

# BY-LAWS OF THE CITY PLAN COMMISSION OF UNIVERSITY CITY, MISSOURI

## Article I

### AUTHORITY AND OBJECTIVES

Section 1. Powers & duties of the Plan Commission (hereinafter referred to as “the Commission”) are set forth in Article VIII of the Charter of University City, Article I Section 120.020 and Article IV, Sections 120.070 through 120.090, and Title IV of University City Government Code.

Section 2. Rules of the Commission must conform to the provisions of Missouri State Law. Specifically, the Commission must act in accord with the Sunshine Law and its rules for public and private meetings and adequate notice of meetings, which generally refers to Missouri Open Meetings and Records Act as found in Sections 610.010 through 610.035 of the Revised Missouri Statutes. The Sunshine Law pertains to e-mail messages that are transmitted or re-transmitted among the members of public governmental bodies. Any member of a Commission that transmits and e-mail to at least three other members of the body so that when counting the sender, a majority of members are copied, a copy of the e-mail or the member forwarding the business-related e-mail to additional member(s), which would constitute the majority, shall be sent to the Director of Community Development for appropriate storage and retention.

## Article II

### MEMBERSHIP

The Plan Commission shall consist of seven (7) citizen members, appointed by the City Council in accordance with Section XII of the University City Council Rules of Order and Procedure (27 June 2011) and duly sworn according to Missouri state statute. In addition, one member of the City Council to be designated by the Council, the city Manager, the Director of Community Development and his/her designee, and the Zoning Administrator of University City shall be ex-officio members and shall have no vote upon matters coming before the Commission. If there are less than seven citizen members, the definition of quorum remains unchanged (Article V, Section 3.)

## Article III

### OFFICERS AND THEIR DUTIES

Section 1. Officers of the Commission shall be Chair, Vice-Chair, and Designated Alternate.

Section 2. The Chair shall preside at all meetings and hearings of the Plan Commission and shall have the duties normally conferred by parliamentary usage on such officer, including the appointment of all committees. The Chair shall preside at all meetings of the Commission. In the absence or inability of the Chair, the Vice-Chair shall preside. In the absence of both the Chair and Vice-Chair, the Designated Alternate shall preside.

## ARTICLE IV

### ELECTION OF OFFICERS

Section 1. The election of the Chair, Vice-Chair and Designated Alternate of the Plan Commission shall be held at the first regular meeting each calendar year. Nominations shall be made from the floor and the election shall follow immediately thereafter.

Section 2. A candidate receiving a majority vote of the quorum present shall be declared elected and shall serve for one (1) year or until his/her successor shall take office.

Section 3. Vacancies in the Offices of Chair, Vice-Chair, and Designated Alternate shall be filled for the unexpired portion of the term at the next meeting at which a quorum is present, using the regular election procedure.

## ARTICLE V

## MEETINGS

Section 1. The regular meetings of the Plan Commission shall be held on the fourth Wednesday of each month, unless otherwise agreed to by a vote of the majority of the entire commission. The Commission may, by majority vote of the quorum present, dispense with any regular meeting. If there is no business to conduct, a meeting may be cancelled by the Director of Community Development with the consent of the Chair. A schedule of regular meetings will be determined during the preceding year by the Commission and printed in the City Calendar, City website and on the City marquee.

Section 2. Special meetings of the Plan Commission may be called by the Chair, or during his/her absence, by the Vice-Chair, or by any two (2) voting members of the Commission. The Director of Community Development shall prepare a notice of a special meeting and shall make a diligent effort to notify each Commissioner, either by telephone, mail, or e-mail, of such special session. If a majority of the Commission does not attend the special meeting, then discussion may be held at the discretion of the Chair, but matters to be voted upon must wait until a quorum is present at another special or regular meeting. Minutes will not be made of any Commission meeting when a quorum is not present.

Section 3. A majority of the appointed and sworn members of the Commission shall constitute a quorum. All efforts should be expended to ensure that a quorum of Commissioners is present at all meetings. Commissioners attending a meeting via audio or video conference are deemed present for purposes of participating in a roll call vote to the same effect as Commissioners who are in physical attendance at the meeting. If, at any time during a meeting, one or more of the elements of a video conference becomes compromised (e.g., if any participants are unable to see, hear, or fully communicate), then the video conference participant is deemed immediately absent and this absence should be reflected in the minutes. If the audio or video conference fails during the act of voting, the voting shall stop until all the components of the conference attendance are restored, and the audio/video conference participant's presence is again noted in the minutes. If the audio/video conference cannot be restored during voting, the participant will be deemed immediately absent and will not participate in the vote. Commission meeting minutes shall reflect the Commissioner, if any, participating via audio/video conference.

Section 4. If meeting is virtual/hybrid all commissioners not physically present a meeting location on the agenda shall have their camera on and face visible to the chair to be considered present. Audio-only participation by a commissioner shall only occur when video-access is not available and must be approved by Chair in advance of the meeting. Commissioners may turn camera off from time to time during the meeting for brief periods. However, the Chair may, at his/her discretion, determine that commissioner to be absent for the agenda item(s) of business under consideration. Virtual participants should have their camera on when they are addressing the commission, unless otherwise approved by the chair. Audio-only is always acceptable for citizen comments.

Section 5. The Director of Community Development shall make a good faith effort to notify all members of the Plan Commission not less than five (5) days in advance of meetings, of the purposes of the meeting and shall furnish a copy of the agenda and of the Minutes of the prior meeting.

Section 6. Except as otherwise provided by the Charter or by these bylaws, the proceedings of the Commission shall be guided by Robert's Rules of Order, as Revised. The presiding officer shall preserve the decorum and shall decide all questions of order, subject to appeal to the Commission. As per Robert Rules of Order, Newly Revised, 11<sup>th</sup> Edition, the minutes of the meetings of the Plan Commission "shall be a record of what was done at a meeting, not what was said by the members."

Section 7. At regular meetings of the Plan Commission, the order of business shall be as follows (this may be changed by majority vote of the Commission):

- Call to Order
- Roll Call
- Public Comments on Non-agenda Items
- Approval of Minutes

- Old Business
  - Staff Report
  - Applicant Presentation (10 minutes)
  - Public Hearing (if required, 3 minute limit for each speaker)
  - Commission Questions for Staff or Applicant
  - End Applicant Comments
  - Motion
  - Discussion
  - Ask for Any New Factual Information from Applicant (3-minute limit)
  - Vote
- New Business (inclusive of text amendments)
  - Staff Report
  - Applicant Presentation (10 minutes)
  - Public Hearing (if required, 3-minute limit for each speaker)
  - Commission Questions for Staff or Applicant
  - End Applicant Comments
  - Motion
  - Discussion
  - Ask for Any New Factual Information from Applicant (3-minute limit)
  - Vote
- Other Business
- Reports
  - Code Review Committee
  - Comprehensive Plan Committee
  - Council Liaison
  - Staff
  - Housing and Third Ward Revitalization Task Force

## ARTICLE VI

### ATTENDANCE

Section 1. Members of the Plan Commission shall attend regular and special meetings, unless their absence is excused for cause. If Commissioners know in advance that they cannot attend a specific Commission meeting, they must inform the Chair and the Director of Community Development.

Section 2. No Commissioner may leave the meeting while in session without acknowledgement from the presiding officer. If/when a conflict of interest exists on an agenda item, the Commissioner with the conflict shall recuse himself/herself until the vote is concluded.

Section 3. The City Council shall be advised in writing of any member who, without notification of the Chair and the Director of Community Development, has failed to attend three (3) consecutive regular meetings of the Plan Commission, or has failed to attend five (5) meetings during a period of twelve (12) consecutive months.

## ARTICLE VII

### COMMITTEES

Section 1. The Chair shall appoint members of all standing committees by the next regular meeting following the annual election of the Chair and may in his/her discretion remove any person, at any time, from a committee or as the Chair thereof.

Section 2. Each Standing Committee shall consist of a Chair and at least two (2) other members as appointed by the Chair of the Plan Commission. If a majority of Committee constitutes a quorum of the Commission constitutes a

majority of the Commission, the University City Open Meetings and Records Policy (Chapter 150.040 of University City Code) shall apply, specifically with regard to public notice of meetings and public participation.

Section 3. The Chair of the Plan Commission shall be an ex-officio member of all committees. He/she shall only vote upon committee matters when a majority of committee members is not present.

Section 4. There shall be appointed by the Chair of the Plan Commission Standing Committees for the consideration of the following matters and making recommendation thereof to the Plan Commission:

1. Comprehensive Plan Committee: This committee shall provide guidance and assist in the preparation and review of the City's Comprehensive Plan and its updates.
2. Code Review Committee: This committee shall consider and review all proposed text amendments to Chapters 400 (Zoning Code) and Chapter 405 (Subdivision and Land Development Regulations) of the University City Code of Ordinances

Section 5. The Chair of the Plan Commission may establish Ad Hoc Committees and appoint members for such purposes as necessary or as may be authorized by the Plan Commission. The duration of Ad Hoc committees is to be determined by the Chair of the Plan Commission.

Adopted On: August 24, 2011

Revised On: December 14, 2022

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Margaret A. R. Holly, Chair

University City Plan Commission