

ORDINANCE NO. 11-2024

AN ORDINANCE TO RESTRUCTURE THE PLANNING COMMISSION AND TO APPOINT PLANNING COMMISSIONERS FOR THE CITY OF HASKELL, AND FOR OTHER PURPOSES, THUS REPEALING ORDINANCE NO. 1-1979 IS HEREBY REPEALED.

WHEREAS, A.C.A. 14-56-401 to sets forth a specific procedure for initiating and creating a Planning Commission for the City of Haskell, Arkansas, and,

WHEREAS, the City of Haskell is a fast-growing city in central Arkansas and in the spirit of that growth the City Council desires to restructure the Planning Commission to reach out and draw from the vast professional and personal experiences and knowledge of its citizens for its planning and development needs and,

WHEREAS, the City Council is desirous of appointing qualified, experienced, dedicated, and knowledgeable citizens from the City of Haskell to serve on the Planning Commission and,

WHEREAS, the City Council desires to create and perpetuate fair and equal representation on the Planning Commission and,

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HASKELL, SALINE COUNTY, ARKANSAS THAT:

Section 1: A.C.A. 14-56-401 et. seq. sets forth specific procedures for initiating and creating a Planning Commission. The City Council hereby establishes a Planning Commission for the City of Haskell, Arkansas. Therefore, the Planning Commission will consist of eight members (8) who will serve with compensation that is set by the city council. The City Council hereby establishes a restructured Planning Commission for the City of Haskell, Arkansas. The eight positions on the Planning Commission shall be at-large.

Section 2: Planning Commissioners shall reside and live in the City of Haskell; excepting however, the City Council may approve and appoint to up to two (2) of the Planning Commissioner memberships from electors living outside the corporate limits of the city, but within the recorded planning jurisdiction of the city. If this situation should occur, the non-resident Commissioner(s) shall be at-large.

Section 3: To assist the Mayor in the appointment process, City Council member may provide names and resumes of potential candidate(s) to the Mayor for consideration and subsequent selection and recommendation for nomination as a Planning Commissioner. They shall be nominated by the Mayor. Upon nomination, the Mayor shall forward a copy of the names and resumes of those selected for appointment to the City Council, no later than seven (7) days before the council meeting at which the Mayor will present the candidate(s) for confirmation. A simple majority vote shall be required to confirm all nominees.

Section 4: The City Council desires that the Mayor select Planning Commissioners from wide and diverse backgrounds. The City Council desires the best citizens be selected to serve on the commission.

Section 5: Candidate(s) shall submit a resume detailing their qualifications and experience. The resume(s) shall be provided to the Mayor for use during the Mayor's selection and appointment process. The resume(s) shall be provided to City Council member in their council meeting packages for use at their next regularly scheduled meeting prior to the confirmation process and subsequent City Council vote.

Section 6: The terms of the City Planning Commission shall be for a period of six (6) years. However, the initial appointments to the Commission shall be staggered. The Mayor shall designate the terms of the initial appointments. Thereafter as vacancies occur in said Commission, for whatever cause, said vacancies that occur shall be filled in the manner provided and appointees shall hold office until expiration of the term which they were appointed to fill. All members of the Planning Commission whose terms may expire shall serve until their successors in office have been appointed and confirmed.

Section 7: Whenever vacancies occur for any reason, at the next regularly scheduled meeting after the occurrence of the vacancy, the Mayor and City Council shall implement the procedures set forth in Section 4. The Mayor shall appoint candidates to fill vacancies within 60 days from when the vacancy occurs. Upon the Mayor's selection and subsequent appointment, the Mayor shall present each candidate to the City Council at the next regularly scheduled Council meeting for a Council vote. If the Mayor fails to announce a nominee to fill a vacancy within 60 days, the City Council shall appoint candidates for the vacant position and complete the appointment and confirmation process at its next regularly scheduled meeting.

Section 8: No less than 120 days prior to the end of a Planning Commissioner's designated term, if that Planning Commissioner is eligible for another term, the Mayor shall announce his decision to either reappoint the current Commissioner or he shall declare an upcoming vacancy. If a vacancy is declared by the Mayor, resumes may then be submitted during the following 30 days.

Section 9: The City Planning Commission shall designate a chairman, vice chairman and secretary. The terms of office of the chairman and other officers of the Commission shall be for a period of 1 year, beginning on January 1st of each year and shall be provided for in the rules of the City Planning Commission. The Planning Commission shall establish and adopt a regular time and place for meetings. The City Planning Commission shall provide the City Council minutes of all their meetings (regular or special) at the City Council's next regularly scheduled meeting. Public records of all Commission business shall be maintained and provided to the public upon request.

Section 10: Members of the City Planning Commission shall receive compensation for (12) twelve regular scheduled Commission meetings, based on attendance. Members of the commission shall attend a minimum of nine (9) meetings in a calendar year and shall not be absent for two (2) or more consecutive meetings without prior approval from the Mayor. If members violate these policies, their appointment may be terminated. The City Council may consider excessive absenteeism as cause for removal.

Section 11: A Planning Commissioner may be removed for cause by a two-thirds majority vote of the City Council.

Section 12: The Planning Commission shall have the authority to determine how it executes its designated mission and this authority shall apply only to its internal procedural matters and shall be consistent with all applicable legal and statutory authority, including but not limited to; state and federal laws, regulations, and city ordinances. The sole exception to the forgoing prohibition shall be that the commissioners may debate, prepare, draft, and present proposed ordinances, regulations and/or amendments to existing

ordinances, regulations and/or amendments to the City Council for adoption at its next regularly scheduled meeting. However, under no circumstances shall such proposals be submitted less than 7 days prior to a regularly scheduled City Council meeting, except in cases of emergency.

Section 13: All Planning Commission rulings and decisions, verbal or written, shall cite the underlying legal authority and legal basis for the commission's decision. The Planning Commission shall regulate all business in a manner consistent with applicable city ordinances, regulations and other binding authority and will not regulate by policy letter or any other medium that could reasonably be construed as an attempt to legislate or circumvent public participation.

Section 14: The provisions of this Ordinance are separable and in the event that any section or part thereof shall be held to be invalid, such invalidity shall not affect the remainder of this Ordinance.

Section 15: All ordinances and resolutions and parts thereof in conflict herewith are hereby repealed to the extent of such conflict.

PASSED AND APPROVED THIS DAY 12th OF AUGUST, 2024.

Approved:

Clyde Crookham, Mayor

Attest:

Jennifer Hill, Recorder/Treasurer