

# **RULES OF PROCEDURE**

## **PLANNING COMMISSION**

### **CITY OF GAHANNA, OHIO**

*Adopted: January 11, 2023*

#### **1. FORCE AND EFFECT**

- 1.1.** No provisions or section of these rules which conflicts with, or restricts those rights provided by the Constitution of the United States, the Constitution of the State of Ohio, the Charter, or Code of the City of Gahanna, Ohio, or the common law, shall have any force or effect.
- 1.2.** Robert's Rules of Order, current edition shall serve as the parliamentary authority in all matters not addressed by City Charter, City Code, or these Rules of Procedure.

#### **2. PRESIDING OFFICER**

- 2.1.** The Chair of the Planning Commission shall be elected by a passing motion and roll call vote at the Organizational Meeting.
- 2.2.** The Chair shall serve as the presiding officer of the Commission and shall be responsible for the conduct and order of the meetings of the Commission.
- 2.3.** The Chair shall sign for the Commission all matters requiring the action of the Commission.
- 2.4.** The Chair shall be responsible for determining whether or not Planning Commission Meetings will be cancelled or postponed due to inclement weather conditions.
- 2.5.** The Vice Chair of the Planning Commission shall be elected by a passing motion and roll call vote at the Organizational Meeting.
- 2.6.** The Vice Chair shall serve as the presiding officer of Planning Commission Workshop Meetings.
- 2.7.** In the absence of the Chair, the Vice Chair shall serve as the presiding officer; in the absence of the Vice Chair, the most senior Commission member shall serve as the presiding officer.
- 2.8.** Nothing in these rules shall diminish the task of the presiding officer of their duties and obligations as a Commission member.

#### **3. MEMBERS OF THE PLANNING COMMISSION**

- 3.1.** Any Planning Commission member that will not be present at any meeting shall notify the Clerk and the Chair at least 24 hours prior to the meeting to verify a quorum.
  - 3.1.1.** If it is determined that a quorum will not be present the Chair shall postpone the meeting and the Clerk shall notify the Planning Commission and any interested parties.

#### **4. CLERK OF THE COMMISSION**

- 4.1.** The Council Office shall provide a Clerk to the Planning Commission.
- 4.2.** The Clerk shall attend all regular, special, and workshop meetings.
- 4.3.** The Clerk shall prepare a record of all proceedings during a regular, special, or workshop meeting, which shall be termed the minutes.
- 4.4.** The Clerk shall record the time of the late arrival and/or early departure of a member for each meeting.
- 4.5.** The Clerk shall maintain the record and file of all approvals, recommendations, minutes, and other formal actions of the Planning Commission.
- 4.6.** The Clerk shall prepare an agenda for each regular, special, and workshop meeting in conjunction with the Chair.
- 4.7.** The Clerk shall be responsible for distribution of the agenda, minutes, applications, staff comments, correspondence, and any related business material to the members in a timely manner.
- 4.8.** The Clerk shall, upon receipt of new business or an application, prepare and proceed with notification as required by Code.
- 4.9.** The Clerk shall sign all recommendations and Record of Action letters that are a result of action taken at a meeting of the Planning Commission.

4.10. The Clerk shall perform all clerical duties incidental to the office and all other duties as directed by the Chair.

## 5. ADMINISTRATIVE STAFF

5.1. Appropriate administrative staff shall attend meetings and shall act as a liaison between administrative staff, the public, and the Planning Commission.

5.2. The appropriate administrative staff shall be responsible for accepting applications that require Planning Commission action, obtaining staff comments, and once accepted and complete, forwarding to the Clerk by noon on Thursdays.

## 6. MEETINGS

6.1. **REGULAR MEETINGS** may be held at City Hall, in Council Chambers, at 7:00 p.m., as needed, on the day(s) established in the organizational meeting. If there is no business to come before the Commission, the meeting may be cancelled at the discretion of the Chair. The Clerk will provide notice of the cancellation.

6.1.1. Such meetings may be held in any other place within the confines of the City of Gahanna, provided that plans are announced at least 72 hours prior to the scheduled meeting.

6.1.2. All members of the Commission shall be notified not less than 48 hours in advance of the date, time, place, and purpose of such meetings.

6.2. **SPECIAL MEETINGS** may be called by the Chair, or any three members of the Commission acting as a group and may be held at City Hall, in Council Chambers, on a day and time established.

6.2.1. Such meetings may be held in any other place within the confines of the City of Gahanna, provided that plans are announced at least 72 hours prior to the scheduled meeting.

6.2.2. Such meetings do not negate the public notice requirements, or any requirements established by the Charter or Code.

6.2.3. All members of the Commission shall be notified not less than 24 hours in advance of the date, time, place, and purpose of such meetings.

6.3. **WORKSHOP MEETINGS** may be called by the Vice Chair as needed, on the day(s) established for regular meetings, at a time set by the Vice Chair.

6.3.1. All members of the Commission shall be notified not less than 48 hours in advance of the date, time, place, and purpose of such meetings.

6.3.2. There shall be no official action taken at such meeting.

6.4. **EXECUTIVE SESSION** – The members of the Planning Commission may hold an executive session, in accordance with the Ohio Open Meetings Act, at a regular or special meeting for the sole purpose of the matters listed in Ohio Revised Code (O.R.C.) 121.22.

## 7. ORDER AND CONDUCT OF BUSINESS

7.1. **APPLICATIONS** or business heard by the Commission at a Regular or Special Meeting shall have official action taken prior to the adjournment of the meeting unless a quorum is not present. An application shall be given a descriptive title for the agenda.

7.2. **AGENDAS** shall be prepared by the Clerk and approved by the Chair for each meeting. The agenda distribution shall serve as notification of the meeting.

7.3. **ORDER OF BUSINESS** shall be conducted by the Chair and outlined in the agenda. The items for a regular meeting agenda should include the following:

A. Call meeting to order / Pledge of Allegiance / roll call.

B. Additions or corrections to the agenda.

C. Approval of minutes.

*a. NOTE: All minutes may be approved in one motion.*

D. Swear in applicants & speakers.

*a. NOTE: Anyone who wishes to address the Planning Commission will be sworn in by the City Attorney, or their designee, or anyone who is authorized under Ohio law.*

E. Applications – Public Comment.

F. Unfinished business.

- G. New business.
- H. Official reports.
  - a. Assistant City Attorney
  - b. Director of Planning
  - c. Council Liaison
  - d. Mayor
  - e. Chair
- I. Correspondence and actions.
- J. Poll members for comment.
- K. Adjournment.

**7.4. PUBLIC COMMENT ORDER** – *Anyone making comment shall fill out a speaker request form, available at the meeting, and turn into the Clerk prior to speaking.*

- 7.4.1. The application title shall be read aloud.
  - 7.4.1.1. If there is more than one application on the same project, they may be discussed as one and all application titles shall be read aloud.
- 7.4.2. Administrative staff may make a presentation or comment on the application(s).
- 7.4.3. Public comment shall be opened, and the time shall be recorded in the minutes.
- 7.4.4. The applicant, or their representative, shall be given 10 minutes to make a presentation or comment on the application(s). Additional time, if needed, may be requested and permission is at the discretion of the chair.
- 7.4.5. Public comment will be opened with three (3) minutes allowed per speaker. Speakers must come to the podium and state their name. Additional time, if needed, may be requested and permission is at the discretion of the Chair.
- 7.4.6. The applicant, or their representative, shall be given ten (10) minutes to respond to the public comment. Additional time, if needed, may be requested and permission is at the discretion of the Chair.
- 7.4.7. Public comment shall be closed, and the time shall be recorded in the minutes.
- 7.4.8. Planning Commission may discuss, make comment, and ask questions to administrative staff, the public, the applicants, their representatives, or any interested parties at this time.
- 7.4.9. A motion and roll call vote shall be made.

**7.5. MOTIONS** shall be considered official action and may be made by any Planning Commission member, regardless of their vote. All motions shall be made in the positive. All motions require a second, unless otherwise stated. The Chair shall ask for discussion on the motion, from Planning Commission members, after a second but before the vote.

No motion shall be proper, except the following:

- 7.5.1. Motion to adjourn. *Does not require a second, roll call vote, or discussion on the motion, unless there is opposition.*
- 7.5.2. Motion to recess.
- 7.5.3. Motion to end discussion and move to a vote.
- 7.5.4. Motion to postpone to a date certain to a Regular or Special Meeting. *Workshop meetings may be set and announced, but do not require a motion.*
- 7.5.5. Motion to postpone indefinitely. *A motion to postpone indefinitely, if passed, shall declare the item lost or denied. This motion shall be debatable only as to the motion itself. This motion is not applicable to items requiring City Council action.*
- 7.5.6. Motion to refer to an established Ad Hoc Committee
- 7.5.7. Motion to approve.
- 7.5.8. Motion to recommend to City Council. *The motion either passed or failed shall be in writing to City Council.*
- 7.5.9. Motion to amend. *Shall be susceptible to one amendment. The amendment shall be declared in the motion. A motion to amend that fails, shall not be moved again in the same form, or moved for reconsideration.*

7.5.10. Motion to reconsider. *A motion to reconsider can only occur at the Regular Meeting where action was taken on the item. If passed, the item shall not be discussed until the next Regular Meeting and any interested parties shall be notified of the date and time of the Regular Meeting the reconsidered item shall be heard.*

7.5.11. Motion to go into executive session. The purpose of the executive session shall be stated in the motion.

7.5.12. Motion to bring any matter from postponement or bring any matter from committee. *Shall be at any succeeding meeting.*

7.6. **ROLL CALL** order shall be as follows: the person making the motion, the person seconding the motion, proceeding with a rolling alphabetical order. The accuracy of the order of roll call, shall not alter the vote.

**7.7. VOTING**

- 7.7.1. All voting shall be oral and open.
- 7.7.2. The Clerk shall call the roll and each Planning Commission member shall respond "yes", "no", or "abstain for reasons of conflict interest". A member may abstain for reasons of conflict interest, but the basis for such conflict need not be stated. Any abstain vote shall be considered a vote not cast.
- 7.7.3. A quorum shall be considered four (4) or more members being present
- 7.7.4. A quorum shall be established before a motion can be made and voted on.
- 7.7.5. A simple majority is more than half of the votes cast.
- 7.7.6. A motion shall be considered passed if the motion received a simple majority "yes" vote.
- 7.7.7. A motion shall be considered failed if the motion received a simple majority "no" vote.
- 7.7.8. A motion receiving a tie vote shall be considered failed.
- 7.7.9. A Planning Commission member making or seconding a motion may either vote "yes" or "no" on the motion.

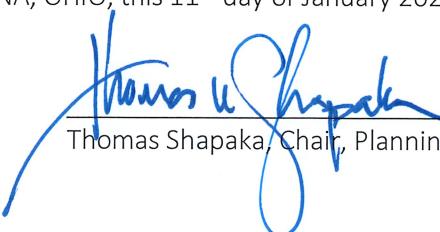
7.8. **DEBATE ON A MOTION** shall be controlled by the Chair. No person shall be permitted to speak on any motion longer than that period of time, or number of times, which is considered appropriate by the Chair.

8. **ELECTED AND APPOINTED OFFICIALS OF THE CITY** may be requested to attend a meeting and answer any questions asked by the Planning Commission. Such requests shall be made at least 24 hours prior to the scheduled meeting.

9. **AD HOC COMMITTEES** may be assigned by the Chair for specific purposes and shall be comprised of at least two (2) Planning Commission members. The appointment of the Chair shall be confirmed by a roll call vote. Such committees will exist only for the length of time required to complete their purpose.

9.1. Any meetings held do not negate the public notice requirements or any requirements established by the Charter or Code and all members of the Planning Commission shall be notified not less than 24 hours in advance of the date, time, place, and purpose of such meetings.

ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF GAHANNA, OHIO, this 11<sup>th</sup> day of January 2023.



Thomas Shapaka, Chair, Planning Commission

ATTEST:



Pam Ripley, Deputy Clerk of Council