

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, FEBRUARY 4, 2020**, IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, JIM PETERMANN, MARIO URQUILLA, ERIC BOWIE, MATTHEW WIGGINS AND MAYOR KRIS TURNBOW. ABSENT WAS CALVIN ACKLIN. ALSO PRESENT WERE DEVELOPMENT SERVICES DIRECTOR JIM CADORET, CITY PLANNER KATIE JARDIEU, AND CITY ATTORNEY JONATHAN ZERR.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Faulkner declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**
 - a. **Approval of the minutes of the December 17, 2019 meeting.**

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins, to approve the minutes as corrected.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Absent
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Aye

Motion passed 7-0-0.

6. **Unfinished Business - None**
7. **New Business -**
 - A. **Update to Planning and Zoning Commission Bylaws**

Development Services Director Jim Cadoret provided the staff report.

Mr. Cadoret indicated the rules of procedure were last amended in 2015. Staff determined the timing appropriate to review the rules.

Mr. Cadoret stated that the rules need to reflect the new Development Services Department name, replacing any reference to Community Development Department.

Mr. Cadoret stated the driving factor to update the rules was the need to have similar language with the City Council and Park Board rules regarding meeting absences. The specific amendment is in Article VI, Section 9.

Mr. Cadoret stated staff recommended language is:

Section 9. When a Commission member is absent for three (3) consecutive meetings, or for twenty-five percent (25%) or more of the total meetings held, in a twelve (12) month period without justification, excuse, or good cause, the member shall automatically forfeit his/her position on the Commission. Commission may make a recommendation to the Mayor requesting that consideration be given to consider the position vacant and take necessary action to replace the unexpired term as indicated in Article III. The Mayor may, with consent of the City Council, remove a member from the Commission for misconduct or neglect of duty.

Mr. Zerr provided the following alternate language for the Commission to consider:

No Commission member shall fail to attend three consecutive regular meetings of the Commission or more than 25% of the Commission regular meetings or work sessions during any 12 month period without being excused by the Commission.

Mr. Zerr commented that the alternate language addresses a scenario where a Commission member has an extended illness and misses several meetings but the Commission desires for the Commissioner to remain a member.

Mr. Zerr indicated the Commission could determine what qualifies as an excused absence.

Mr. Cadoret reviewed the final change proposed by staff being a change in the order of business on the agenda to match past meeting practices.

Chairman Faulkner stated he researched bylaws over the past 10 years and the early bylaws did not reflect the pledge of allegiance. He indicated the current bylaws included the pledge before roll call and that is what he has been following.

Commissioner Wiggins indicated that the Commission has a set meeting calendar, but there are some years when as many as 25% of the meetings are cancelled. He expressed concern on the rules reflecting "total meetings held" language. He thought it should be 25% of the scheduled meetings.

Commissioner Wiggins stated he did not want a Commissioner to be disqualified simply because the Commission has cancelled a number of meetings any given year.

Mr. Zerr commented that he likes the 25% rule and it is up to the Commission to decide if the language utilized is meetings held or meetings scheduled.

Commissioner Urquilla thought it could say 25% of the regularly scheduled meetings. There are typically 24 meetings a calendar year.

Chairman Faulkner asked if the 12 month period being referenced is a calendar year.

Mr. Cadoret stated the language is not referencing calendar year. It says "within a 12 month period".

Chairman Faulkner commented that the need for a provision on absences in the rules is based on the importance of ensuring there is a quorum at Commission meetings to conduct business.

Mr. Wiggins commented that the proposed language from Mr. Zerr included the term "excused" absences which can complicate the matter.

Commission members expressed interest in including language on absences.

Commissioner Bowie stated since the Commission does not have work sessions that the language should only reference regular meetings of the Commission.

Mr. Zerr stated the Commission could make reference to the schedule of meetings that the Commission approves each year.

Chairman Faulkner inquired about Section 6 of Article VI that indicates a request for a personal appearance must be submitted in writing. He asked if an email constitutes compliance with the in writing requirement.

Mr. Zerr indicated an email request is acceptable.

Referencing Section 9 of Article VI, Commissioner Wiggins asked if misconduct or neglect of duty is defined anywhere.

Mr. Cadoret stated the terms are not defined, but removal of a Commission member can only occur with the consent of the Council.

Mr. Zerr indicated removal of a member would be done by the same process as when a resident is appointed to the Commission.

Mayor Turnbow stated that removal of a member is typically done at the end of the term of a board or commission member, not during a term.

Chairman Faulkner, referencing order of business at meetings, indicated that he prefers keeping the rules as they are written and to correct future agendas to reflect the order identified in the rules.

Commissioner Bowie asked if the bylaws have any reference to security for the meetings.

Mr. Cadoret stated security is not a section included in the bylaws, but there is a standing invitation from the Police Department to provide security when requested.

Mr. Zerr provided the following language for Commission consideration:

“A Commissioner shall be deemed to be neglecting their duty if they fail to attend three (3) consecutive regular meetings of the Commission or more than twenty-five percent (25%) of the Commission’s regular scheduled meeting dates as established by Article VI, Section 1 of these Rules of Procedure during any twelve (12) month period without being excused. The Commission may make a recommendation to the Mayor requesting the removal and replacement of a Commission member that is negligent in their duties for their remaining unexpired term as indicated in Article III. The Mayor may, with consent of the City Council, remove a member from the Commission for misconduct or neglect of duty”.

Mr. Zerr stated action is not necessary yet and a motion to continue the matter would be appropriate.

Motion by Commissioner Urquilla, Seconded by Commissioner Bowie, to continue the acceptance of updates to the bylaws to the next Commission meeting to allow staff time to incorporate changes as suggested by the Commission.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Absent
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye

Mayor Turnbow Aye

Motion passed 7-0-0.

8. City Council Report

Jonathan Zerr provided a review of the December 23, 2019, January 13, 2020 and January 27, 2020 Council meetings.

9. Staff Report

Mr. Cadoret provided an overview of the upcoming cases to be considered by the Commission.

Mr. Cadoret invited a Commission member to attend the National Planning Conference that is scheduled in Houston, Texas from April 25-28.

Mr. Cadoret provided a Public Works update on the status of the construction of Westgate Drive. He also indicated Greg Rokus resigned as Assistant Public Works Director and has taken the position of Public Works Director for Belton.

10. Public Comment

No public comment.

11. Commission Member Comment

Commissioner Petermann mentioned some initial utility work commencing near the proposed Hy-Vee Fast and Fresh store.

Commissioner Bowie requested an updated UDC book.

Mayor Turnbow discussed a potential City initiated TIF district for the Willowind, Orscheln and HyVee development areas.

Commission members welcomed City Planner Katie Jardieu and thanked Mr. Rokos for his years of service to the Commission.

12. Adjournment

Motion by Commissioner Wiggins, Seconded by Commissioner Bowie, to adjourn the February 4, 2020 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Absent
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Aye

Motion passed 7-0-0.

The February 4, 2020 meeting adjourned at 8:11 p.m.

Respectfully submitted,

Jim Cadoret