

**CITY OF JONESVILLE
ORDINANCE NO. 214**

AN ORDINANCE TO AMEND THE VILLAGE OF JONESVILLE PLANNING COMMISSION ORDINANCE TO ADDRESS MEMBERSHIP; AND TO REFERENCE THE CITY OF JONESVILLE.

THE CITY OF JONESVILLE ORDAINS:

Section 1. Ordinance #201, the “Village of Jonesville Planning Commission Ordinance” shall be repealed in its entirety and replaced with this ordinance, which shall be known and cited as the “City of Jonesville Planning Commission Ordinance” and shall read as follows:

101. Creation: The People of the then Village of Jonesville established the Village of Jonesville Planning Commission on May 8, 1972 (as documented in the Village of Jonesville Council Minutes). The Planning Commission was further confirmed to operate pursuant to P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et. seq.*, by adoption of Ordinance #201, effective April 1, 2010. The City of Jonesville Planning Commission, hereinafter referred to as the “Commission,” shall operate with the powers and duties as herein set forth, and as hereinafter provided and staffed Planning Department. This ordinance shall be officially known and described as the “City of Jonesville Planning Commission Ordinance.”
102. Membership: The Commission shall consist of seven (7) members appointed by the Jonesville City Council. To be a qualified member of the Commission, the individual shall meet the requirements of the Michigan Planning Enabling Act and bylaws approved by the Commission and City Council.
103. Training: Appointed members of the Commission shall attend educational programs designed for training members of Michigan planning commissions if the adopted City of Jonesville budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training. The members shall make every effort to attend a core-training program on planning and zoning before the conclusion of their first term of office. The Commission shall include in its Bylaws what training programs qualify to meet this requirement.
104. Members, Appointment and Terms:
 - A. In October of each year the City of Jonesville Clerk shall determine which members’ terms of office expire, shall determine which interest segment they represent and shall provide notice of vacancies to seek applications.
 - B. In November of each year the City of Jonesville Council shall consider the applications and nominations received, and appoint members to the Commission by a majority vote for a three year term of office which shall end December 1, at 9:00 a.m. of the respective year.

105. Removal from Office:
- A. The City of Jonesville Council may remove a member of the Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office.
 - B. Failure to repeatedly attend Commission meetings shall be considered nonfeasance in office and shall be grounds for the City Council to remove a member from the Planning Commission for nonperformance of duty.
 - C. The secretary of the Planning Commission shall report any member who has missed three (3) regular meetings in a row to the City of Jonesville Council. A planning commission member may seek special exemption from attending planning commission meetings from the legislative body for personal or medical reasons. The request for exemption and reason(s) for seeking exemption should be documented in a letter addressed to the legislative body. The legislative body will consider the request at their next regular meeting.
106. Membership; Vacancies:
- A. The City of Jonesville shall fill any vacancy in the membership of the Commission for the unexpired terms in the same manner as the initial appointment.
107. Membership; Compensation:
- A. Members of the Planning Commission may be compensated for their services with compensation equal to, or less than, the per diem of the City of Jonesville Council per meeting plus mileage.
108. Meetings:
- A. The Commission shall meet at least once every three months or more frequently as needed and a majority of the Commission shall constitute a quorum for the transaction of the ordinary business of said Commission and all questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission.
 - B. The affirmative vote of 2/3 of the total number of seats for members of the Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan or amendment to a plan.
109. Powers and Duties:
- A. The Commission shall have their powers and duties as set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*).
 - 1. Undertake studies of existing social, physical and economic conditions and probable growth;
 - 2. Prepare, adopt and maintain a plan for development;
 - 3. Cooperate and coordinate with other local units of government on planning;
 - 4. Review city, village, township (within and adjacent) plans;
 - 5. Review and comment on draft master plans of adjacent communities;

6. Draft zoning ordinance, and amendments and review various zoning proposals.
 7. Review and comment on proposed infrastructure physical improvements in the government;
 8. Prepare and recommend subdivision regulations and rules to the City Council for adoption (optional) and advise on proposed plats (if there are adopted subdivision regulations);
 9. Prepare annual report for City Council;
 10. Prepare and submit budget for the next year;
 11. Prepare annual work program.
- B. The Commission shall be exempt from M.C.L. 125.3865, the duty to prepare an annual capital improvements program of public structures and improvements. The duty to prepare an annual capital improvements program, as specified in M.C.L. 125.3865, is assigned to the City of Jonesville Manager, separate from or as part of the annual budget, who shall proceed with the advice and consent of heads of the departments of the City, the City of Jonesville Council Members and City of Jonesville Planning Commission, with final approval by the City of Jonesville Council.
 - C. The commission shall have the power and duties to do anything else the Michigan Planning Enabling Act (P.A. 33 of 2208) allows a City Planning Commission to do, and anything else delegated to the City of Jonesville Planning Commission by the City of Jonesville Council from time-to-time.
 - D. The Commission shall have authority to apply for and receive grants from any government agency or the federal government and to receive gifts.
110. Staff:
- A. The City Manager is delegated the authority to prepare job announcements for hiring a planning director, to be posted at the City Office and in publications.
 - B. The City Manager is delegated the authority to review all applications and resumes and determine a pool of those to be interviewed for the position of planning director.
 - C. At the conclusion of the interview process, the City Manager shall have final authority regarding the hiring of all employees with the exception of Department Heads. In the case of Department Heads, at the conclusion of the interview process, the City Manager shall make a recommendation to Council for approval.
 - D. The appointment of the planning director and other such employees shall be subject to the same provisions of law, employment policies, employee roster, employee or union contracts, if any, as govern other employees of the City of Jonesville.
 - E. Employees that are assigned to work with the Commission shall follow the directives of the Commission in matters of planning and zoning public policy issues, but shall not be subject to Commission directives concerning employment provisions of law, employment policies, employee roster, employee or union contracts, if any.
111. Meetings; Records: The Commission shall adopt Bylaws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be a public record.

112. Approval, Ratification, and Reconfirmation. All official actions taken by all City of Jonesville Planning Commission preceding the Commission created by this ordinance are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Commission created by this ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of any previous City of Jonesville Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

Section 2. Publication and Effective Date

This ordinance shall be in force and effect seven (7) days after its publication in a newspaper of general circulation within the City.

YEAS:

NAYS:

ABSENT:

ORDINANCE DECLARED ADOPTED ON _____

Gerald E. Arno, Mayor

Cynthia D. Means, Clerk

CERTIFICATION

I, Cynthia D. Means, being the Clerk of the City of Jonesville, do hereby certify that the foregoing is a true and correct copy of the City of Jonesville Ordinance No. 214, passed on the _____ day of _____, 2017. Further, I certify I caused the same to be published in a newspaper of general circulation within fifteen (15) days after adoption by the City Council of the City of Jonesville, County of Hillsdale and State of Michigan.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this _____ day of _____, 2017.

Cynthia D. Means, Clerk