shall not proceed without leave of the commission to proceed in order.~~

2.20.301 Robert's Rules of Order.

~~In all matters of parliamentary procedure not covered by these rules, Robert's Rules of Order shall be applicable and govern.~~

2.20.311 Informal meetings.

- A. Informal meetings include work sessions, hearings, workshops or other similar titles (all of which are designated as work sessions for purposes Section 2.20.025 of this chapter). These gatherings may be held outside of the traditional meeting structure and Sections 2.20.061 through 2.20.281 of this chapter do not apply, provided that these meetings may be held only after appropriate public notice under the open meetings act has been given. No formal action may be taken at these meetings. These meetings may cover only informational items or items of a legislative nature, such as, for example, promoting public interest in and understanding of the comprehensive plan, zoning, rezoning and annexation. These meetings may not cover items that pertain to a specific person or persons or a specific property or properties, such as conditional use permits or variances, as those matters must be covered at formal meetings.
- B. The purpose of work sessions is for the commission to receive information, review and discuss matters. The purpose of hearings and workshops with the community is to receive testimony from, discuss with and provide information to city and borough residents. Only one or more commissioners, as authorized by the commission, need attend hearings and workshops with the community.

2.20.321 Cause for removal.

~~Among other causes, a commissioner may be removed from office if the commissioner misses three or more regular meetings in a row or four or more regular meetings in any calendar year. Only the council has the power to remove a commissioner.~~

- A. A commissioner may be removed by the council upon the "occurrence" of any of the following:
1. expiration of the term of office;
 2. death of the commissioner;
 3. resignation approved by the council;
 4. the commissioner's ceasing to possess at any time the qualifications of eligibility required for the office of commissioner;
 5. conviction of a felony involving moral turpitude or an offense involving a violation of an oath of office;
 6. judicial determination that the commissioner is of unsound mind;

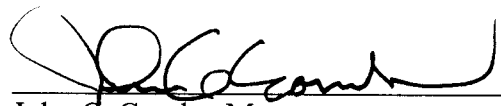
7. a decision of a competent tribunal declaring the appointment of the commissioner void;
 8. failure to take an oath office within thirty days of appointment to office or within such shorter time between appointment and the date of the commissioner's first commission meeting;
 9. no longer physically resides in the city; and
 10. other just cause for removal.
- B. If there is reasonable possible of an "occurrence", the council shall instruct to notify the commissioner of a "possible occurrence". At least ten days after giving of the notice, the council shall hold a hearing for presentment of the evidence, allow the commissioner to respond and present his or her case, and vote on the matter of removal. The mayor shall preside at the hearing and may exclude irrelevant evidence. A council member shall vote based on the evidence presented at the hearing and may vote for removal only if, in the opinion of the council member, it is more likely than not that the "occurrence" has been proven at the hearing. The commissioner shall be removed only upon the vote of four council members.
- C. In addition a commissioner may be removed by the mayor if, during any twelve month period while in office
1. the commissioner is absent from three regular meetings without excuse; or
 2. the commissioner is absent from six regular meetings; or
 3. the commissioner fails to attend two-thirds of the regular meetings.
- D. The chair or designated staff shall keep attendance records of all regular meetings, and immediately report the failure of any commissioner to meet the attendance requirements of this section to the mayor or designee. The mayor shall notify the commissioner of the claimed delinquency, hold a hearing for presentment of the evidence at least ten days after giving of the notice, allow the commissioner to respond and present his or her case. The mayor shall decide based on the evidence presented at the hearing and may remove the commissioner only if, in the opinion of the mayor, it is more likely than not that the delinquency has been proven at the hearing.

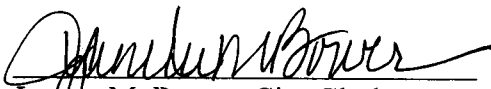
2.20.331 Conflict of interest.

A commissioner shall declare a substantial financial interest that the member has in an official action and the commissioner shall not participate in such official action.

Section 4. Effective Date. Ordinance No. 05-013 shall take effect upon adoption by the City of Palmer City Council.

Passed and approved this 22nd day of March, 2005.


John C. Combs, Mayor


Janette M. Bower, City Clerk