

***Transcription: Planning Commission Meeting, January 3, 2006 (Cancelled by Rick Cisar and Thom Graafstra due to lack of quorum, despite the fact that an agenda was distributed to Commissioners Fallgatter and Kirkman.)***

**Commissioner Kirkman** [I'd like to] call the meeting to order. For this board, I want clarification on that. The meeting is cancelled due to a lack of quorum?

**PC Secty. Cyd Donk** Yes.

**Commissioner Kirkman** By whose authority?

**PC Secty. Cyd Donk** By, uh, city attorney Thom Graafstra and City Administrator Rick Cisar. I was given a note that, um, I would call the meeting to order, and in the absence of a quorum would be, you would record that and then we will be done.

**Commissioner Kirkman** Okay, um, I'd like to get this on record.

**PC Secty. Cyd Donk** Okay.

**Commissioner Kirkman** According to *[unintelligible]* code 2.17.080, a quorum is actually defined. And it is "A the majority of the members of the Planning Commission shall constitute a quorum for the transaction of business." It does not say a, uh, majority of the entire seats. It does not say any of that. And we actually got a legal opinion from MRSC and it does say that we could constitute a quorum.

**PC Secty. Cyd Donk** The two of you?

**Commissioner Kirkman** Um-hm (affirmative response).

**PC Secty. Cyd Donk** So what would you like to do?

**Commissioner Kirkman** Um...[To Commissioner Fallgatter] What's your pleasure?

**Commissioner Fallgatter** I would like... Well, we have a problem if we don't have a planning commission because there is no quorum. So I would like to get an opinion in writing from the attorney on...on whether or not a quorum is a quorum of the appointable (sic) positions to the Planning Commission, or if it is the members of the planning commission.

**PC Secty. Cyd Donk** Okay.

*[an extended pause]*

**Commissioner Fallgatter** And I guess I would also like an opinion from the attorney on how long the planning commission can cease to function for lack of a quorum before the mayor is required to appoint applicants to the planning commission.

*[another pause]*

**PC Secty. Cyd Donk** Okay.

*[another pause]*

**PC Secty. Cyd Donk** Anything else?

**Commissioner Kirkman** No. I, I'd like, yeah, the same. I mean, I'd like to get those opinions, absolutely.

**PC Secty. Cyd Donk** Okay.

**Commissioner Kirkman** Um, I also would like to put on record that I encourage the mayor to start appointing people to the planning commission. I think we're...the City will get into some problems without a planning commission because there are some requirements under law that you have to have a planning commission. There's some very definite things you cannot do without a planning commission.

**PC Secty. Cyd Donk** All right.

**Commissioner Fallgatter** And I concur with that. I would strongly encourage the mayor to appoint additional members to the planning commission.

**Commissioner Kirkman** That's it. I guess because we do not know the City's position on what a quorum is, um, according to the, to the code it does look somewhat like we could actually constitute a quorum. I guess we'll not go ahead with this meeting but, uh, just to get clarification. And we will, in February, reconvene.

**Commissioner Fallgatter** Cyd, I have one more question I would like put to the mayor and/or the city attorney. Why was the issue of whether or not we have a quorum not resolved before tonight? It seems sort of a waste of time for you as city staff to come here when it was obvious to everyone but Jeff and I that there would be no meeting because we were led to believe there would be a meeting. And it seems a waste for the public to turn out when apparently the City seems to know that there would be no meeting tonight. So, um...why, why are we sitting here without this issue resolved?

**PC Secty. Cyd Donk** *[mumbling slightly as she writes Fallgatter's question.]* Okay. I will get these typed up and I think the mayor will be in in the morning so I'll be sure he gets this first thing.

**Commissioner Fallgatter** That would be terrific.

**Commissioner Kirkman** That's it.

**PC Secty. Cyd Donk** We'll end the meeting at 7:07 PM. Thank you.

*[end of meeting and transcription.]*

**PUBLISHED AGENDA, created by Donna Murphy on Wed., Dec. 28, 2005 at 10:07 a.m., and emailed by Donna Murphy to Commissioners Fallgatter and Kirkman**

**SULTAN PLANNING COMMISSION MEETING  
AGENDA**

**January 3, 2006 – 7:00 PM**

**City of Sultan – City Hall – Council Chambers**

**CALL TO ORDER**

Pledge of Allegiance

## **CHANGES TO THE AGENDA**

### **COMMENTS FROM THE PUBLIC**

Citizens are requested to keep comments to a 5 minute maximum to allow time for everyone to speak.

### **COMMITTEE REPORTS AND STAFF PRESENTATIONS**

Approval of the Minutes from the December 6, 2005 meeting

### **DISCUSSION:**

#### **ACTION ITEMS:**

- Election of Chairperson and Vice Chairperson

### **PUBLIC COMMENTS ON AGENDA ITEMS ONLY**

### **PLANNING COMMISSIONER COMMENTS**

### **AGENDA ITEMS FOR NEXT MEETING**

Adjournment

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