

**MEMORANDUM**

**TO:** Kimball Municipal Planning Commission  
**FROM:** Kevin Greenwalt, Community Planner  
**DATE:** November 30, 1995  
**SUBJECT:** Proposed Planning Commission By-laws

Attached are a set of proposed by-laws for the planning commission. The City Recorder and I did some research the other day and did not find any. After some discussion with her, I decided to draw up a set for adoption at the December meeting.

Many of the items in the by-laws reflect what state law authorizes and/or requires and others are based upon my discussion with the mayor and city recorder. The primary elements that you may want to consider for our discussion are:

1. Membership terms of three (3) years.
2. Power to recommend expulsion of any member who misses three (3) consecutive meetings.  
(I don't think anyone expects planning commission members to be able to make every meeting, but if a person has conflicts that make him/her absent on a consistent basis, then that member probably needs to be replaced.)
3. Meeting time change from 6:00 PM CT on the first Thursday to 5:30 on the first Monday of each month.

[This will enable us to have more discussion time, without being rushed by the Board of Mayor and Aldermen meeting. It will also allow me some "lead time" to generate any work (written ordinances, studies, etc.) that may be required when the board needs to act on a planning commission recommendation.]

4. Election of officers in January of each year.
5. Order of business for the monthly agendas.

Please read the by-laws and be prepared to discuss them. We can make any changes to the proposal that you like. Also, the meeting time change coincidentally falls on New Year's day this year, so we will have to deal with that next month -- if you agree to the first Monday as the new meeting day.

**BY - LAWS**  
**OF THE**  
**TOWN OF KIMBALL**  
**MUNICIPAL PLANNING COMMISSION**

**ARTICLE I**  
**OBJECTIVE**

The objective and purpose of the Town of Kimball Municipal Planning Commission are established in Sections 13-4-101 through 13-4-105 of the **Tennessee Code Annotated (TCA)** and amendments and supplements thereto. Those powers and duties expressed in TCA §13-4-101 through §13-4-105 are hereby delegated to the Kimball Municipal Planning Commission.

**ARTICLE II**  
**MEMBERSHIP AND TERMS**

- Section 1.** The membership of the Kimball Municipal Planning Commission shall include five (5) members, except for periods between expired terms and new appointments when the membership shall consist of those having unexpired terms.
- Section 2.** One (1) member shall consist of the mayor, or a person designated by the mayor, whose term shall be co-terminous with the mayoral term on the Kimball Board of Mayor and Aldermen.
- Section 3.** One (1) member shall consist of an alderman, elected by the Board of Mayor and Aldermen and whose term shall be co-terminous with the term on the legislative body.
- Section 4.** Three (3) members shall be appointed from the population at-large.
- Section 5.** The mayor shall make the nominations to fill the at-large positions and all vacancies and expired terms.
- Section 6.** The terms of the members shall be three (3) years with staggered expiration dates as originally provided.
- Section 7.** Any planning commission member who is absent three (3) consecutive meetings, without justification, may be removed upon the recommendation of the Kimball Municipal Planning Commission.

**ARTICLE III**  
**OFFICERS AND THEIR DUTIES**

- Section 1.** The officers of the Kimball Municipal Planning Commission shall consist of a Chairman, Vice-Chairman, and a Secretary.

- Section 2.** The Chairman shall preside at all meetings and hearings of the Kimball Municipal Planning Commission and have the duties normally conferred by parliamentary usage of such officers.
- Section 3.** The Chairman shall have the privilege of discussing all matters before the Kimball Municipal Planning Commission and to vote thereon.
- Section 4.** The Vice-Chairman shall act for the Chairman in his absence.
- Section 5.** The Secretary, or duly authorized "recording" secretary, shall keep the minutes and records of the Kimball Municipal Planning Commission and such other duties as are normally carried out by a secretary.

#### **ARTICLE IV ELECTION OF OFFICERS**

- Section 1.** Nomination of officers shall be made from the floor and officers shall be elected at the annual organization meeting which shall be held during the regular January meeting of the Kimball Municipal Planning Commission each year.
- Section 2.** The candidate for each office receiving a majority vote of the entire membership of the Kimball Municipal Planning Commission shall be declared elected.
- Section 3.** All officers shall be elected for a term of one (1) year and all officers shall be eligible to succeed themselves.
- Section 4.** Vacancies in offices shall be filled immediately for the unexpired term by regular election procedures.

#### **ARTICLE V MEETINGS**

- Section 1.** Meetings shall be held on the first (1st) Monday of each month at 5:30 p.m. at the Kimball City Hall or a place designated by the Chairman of the Kimball Municipal Planning Commission. The time and/or date of the regular monthly meeting may be changed by a majority consensus of the entire Kimball Municipal Planning Commission.
- Section 2.** A majority of the membership of the Kimball Municipal Planning Commission shall constitute a quorum. A quorum shall be present before any formal business is transacted.
- Section 3.** All planning reports, e.g., comprehensive plan, major road plan, etc., and recommendations of the Kimball Municipal Planning Commission must be approved by at least three (3) members. Other items may be approved by a simple majority of the quorum.
- Section 4.** Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting when requested to do so in writing by a majority of the members of the Kimball Municipal Planning Commission. The notice of such a meeting shall specify the purposes of such a meeting and no other business may be considered except by unanimous consent of the Kimball Municipal Planning

Commission. The Secretary shall notify or cause to have notified all members of the Kimball Municipal Planning Commission in writing of such special meeting.

**Section 5.** All meetings at which official action is taken shall be open to the general public.

**Section 6.** For matters not covered by these "By-Laws", "Roberts Rules of Order" shall be the guide.

## **ARTICLE VI ORDER OF BUSINESS**

The order of business at regular meetings shall be:

- A. CALL TO ORDER
- B. READING AND APPROVAL OF PREVIOUS MEETING MINUTES
- C. HEARING OF PERSONS HAVING BUSINESS BEFORE THE COMMISSION
- D. NEW BUSINESS
- E. OLD BUSINESS
- F. ADJOURNMENT

## **ARTICLE VII COMMITTEES**

Special committees may be appointed by the Chairman for purposes and terms which the Kimball Municipal Planning Commission approves.

## **ARTICLE VIII EMPLOYEES**

**Section 1.** The Kimball Municipal Planning Commission may appoint such employees and staff as it may deem necessary for its work and may contract with planners and other consultants for such services as it may require.

**Section 2.** The expenditures of the Kimball Municipal Planning Commission, exclusive of gifts, shall be within the amounts appropriated for the purpose by the town.

## **ARTICLE IX HEARINGS**

**Section 1.** In addition to those required by law, the Kimball Municipal Planning Commission may at its discretion hold public hearings when it decides that such hearings will be in the public interest.

**Section 2.** Notice of such hearings shall be published in a newspaper of general circulation within the Town of Kimball at least fifteen (15) days prior to the date of such public hearing.

**Section 3.** The case before the Kimball Municipal Planning Commission shall be presented in summary by the Secretary or a designated member of the Kimball Municipal Planning Commission and parties in interest shall have the privilege of the floor.