



CITY OF WESTERVILLE

# BOARDS AND COMMISSIONS HANDBOOK

# 2024





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## 1. INTRODUCTION

The City of Westerville has eight (8) active City Boards and Commissions. A description of the duties, purpose, and meeting schedules of each Board and Commission are provided in this “Handbook”. A few of the Boards and Commissions have statutory powers, while others serve in an advisory capacity to the City Council. However, each member is selected by the City Council on qualifications and willingness to serve our community and local government on a voluntary basis. Board and Commission members are a valuable part of American local government that adds citizen input into the policy and decision-making process.

In the City of Westerville, “Service is our Business.” To make us truly a service community, we need your help and expertise. City Boards and Commission Members can be a strong, positive force in planning the development of our City.

As a member of one of our boards or commissions, you may be the only contact a citizen has with local government. That first contact -- that first impression -- is vital. Many people quickly make up their minds about the City of Westerville based on their initial contact with just one person. Public relations is not publicity; it is our collective ability to handle the concerns and requests of our citizens.

On behalf of the City Council, City Manager and Staff, we WELCOME you to our City organization. Please feel free to call the Clerk of Council’s Office (614-901-6410) for assistance.

Sara Yinger  
Clerk of Council  
City of Westerville, Ohio

## 2. WELCOME TO PUBLIC SERVICE

Congratulations on your appointment to one of the City of Westerville's Boards or Commissions. We are pleased that you have accepted this important citizen advisory role. This handbook is provided to introduce you to City Government and to guide you as a member of a public body.

The handbook for Boards and Commissions covers aspects of working as a team and conducting effective meetings, and is specific to the charge of the Board or Commission to which you have been appointed.

As an appointee, your role is to assist City Council in carrying out its obligations to the residents of the City of Westerville and to help shape the City's future. You and your fellow appointees are a vital link between City Council and the City's residents. On behalf of the City Council, thank you for taking this important responsibility.



**Back Row Left to Right:** David Grimes, Jeff Washburn and Aaron Glasgow

**Front Row Left to Right:** Vice-Chairman Megan Reamsnyder, Chairman Michael Heyeck, Mayor Kenneth L. Wright and Vice Mayor Dr. Coutanya Coombs

## 3. QUALIFICATIONS FOR SERVING ON MUNICIPAL BOARDS

### AND COMMISSIONS

#### 161.02 QUALIFICATIONS

- (a) All members of a Board or Commission of the City, shall at all times be electors of the City.
- (b) Except as otherwise provided by Ohio law, City ordinance, or by the Charter, a person may serve on more than one Board or Commission at any given time.
- (c) City employees are not eligible to serve on any Boards or Commissions.

The term “electors of the City” means the person is registered to vote in a Westerville city precinct. This inherently means that the person must also be a City resident and must be of legal voting age.

## 4. RESIGNATION, REMOVAL, and VACANCY

#### 161.07 RESIGNATION, REMOVAL, AND VACANCY

- (a) Resignation. A member may resign from the Board or Commission to which they have been appointed by providing written notice to the Chair or secretary. The Chair or secretary shall convey the resignation to other members and the Clerk of Council. Unless another date is specified, the resignation shall be effective immediately upon receipt by the Clerk of Council.

- (b) Removal.

(1) A member shall have provided grounds for removal from a Board or Commission if:

A. The member has been absent from three consecutive meetings in any twelve-month period. The Chair shall provide written notice to the Clerk of Council, when a member has exceeded this limit; or

B. The member of a Board or Commission that meets at least four times per year has been absent from one-third of the meetings in any twelve-month period The Chair shall provide written notice to the Clerk of Council when a member has exceeded this limit; or

C. The member has pled to or has been convicted of a felony; or

D. The member has pled to or has been convicted of any crime involving theft, violence, or dishonesty; or

E. The member at any time fails to maintain the membership requirements for such Board or Commission; or

F. The member exhibits substantial evidence of inefficiency, neglect of duty, malfeasance, misfeasance, or nonfeasance in office, incapacity, or incompetency.

(2) Process. If a member is considered by Council for removal pursuant to this Chapter, such member shall be notified in writing of the charge at least ten days in advance of the hearing and Council shall conduct a public hearing in which the member shall have an opportunity to be heard, to present evidence and witnesses, to confront and examine witnesses against them, and to be represented by legal counsel. Except as otherwise provided by the Charter or an ordinance specifically applicable to that particular Board or Commission, removal of a Board or Commission member shall only be effective and shall immediately be effective, if, at the conclusion of the public hearing, a majority of all Council members vote for removal of the member.

(c) Vacancy. A vacancy occurring during the term of a member of a Board or Commission shall be filled by an appointment of Council for the unexpired term in the manner authorized for an original appointment.

## 5. THIS IS YOUR CITY

The City of Westerville was incorporated in 1858. The Charter of the City became effective in 1964. Westerville is a Home-Rule Charter City. A history of the City is available from the Clerk of Council.

### SOME CITY FACTS

#### 2020 Census

Square Miles	12.47
Population	39,190
Housing Units	14,566
Owner Occupancy	77.6%
Median Property Value	\$237,300
Median Resident Age	41.2
Median Household Size	2.60
Median Family Income	\$93,717
City Income Tax	2.00%
Total Annual City Budget	\$233,380,997 (2023)



## CITY GOVERNMENT

In 1916, the citizens adopted a City Council-City Manager form of government. Under the Council-Manager form of government City Council is the legislative and executive body. It reviews proposals, evaluates what the community needs and provides policy guidance to the City's administrative staff. The City Manager, rather than an elected official, oversees administration of government policies. The City Manager serves as the administrative head and chief executive officer and oversees daily operations. Government functions are carried out by nine departments. The following is a brief description of the City Council and the City's Department/Division structure.

## 6. ADMINISTRATIVE STAFF

	Office Address	Telephone
<b>City Manager</b> Monica Dupee	21 S. State Street	901-6400
<b>Assistant City Manager</b> Jason Bechtold	21 S. State Street	901-6400
<b>Finance Director</b> Lee Ann Shortland	21 S. State Street	901-6446
<b>Assistant Finance Director</b> Gina Love	21 S. State Street	901-6442
<b>Director of Law</b> Andrew J. Winkel	33 E. Schrock Road	423-4619
<b>Clerk of Council</b> Sara Yinger	21 S. State Street	901-6410
<b>Electric Utility Manager</b> Chris Monacelli	139 E. Broadway	901-6703
<b>Director of Parks &amp; Recreation</b> Randy Auler	350 N. Cleveland	901-6504
<b>Planning &amp; Development Director</b> David Efland	64 E. Walnut Street	901-6650
<b>Chief Information Officer</b> Michael Farrar	64 E. Walnut Street	901-6693
<b>Fire Chief</b> Brian Miller	400 W. Main Street	901-6606
<b>Chief of Police</b> Charles Chandler	29 S. State Street	901-6469
<b>Director of Public Service</b> Kevin Weaver	350 Park Meadow Road	901-6745
<b>Water Utility Manager</b> Adam McDowell	312 W. Main Street	901-6772
<b>Economic Development Director</b> Rachel Ray	21 S. State Street	901-6409
<b>Community Affairs Director</b> Christa Dickey	21 S. State Street	901-6411



## 7. CITY COUNCIL

### **Composition of City Council:**

The City Council consists of seven members elected at large. Nominations for Council seats are presented on a non-partisan ballot every two years. Council members must be residents of Westerville. Members are elected to a four year term. Every two years Council members elect a Chairman and Vice Chairman. The Mayor is selected by the majority of Council and is the official head of government for ceremonial purposes.

### **Council By-Laws:**

City Council operating procedures are contained in the Council By-Laws, which includes a complete description of public notice of meetings and rules of actions by ordinance, resolution or motion. These rules ensure compliance with Ohio's "Sunshine Laws" which mandate open meetings for public bodies.

### **Council Meetings and Committees:**

City Council meets in regular session on the first and third Tuesday of each month, and in work session on the second and fourth Tuesday of each month. All meetings, unless otherwise advertised, are held in the Council Chamber in the Municipal Building at 7:00 p.m. and are open to the public. The Chairperson may create certain committees to deal with a variety of topics.

### **Council Appointed Staff:**

The City Council appoints the City Manager, the Director of Law and the Clerk of Council (City Clerk).

## 8. CLERK OF COUNCIL

Duties of the Clerk of Council:

The Clerk of Council is appointed by City Council. The Clerk of Council provides support and record keeping for City Council and serves as Records Manager for the City. The Clerk's office records and indexes the deliberations and decisions of City Council.

The Clerk of Council is responsible for the preparation of City Council agendas and ensures that notification of regular and special meetings of Council meets the specifications of the Council By-Laws. In accordance with these rules, the Clerk of Council also prepares resolutions and proclamations as directed by Council. The Clerk of Council's office monitors the Codified Ordinances, and maintains City records.

## 9. THE CITY MANAGER'S OFFICE

### **Duties of the City Manager:**

The City Manager provides executive leadership and administrative guidance to all City operations and programs. The City Manager oversees the implementation of Council enacted policies and the effective delivery of City services to residents. This position serves as the chief spokesperson for the City on a day-to-day basis.

The City Manager reports to City Council on the business of the City and its programs and activities and provides them with such information as they may need to act effectively, make decisions, and pursue appropriate policies. The City Manager coordinates and directs the budgeting process and oversees the development and maintenance of long-range planning. To ensure a comprehensive and coordinated approach to public policy and actions, the City's department heads meet together regularly.

### **Duties of the Assistant City Manager:**

The Assistant City Manager provides administrative support to the City Manager and provides direction and oversight to all department heads. Work is performed under the executive direction of the City Manager and guidelines established by City Council. Work involves development and administration of the City budget, policy development, risk management, labor contract interpretation and negotiations, and management of all personnel, recruitment, and selection activities for the City.

### **Chief of Staff:**

The Chief of Staff performs a variety of management duties, including collaboration with all City departments and coordination of special projects and interdepartmental initiatives. The Chief of Staff manages department issues requiring the attention of the City Manager's Office; monitors and evaluates progress of departments towards the goals and objectives of the Administration. This position acts as liaison to community organizations and local, regional and state agencies.

### **Community Affairs Director:**

The Community Affairs Director manages and coordinates all public relations activities including contact with the media and distribution of information to residents and acts as liaison between the City government and other public agencies.

### **Economic Development Director:**

The Economic Development Director is tasked with promoting the retention and expansion of existing businesses, the attraction of new businesses, and entrepreneurship. The Economic Development Director manages the City's economic development programs.

## **DEIB (Diversity, Equity, Inclusion and Belonging) Director:**

The DEIB Director bridges the gap between internal programs and external efforts. The DEIB Director provides consulting, training, performance metrics, strategies, and coaching in all areas including: economic development, community development, purchasing, recruitment, retention, and employee education.

## **10. THE LAW DIRECTOR'S OFFICE**

### **Duties of the Director of Law:**

The Director of Law is appointed by City Council. This office provides legal advice and assistance to City Council, the City Manager, Boards and Commission Members, and staff on legal matters pertaining to the City. It reviews all pending legislation and contracts, researches legal questions, represents the City in personnel issues and labor negotiations, and reviews zoning issues, special assessments, real estate matters, and tax questions. Attorneys from the Law Department regularly attend Council and Planning Commission meetings, and will attend other Board and Commission meetings as needed. The Director of Law's office serves as Prosecutor for the City for cases heard in the City's Mayor's Court, Franklin County Municipal Court and Delaware County Municipal Court (criminal division) and Franklin County Environmental Court. The Director of Law serves as parliamentarian for City Council and the City's boards and commissions.

## **11. MAYOR'S COURT AND CLERK OF COURT**

### **Duties of Mayor's Court:**

Mayor's Court is the judicial branch of the City. While the Mayor technically presides over the court, the City hires a Magistrate to hear charges and rules on misdemeanor cases that are alleged to be in violation of the City's codified ordinances. Misdemeanor violations can include minor traffic violations, petty theft, drug/alcohol charges, zoning violations, and first time OVI offender. Mayor's Court does not have jurisdiction over Domestic Violence cases or juvenile offenders. Arraignment court and trials are held the first and third Wednesday. Administrative License Suspension hearings can be held the second and fourth Wednesday, if needed.

### **Duties of the Clerk of Court:**

The Clerk of Court coordinates Mayor's Court hearings and collects and processes payments assigned by the Court as well as payments for violations which do not require a Court appearance.

The Clerk of Court prepares the Mayor's Court docket, collects fines, disburses funds to the State and City, maintains Court files and financial records and helps coordinate adult probation and diversion cases.



## 12. ADMINISTRATIVE SERVICES

Administrative Services functions include property and casualty insurance and risk management, procurement and contracting and building and ground maintenance.

## 13. PLANNING AND DEVELOPMENT DEPARTMENT

### **Duties of the Planning Division:**

The Planning and Development Department is responsible for all aspects of development of the physical environment within the City of Westerville. The department consists of the Building, Engineering, Enforcement and Planning & Zoning divisions which through the development review process ensure that changes to the physical environment conform to adopted plans, laws, policies, professional standards, community expectations, and Board or Commission approvals.

The Department works directly with the Westerville Planning Commission, Board of Zoning Appeals and Uptown Review Board.

### **Building Division:**

Residential and commercial construction is regulated by the Westerville building code and the Ohio Basic Building Code. The Building Division works to ensure that structures meet minimum standards of construction and meet State and City Building Codes. The Building Division examines plans, issues building permits, inspects building activity, and issues final occupancy permits. In addition, it licenses heating, plumbing, electrical, driveway, sidewalk and sewer builders. The Building Division issues permits for sewer taps; swimming pools; satellite dishes; heating, ventilation and electrical installations; signs; driveways; and fences and plumbing.

## 14. THE ELECTRIC DIVISION

In 1898, growing increasingly dissatisfied with the oil lamps used to light its street, Westerville City officials turned to a new energy source: electricity. More than 125 years later, the Westerville Electric Division is still the only municipally owned and operated suburban electrical provider in Central Ohio, serving all of Westerville's 40,000+ residents and more than 2,100 businesses. Located at 139 E. Broadway Avenue, the Electric Division is staffed 24 hours a day, seven days a week, to provide immediate assistance to customers. This division installs and maintains all electric meters, lines, and street lighting. Facilities include six substations, which aid in distributing power to all of Westerville. The Division is a PUBLIC POWER utility that strives to deliver low-cost, reliable energy while practicing good environmental stewardship.

## **15. THE FINANCE DEPARTMENT**

All activities surrounding the implementation of the City fiscal policies are performed by the Finance Department. These activities include revenue collection, income tax administration, utility billing, accounting, data processing, payroll and related reports, accounts payable, grant reporting, investments, debt service and other supporting tasks.

## **16. THE FIRE DIVISION**

The Fire Division is staffed by full-time firefighters/paramedics who provide Fire, Rescue, Emergency Medical Services and Fire Prevention/Inspection Services to the residents and visitors of the City of Westerville and Blendon Township. The Division serves all of the City of Westerville and Blendon Township out of three fire stations strategically located throughout the Community.

The Fire Division also provides Community Support Services to residents through a Community Services Coordinator position that connects residents in need of help to a multitude of services based on the residents needs. The Division also provides civic presentations, public fire safety awareness/education programs, cardiopulmonary resuscitation classes (CPR), preschool and grade school fire safety education programs to residents and businesses when requested or needed.

## **17. PARKS & RECREATION DEPARTMENT**

The Westerville Parks and Recreation Department’s mission is to enhance the lives of our citizens and our community by providing quality and diverse leisure facilities, programs and services and by preserving and/or developing our natural areas.

When a community calls itself a “City Within a Park,” you know there’s a true dedication to parks and recreation. With more than 650 acres of parkland, 18,000 trees, 51 miles of trails and four premier facilities (including an expanded 145,000 square foot community center), Westerville lives up to this vision. In fact, thanks to years thoughtful planning, 95% of City homes are located within a half-mile of a developed park. You see, Westerville’s parks aren’t simply a weekend destination, but a core identifying feature of the community.

Westerville Parks and Recreation works purposefully to maintain this legacy, receiving national accreditation since 2005 by the Commission for Accreditation of Parks and Recreation Agencies (CAPRA), and being honored with the prestigious National Gold Medal five times for excellence in park and recreation administration.

Each year, more than a million people, of all ages and abilities, use the Westerville parks system. Within the past three years, more than 80,000 people have attended free events and classes offered through the Department; and we host nearly 3,000 programs each year. We’ve grown through decades of citizen commitment: giving volunteers, engaged residents, active program participants and park system users along with generous, dedicated funding.

Our parks, trails and facilities set the stage for our residents and visitors to connect and discover the best versions of themselves. This drives us to innovate while remaining protective of the City’s time-honored traditions. We even celebrated our 50th anniversary in 2016. And just as we have cherished and learned from our past, we’re always pushing toward the future.

## **18. THE POLICE DIVISION**

The Westerville Division of Police (WPD) provides 24/7 law enforcement and community service to the community. With an authorized strength of 80 sworn officers and over 30 civilian staff, it is dedicated to responding to citizen needs, preventing crimes, and continuously evolving to uphold the highest standards of service. Its mission is accomplished through a variety of core services and programs provided in conjunction with community participation and support.



## 19. THE PUBLIC SERVICE DEPARTMENT

The Westerville Public Service Department maintains infrastructure through the coordinated efforts of four divisions: Street Maintenance; Utilities; Environmental Maintenance; and Fleet Maintenance.

A properly maintained infrastructure affects our residents' quality of life, our business' ability to thrive and the general public's ability to move safely through our community. Sound infrastructure maintenance is also a tool for attracting and keeping a strong local business base.

The Street Maintenance Division's duties include snow and ice control, leaf collection, traffic sign and pavement marking/painting, and brick street reconstruction. This division cleans and maintains more than 130 miles of brick and asphalt street pavement.

The Utilities Division maintains the City's water, sanitary sewer and storm water systems. Combined, these three systems constitute more than 400 miles of pipe lines.

The Fleet Maintenance Division maintains 250 pieces of equipment, including compressors, generators, leaf pick-up devices, salt spreaders, and Westerville's rolling stock of police, fire and service vehicles.

The Environmental Division administers Westerville's refuse contract, maintains three cemeteries, coordinates street sweeping efforts, and performs the mosquito abatement program.

## 20. THE WATER TREATMENT PLANT

The Westerville Water Treatment Plant has a design capacity of 7.5 million gallon per day (MGD) and it is classified as a Class IV treatment plant by the Ohio Environmental Protection Agency (OEPA). Currently the annual average daily production rate is about 3.5 MGD and daily peak production can rise to 6 MGD. Several treatment processes are utilized at the facility such as but not limited to, screening, flocculation, coagulation, lime softening, filtering, adsorption through granular activated carbon, and disinfection. It is well maintained and operated by a small staff and operates 24 hours a day 365 days a year. In 1998 it was honored with the State's Outstanding Public Water System Award and is currently comfortably meeting all EPA standards for potable water. The water produced from the plant is distributed through many miles of water mains and surplus water is held in the three elevated storage tanks. These tanks range in capacity from 0.3 to 1.5 million gallon (MG).

EDITOR’S NOTE: The Westerville Charter was adopted by the voters on May 5, 1964. Dates appearing in parentheses indicate that the section was amended on the date given.

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## Welcome To A Meeting Of The Westerville City Council

### **A CITY COUNCIL MEETING IS . . .**

the process of making and amending laws, developing policy and making decisions for governing your City by citizens who have been elected by you. The City Council meets on the first and third Tuesdays of each month at 7:00 p.m. You are welcome to attend any meeting of the City Council.

### **THE COUNCIL . . .**

There are seven Council members. Each must live in the City but is elected by the City at-large. Each represents the interest of the City as a whole.

At their re-organizational meeting in the year of a City Council election, the Council members elect one of their members to be Chairman, who is the presiding officer of the Council.

The Council

1. Adopts and amends City laws.
2. Determines City policies and standards.
3. Determines how much money shall be spent and for what purpose.
4. Approves contracts and agreements.
5. Represents the City.

### **THE AGENDA . . .**

The Council follows a regular order of business in the conduct of its meeting. The agenda is prepared in advance and subjects on it usually have been investigated by the City Manager or a department, so that the Council can have all available facts. Copies of the agenda are available in the Clerk of Council's Office and the Council Chambers.

### **COUNCIL ACTION . . .**

Business presented to the Council is disposed of by one of the following actions:

### **ORDINANCES . . .**

An ordinance or amendment to an ordinance is a "legislative act" and requires three readings at separate Council meetings after which it is published. Thirty days later it becomes law. An ordinance is the most binding and permanent type of Council action and may be repealed or changed only by a subsequent ordinance.

## **RESOLUTIONS . . .**

A resolution may be passed expressing the policy of the Council or directing certain types of administrative action. It requires only one reading and may easily be changed by a subsequent resolution.

## **MOTIONS . . .**

A motion is ordinarily used to indicate majority approval of a procedural action such as to approve a report or recommendation. It may also be used to authorize administrative officials to take certain actions. A motion usually authorizes the disposition of items of business on the agenda.

## **REFERRAL . . .**

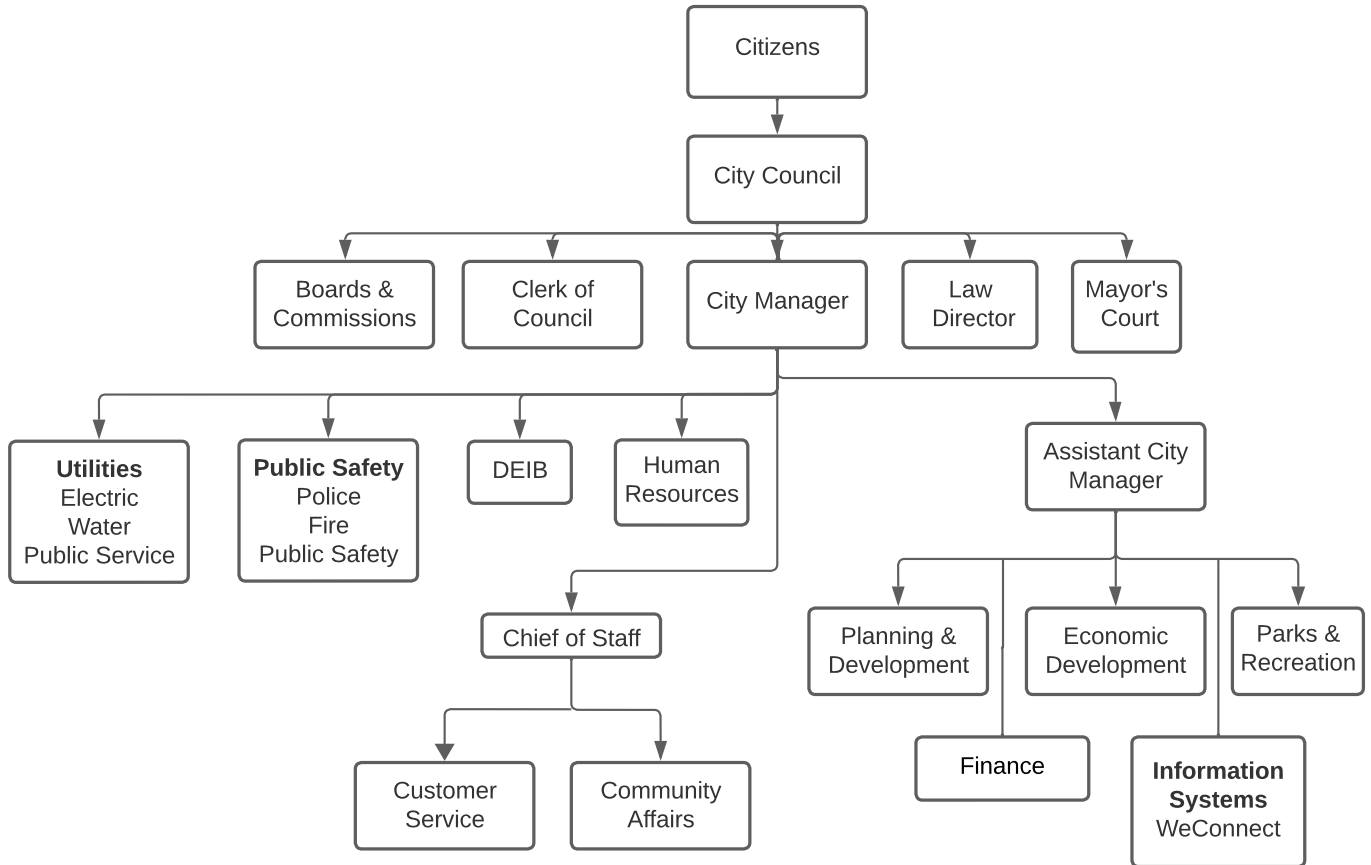
When the Council is not prepared to make definite action or when future study is needed, the Chairman may refer the matter to the City Manager or the City Law Director or to an administrative official for investigation study and later report.

Four members of Council constitute a quorum and may conduct City business. Ordinances and Resolutions require four affirmative votes to pass. In order to suspend the rules and adopt an Ordinance, five affirmative votes are required.

# Organizational Chart

## CITY OF WESTERVILLE

### Organizational Chart



## A BIT ABOUT THE CITY'S COUNCIL APPOINTED BOARDS

### AND COMMISSIONS

City Council appoints residents to a number of boards and commissions. These boards and commissions are an effective means of ensuring citizen involvement in government. Several boards and commissions are provided for in the Codified Ordinances. These include the:

- Board of Zoning Appeals
- Planning Commission
- Uptown Review Board
- Parks and Recreation Advisory Board
- Personnel Review Board
- Income Tax Board of Review
- Volunteer Fire Fighters' Dependents Fund Board
- Volunteer Peace Officers Dependents Fund Board

In addition, City Council may authorize committees or task forces whose charge is limited to a specific items for a fixed period of time. All appointed boards and commissions are considered to be public bodies and, as such, operate under open meeting regulations. The City's standing board and commissions are described on the following pages.



## **JOB DESCRIPTION FOR BOARD AND COMMISSION MEMBERS**

1. Be aware of the goals of the City. Know its service objects that relate to your duties.
2. Know the policies, guidelines and rules which guide your board or commission.
3. Be regular and punctual at meetings. If unable to attend, give early notice to the chairperson or appropriate staff members.
4. Be involved at meetings, ask questions, discuss and participate in the decision making. When you are not clear on facts, ideas or suggestions, ask for clarification. Be careful not to take too much of the meeting time for items that could be accomplished before or after the session.
5. Be informed about the background of issues in order to discuss them responsibly. Do your homework. Be prepared to act.
6. Speak out constructively on ideas you do not favor - silence is often interpreted as consent.
7. Know and understand the roles and responsibilities of the board and staff.
8. Know and maintain the lines of communication between board or commission and staff and among your fellow members.
9. Understand the technical/analytical statements presented. As a member, you are responsible for the effective performance of the board or commission's duties.
10. Maintain the confidentiality of city business.
11. Participate in recruiting new board and commission members.
12. Support and participate in public information efforts.

## **BOARD OF ZONING APPEALS**

The Board of Zoning Appeals (BZA) is a seven-member board that hears and decides primarily zoning variances (e.g., setback encroachment) and temporary use permits (e.g., sales trailer). The Board is also responsible for the hearing and disposition of appeals from any order or decision made by a City administrative officer in enforcing the zoning ordinance. These Powers and Duties are formally outlined in Chapter 1107.03 and included below. The Board meets the second Thursday of each month in City Council Chambers at 21 S. State Street and has jurisdiction throughout the City.

### **1107.03 BOARD OF ZONING APPEALS**

(a) Organization. The Board of Zoning Appeals shall consist of seven electors of the City appointed by Council. The term for each member shall be for four years. The terms of members shall commence on a staggered schedule.

(b) Procedure. The concurrence of four members is required for approving a variance or reversing a decision of the Zoning Officer. All other matters may be decided by a majority of those members present.

(c) Powers and Duties. The Board of Zoning Appeals shall:

(1) Determine appeals from decisions of the Zoning Officer disapproving applications for zoning certificates or applications for sign permits.

(2) Issue opinions when requested pursuant to Section 1107.02(e). An advisory opinion finding the existence or nonexistence of a violation of this Zoning Ordinance shall be binding unless reversed on appeal.

(3) Grant or deny applications for variances from the development standards of this Zoning Ordinance. The Board of Zoning Appeals may attach such binding conditions and reservations to the variance as it deems necessary to satisfy the objectives of this Zoning Ordinance.

(4) Concurrent with its determinations under subsections (c)(1), (2) or (3) hereof, issue written findings of fact, or, in the alternative, issue written minutes of the Board as findings of fact.

(5) Grant temporary use permits as defined in Section 1105.10300.

## PLANNING COMMISSION

The Planning Commission (PC) is a seven-member board that holds public hearings on land use proposals such as subdivision plans and rezoning requests. The Commission also reviews plans for new office, commercial, and large-scale residential development and provides a forum for public discussion of plans and proposed development regulations. The Commission's Powers and Duties are formally outlined in Section 1107.04 of the Westerville Planning and Zoning Code and included below. Commission membership consists of six citizen volunteer appointees and one member designated by and representing City Council. The Planning Commission meets on the fourth Wednesday of each month in City Council Chambers at 21 S. State Street and has jurisdiction throughout the City.

### 1107.04 PLANNING COMMISSION

(a) Organization. The Planning Commission shall consist of seven members. Six members shall be electors of the City and shall be appointed for terms of four years each by Council. One member shall be a member of Council selected by it at the organizational meeting of Council to serve a term of two years.

(b) Procedure. The concurrence of four members is required for any action permitted by law or ordinance.

(c) Powers and Duties. The Planning Commission shall:

(1) Review proposed amendments to this Zoning Ordinance or the Zoning District Map and make recommendations to Council.

(2) Grant or deny application for conditional use permits.

(3) Review, approve or disapprove subdivision plats, development plans for Planned District applications and site plans for Standard District applications, with reference to the provisions of this Zoning Ordinance and the subdivision regulations of the City. Actions of the Planning Commission approving or disapproving Subdivision Plats shall not be the subject of appeal to Council. Council may, however, upon its own initiative review such actions pursuant to Section 1107.06(d).

(4) Revoke previously issued conditional use permits upon finding a violation of the terms of such permits.

(5) Adopt and/or recommend Planning studies and reports.

(6) Grant or deny variances as part of site plan review process pursuant to Chapter 1108.

## UPTOWN REVIEW BOARD

The Uptown Review Board (URB) is a seven-member board, the responsibility of which is to protect and promote the historic character of the Uptown District. To this end, the Board is responsible for reviewing changes including new construction, building additions, façade renovations and changes to exterior materials, window and door replacements, signage, awnings, paint color changes, building demolition, and landscaping elements (e.g. fences, walls, walkways, etc.). Some minor changes may be approved administratively. The Board's Powers and Duties are formally outlined in Section 1107.05 of the Westerville Planning and Zoning Code (included below), complemented by Chapter 1149 (Architectural Review District). The Board meets on the first Thursday of each month at 21 S. State Street in City Council Chambers and only hears applications for properties located within the Architectural Review District (currently the same boundaries as the Uptown District)

### 1107.05 UPTOWN REVIEW BOARD

(a) Organization. The Uptown Review Board shall consist of seven members, appointed by Council, who must either be an elector of the City or the owner of a business in the Architectural Review District. The term for each member shall be three years.

(b) Procedure. The concurrence of four members is required for any action permitted by law or ordinance.

(c) Powers and Duties. The Uptown Review Board shall:

(1) Review, approve or disapprove the appropriateness of all proposed signage, landscaping, new construction, exterior remodeling or reconstruction proposed for all structures and premises within the Architectural Review District.

(2) Review, approve or disapprove the appropriateness of all requests for demolition of buildings, structures, site features or improvements within the Architectural Review District.

(3) Review, approve or disapprove all applications for signage within the Uptown District.

(4) Grant or deny applications for variances within the Uptown District from the provisions of the sign code as contained in Chapter 1181.

(5) Adopt by resolution criteria, rules and regulations consistent with the guidelines and purpose of Chapter 1149 for the purpose of evaluating applications for certificates of appropriateness, and establishing guidelines pertaining to the use of materials, colors, signage, landscaping, renovation techniques and other design considerations which would be helpful to the public in preparing plans for review. Such restoration guidelines shall be kept and made available to the public by the secretary of the Board.

(6) Upon request by the owner of the historic property located within the City limits, review such property for local certification of historic significance under the current guidelines of the U.S. Department of Interior for Historic Preservation, and/or review the appropriateness of plans for rehabilitating such property, and issue written findings of fact in support of any such request for the listing of such property in the National Registry of Historic Places.

(7) Upon appeal to Council from determinations under this subsection (d), issue written findings of fact.

## **PARKS AND RECREATION ADVISORY BOARD**

Meetings are held the third Thursday of each month at 6:30 P.M., at the Westerville Community Center, 350 N. Cleveland Ave, Westerville, Ohio 43082

### **165.01 PARKS AND RECREATION ADVISORY BOARD ESTABLISHED; MEMBERSHIP AND TERM.**

There is hereby established a Parks and Recreation Advisory Board consisting of eleven qualified electors of the City appointed by Council. Membership of the Board shall include one member of Council selected by Council at the organizational meeting of Council. The City Manager and Superintendent of the City School District are ex-officio members of the Board. Except for the member of Council (who shall serve a term of two years), members shall serve a term of three years.

### **165.02 DUTIES.**

(a) The Parks and Recreation Advisory Board shall study recreational programs, needs, and facilities and shall make recommendations. Recommendations shall be forwarded to the City Manager for Council's review and action. The Parks and Recreation Advisory Board is authorized to appoint special study committees of qualified persons for recommendation to Council to review particular the recreation programs and facilities of the City.

(b) The Parks and Recreation Advisory Board shall also study, investigate, plan, advise, report and recommend to Council any action, program, plan or legislation which the Board shall find or determine to be necessary or advisable for the care, selection, preservation, trimming, planting, replanting, removal or disposition of trees and shrubs in public ways, streets, alleys, highways and other public places.

(c) When requested by Council or the City Manager, the Parks and Recreation Advisory Board shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.



# PERSONNEL REVIEW BOARD

## Westerville City Charter

### ARTICLE VI MERIT SYSTEM

#### SECTION 1. MERIT SYSTEM

All appointments and promotions of employees in the service of the Municipality shall be made according to merit and fitness, to be ascertained, as far as practicable, by competitive examination. The Council by ordinance shall provide that the City Manager or an appointee is to be the personnel director of the Municipality and by ordinance shall establish a classified and unclassified service for employees of the Municipality and a Code of Personnel Practices and Procedures to implement the mandate of this section; provided that appointments to and removal from offices, boards, and commissions created by this Charter shall be made in accordance with the specific applicable provision of this Charter and shall not be subject to this Article.

#### SECTION 2. PERSONNEL REVIEW BOARD

There is hereby created a Personnel Review Board which shall consist of three qualified electors of the Municipality to be appointed by a majority vote of Council for a term of three years. (Amended November 2, 2010) (Amended November 3, 2020)

#### SECTION 3. ORGANIZATION OF PERSONNEL REVIEW BOARD.

The Board shall designate one of its members as Chair and the Council by ordinance may authorize the appointment by said Board of a Clerk who may be a person having other employment with the Municipality. (Amended November 2, 2010)

#### SECTION 4. POWERS

The Personnel Review Board shall have the power to hear such appeals from administrative determinations made pursuant to said Code of Personnel Practices and Procedures, as may be authorized by said Code, and may have such other powers and duties as may from time to time be given to it by ordinance of Council. The Board shall keep a record of its proceedings which shall be open to public inspection and shall conduct its proceedings in accordance with the ordinances of Council enacted pursuant to this Charter and the rules and regulations of the Board adopted by it pursuant to authority granted by ordinance of Council.

Meetings are held on an “as needed” basis.

### **191.18 LOCAL BOARD OF TAX REVIEW; APPEAL TO LOCAL BOARD OF TAX REVIEW**

(a) (1) The legislative authority of the Municipality shall maintain a Local Board of Tax Review to hear appeals as provided in R.C. Chapter 718.

(2) The Local Board of Tax Review shall consist of three members. The three members of the Local Board of Tax Review must be domiciled in the Municipality. Two members shall be appointed by the legislative authority of the Municipality, and may not be employees, elected officials, or contractors with the Municipality at any time during their term or in the five years immediately preceding the date of appointment. One member shall be appointed by the top administrative official of the Municipality. This member may be an employee of the Municipality, but may not be the Director of Finance or equivalent officer, or the Tax Administrator or other similar official or an employee directly involved in municipal tax matters, or any direct subordinate thereof.

(3) The term for members of the Local Board of Tax Review appointed by the legislative authority of the Municipality shall be two years. There is no limit on the number of terms that a member may serve should the member be reappointed by the legislative authority. The Board member appointed by the top administrative official of the Municipality shall serve at the discretion of the administrative official.

(4) Members of the Board of Tax Review appointed by the legislative authority may be removed by the legislative authority as set forth in R.C. § 718.11(A)(4).

(5) A member of the Board who, for any reason, ceases to meet the qualifications for the position prescribed by this section shall resign immediately by operation of law.

(6) A vacancy in an unexpired term shall be filled in the same manner as the original appointment within sixty days of when the vacancy was created. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of such term. No vacancy on the Board shall impair the power and authority of the remaining members to exercise all the powers of the Board.

(7) If a member is temporarily unable to serve on the Board due to a conflict of interest, illness, absence, or similar reason, the legislative authority or top administrative official that appointed the member shall appoint another individual to temporarily serve on the Board in the member's place. This appointment shall be subject to the same requirements and limitations as are applicable to the appointment of the member temporarily unable to serve.

(8) No member of the Local Board of Tax Review shall receive compensation, fee, or reimbursement of expenses for service on the Board.

(b) Whenever a Tax Administrator issues an assessment, the Tax Administrator shall notify the taxpayer in writing at the same time of the taxpayer's right to appeal the assessment, the manner in which the taxpayer may appeal the assessment, and the address to which the appeal should be directed, and to whom the appeal should be directed.

(c) Any person who has been issued an assessment may appeal the assessment to the Board by filing a request with the Board. The request shall be in writing, shall specify the reason or reasons why the assessment should be deemed incorrect or unlawful, and shall be filed within sixty days after the taxpayer receives the assessment.

(d) The Local Board of Tax Review shall schedule a hearing to be held within sixty days after receiving an appeal of an assessment under division (c) of this section, unless the taxpayer requests additional time to prepare or waives a hearing. If the taxpayer does not waive the hearing, the taxpayer may appear before the Board and/or may be represented by an attorney at law, certified public accountant, or other representative. The Board may allow a hearing to be continued as jointly agreed to by the parties. In such a case, the hearing must be completed within 120 days after the first day of the hearing unless the parties agree otherwise.

(e) The Board may affirm, reverse, or modify the Tax Administrator's assessment or any part of that assessment. The Board shall issue a final determination on the appeal within ninety days after the Board's final hearing on the appeal, and send a copy of its final determination by ordinary mail to all of the parties to the appeal within fifteen days after issuing the final determination. The taxpayer or the Tax Administrator may appeal the Board's final determination as provided in R.C. §

(f) The Local Board of Tax Review created pursuant to this section shall adopt rules governing its procedures, including a schedule of related costs, and shall keep a record of its transactions. The rules governing the Local Board of Tax Review procedures shall be in writing, and may be amended as needed by the Local Board of Tax Review. Such records are not public records available for inspection under R.C. § 149.43. For this reason, any documentation, copies of returns or reports, final determinations, or working papers for each case must be maintained in a secure location under the control of the Tax Administrator. No member of the Local Board of Tax Review may remove such documentation, copies of returns or reports, final determinations, or working papers from the hearing. Hearings requested by a taxpayer before a Local Board of Tax Review created pursuant to this section are not meetings of a public body subject to R.C. § 121.22. For this reason, such hearings shall not be open to the public, and only those parties to the case may be present during the hearing.

## **VOLUNTEER PEACE OFFICERS DEPENDENTS FUND BOARD**

Meetings are held on an “as needed” basis.

### **Ordinance No. 2020-07**

#### **Section 1.**

That the Volunteer Peace Officers Dependents Fund Board and the Volunteer Fire Fighters Dependents Fund Board for the City of Westerville be and hereby are established, and shall hereinafter follow the procedures, obligations, and authority as set forth in Ohio Revised Code Chapters 143 and 146, as applicable.

#### **Section 2.**

That the City Manager or their designee are instructed and authorized to provide the necessary resources to fulfill the City’s financial and other obligations to the respective Funds and Boards, and to execute and disburse funds in accordance therewith.

#### **Section 3.**

That the members to be elected to the Volunteer Peace Officers Dependents Fund Board and the Volunteer Fire Fighters Dependents Fund Board for the City of Westerville in accordance with R.C. 143.02(A)(I) and 146.03(A)(I) shall be so elected upon motion of Council for the initial appointment, and thereafter according to Council’s normal procedure for appointments to Boards and Commissions.

## **VOLUNTEER FIRE FIGHTERS DEPENDENTS FUND BOARD**

Meetings are held on an “as needed” basis.

### **Ordinance No. 2020-07**

#### **Section 1**

That the Volunteer Peace Officers Dependents Fund Board and the Volunteer Fire Fighters Dependents Fund Board for the City of Westerville be and hereby are established, and shall hereinafter follow the procedures, obligations, and authority as set forth in Ohio Revised Code Chapters 143 and 146, as applicable.

#### **Section 2**

That the City Manager or their designee are instructed and authorized to provide the necessary resources to fulfill the City’s financial and other obligations to the respective Funds and Boards, and to execute and disburse funds in accordance therewith.

### Section 3

That the members to be elected to the Volunteer Peace Officers Dependents Fund Board and the Volunteer Fire Fighters Dependents Fund Board for the City of Westerville in accordance with R.C. 143.02(A)(I) and 146.03(A)(I) shall be so elected upon motion of Council for the initial appointment, and thereafter according to Council's normal procedure for appointments to Boards and Commissions.

## I'VE ACCEPTED THE APPOINTMENT - BUT WHAT AM I SUPPOSED TO DO?

Appointment to a City Board or Commission provides direct citizen involvement in the development of the policies and programs of City Government. As an appointee you provide a vital link between the City's residents and Council's actions. Membership on a Council-Appointed Board or Commission provides an opportunity for genuine public service. By selecting you to serve, City Council has expressed confidence in your willingness to study all sides of the issues that come before you and to make recommendations based on your insight and experience as a concerned member of the community.

## APPOINTEE RESPONSIBILITIES

### **Understand The Charge of the Board of Commission to Which you Have Been Appointed.**

You must understand the charge of the Board or Commission to which you have been appointed. This information is found in the Codified Ordinances and is contained as a part of this Handbook. Staff responsible for the programs within the scope of interest to your Board or Commission are also available to answer your questions.

### **Attend Meetings.**

Most Boards and Commissions have regularly scheduled meetings. You are expected to make every effort to attend every scheduled meeting. Ohio law does not permit virtual or telephone appearances, and so you must attend in person to be counted towards quorum or to vote. Remember that the business of the Boards and Commissions requires that a quorum of the members be present to conduct business. If you are unable to attend a meeting, you should notify your chairperson, secretary, or the City Clerk's office. If you are unable to continue service due to health, business requirements, or personal reasons, you should submit a formal letter of resignation to the Chairman of City Council.

### **Represent Views Fairly.**

The Board or Commission expresses its view through a vote, and once a vote is taken, you should fairly represent the Board or Commission's view. While you are free to speak for yourself at appropriate times within the meeting or outside of the meeting, you should be fair to distinguish your views from those of the Board. All requests for comment from the Press should be forwarded to the City's Community Affairs Director for a coordinated response.



## **Be Representative of the Whole Town.**

One of the primary functions of appointed Boards and Commissions is to determine the attitudes of citizens as a whole, to help reconcile contradictory viewpoints and to build consensus around common goals and objectives. As an appointee you are in a unique position to serve as a liaison between the general public and City Council.

## **Do Your Homework.**

As an appointee, you may spend many hours preparing for meetings. You should be familiar with staff reports, studies, ordinances and other regulations related to the Department and program(s) under the scope of interest of your Board or Commission. You should not vote on an issue until you feel you have all the information you need. Further, if you are scheduled to make a specific presentation at a meeting, you should take time to adequately prepare for it.

## **Understand Staff Relationships.**

The City Manager and other staff work closely with appointed Boards and Commissions, but do not work for them. Staff will provide information and be available to answer questions. The staff is required to fairly present recommendations of Boards and Commissions and to explain them, but it is not their role to defend them. At times, staff may be required to provide the City Manager or City Council with individual professional recommendations which may or may not agree with those of the Boards or Commissions on which you serve.

## **Be a Good Team Member.**

The following tips will help ensure that you are a good team member. The good team member:

- Arrives for meetings on time and well prepared.
- Asks questions.
- Contributes to the discussion.
- Contributes to the orderly conduct of the meeting.
- Listens to the ideas of others.
- Considers issues objectively
- Stays involved.
- Carries out actions he/she has agreed to.

## **BAD MEETINGS DO HAPPEN TO GOOD PEOPLE!**

*When the Chairman declares the meeting adjourned, the discussion has already gone on for an hour beyond schedule. One member has expressed opposition to the project at hand because he is in the habit of expressing opposition. A second has discussed extraneous issues in detail until finally ruled out of order. A third has asked the chairman to explain the project more fully. A fourth has repeated what the chairman just said. Two members have fallen into an acrimonious dispute, using the project under discussion for display of personal rivalry. In the course of the meeting, one member dozed off; two others lost themselves in doodling; another began writing a memo on a different topic; and the chairman - uncertain of the merits of the project - finds himself addled and exhausted at the end of it.*

Does this sound like the meetings you too often attend? Many people cringe at the thought of having to attend another meeting. Meetings can be time-consuming, boring, tedious and - worst of all - inconclusive. Too often, they mirror the description above. An effective meeting is none of these things, it is one that has clearly stated objectives and achieves them within the scheduled time frame. It is one in which people speak when they have something relevant to say. It is one in which the participants respect and support each other - and it is one in which participants have an effective process for reaching consensus. Achieving these things takes training, pre-meeting planning, careful execution, and post meeting debriefing. Because effective meetings are every participant's responsibility, we have provided a chart which describes the specific responsibilities of members of a Board or Commission at the end of this section. When meetings consistently get off track, members must take time to analyze what is happening and take corrective action.

## **KEYS TO SUCCESSFUL MEETINGS**

### **Key #1: Leadership**

The single most important ingredient in assuring a meeting's success is clear and decisive leadership. Care should be taken when selecting a Chairperson. The Chairperson sets the scene for success, and plays a very important role in controlling meetings.

### **Key #2: Ground Rules**

Ground rules outline expectations members have for each other. For Boards or Commissions, they may also cover the rules for receiving public comment. Some Boards and Commissions have certain ground rules specified in the City ordinance that established that body. In other cases ground rules may be set by members of the Boards and Commissions. Ground rules are derived by examining what the behaviors detract or contribute to group effectiveness.

A few of the more important ground rules to consider are:

**Attendance:** what are legitimate reasons for missing a meeting? Who is to be advised if you cannot attend?

**Promptness:** what does “on time” mean for your group?

**Participation:** emphasize the importance of speaking freely and listening attentively.

**Decision-Making:** will decisions be made by consensus or majority vote? Will Robert’s Rules be used?

All ground rules must be in conformance with open meeting rules and other City code regulations. If you have any concerns about any ground rules you wish to adopt you may wish to submit them to the Law Director for review.

### **Key #3: Agendas**

It is very important to have a written agenda for every meeting. This allows members to prepare for the meeting and permits the public to understand what business will be discussed. The agenda need not be an elaborate document. At minimum it should include:

- A call to order
- Introductions
- Approval of the last minutes
- Reports
- Old Business (items left over from the last meeting)
- New Business
- Meeting adjournment time

If there are several items of old or new business on your agenda, they should be itemized and prioritized to ensure that the most important ones are discussed in the time available. At the beginning of each meeting it is a good idea to ask if there are any additional items that need to be added. Items should only be added by consensus of the members present and in a manner consistent with any adopted Rules.

Boards and Commissions receive assistance from specific Departmental Staff. Staff provides posting of the agendas.

#### **Key #4: Courteous Participation**

Being a good member means more than just attending meetings. You have been appointed to a Board or Commission because you have something to contribute. You must, however, remember that you are part of a group. You have a responsibility to listen as well as speak. You also have a responsibility to see that meetings stay on track and that they are productive. During meetings you should follow these simple rules:

- Practice attentive listening;
- Speak when - and only when you have something worthwhile to contribute;
- Keep your comments related to the item at hand and help discourage irrelevant discussion by asking how an example or line of thought contributes to the stated goal of the discussion;
- Ask for clarification if you are unclear about a point that is being made but don't put another person in the position of defending their position;
- Don't speak when another is speaking and discourage side conversations;
- Keep all communications positive and issue-oriented;
- Don't sit back and let others do all the work;
- Don't keep quiet during the meeting and express negative feelings after it.

#### **Key #5: Time Control**

The Chairperson is charged with beginning and ending the meeting on time and for controlling the discussion in between. Members, however, have a responsibility to arrive for meetings on time or to notify the Chairperson if they know they are coming late. By focusing on the topic at hand and not digressing, members can do much to help move the proceedings along so that meetings end on time. It is up to everyone to help determine when there is nothing more to be gained from further discussion and to help move the discussion to the decision making stage.

## **Key #6: Minutes**

A record of resolutions, transactions, findings and other determinations must be kept. The minutes should contain the following:

- A list of members, staff who were present
- The time the meeting convened and adjourned
- A description of items discussed
- All motions made, seconded, and all votes taken

This task will be covered by a staff person. Members should have an opportunity to review and approve all minutes.

## **Key #7: The Meeting Room**

When facilities are proper, they go unnoticed. When they are inadequate they detract from the meeting. The arrangement of the meeting room is guided by the communications needs and the type of meeting you are holding. Usually your meeting will be set up with the members seated around a table so that you can see each other (or on the Council dais). However, consideration must be given to the fact that you are a public body and residents may wish to, or need to, attend your meeting.

If you anticipate that anyone will be making a presentation to your group, the room should be arranged so that the presenter can face the entire membership. If visuals or audiovisuals are to be used, the room should be set up so that all members and any attending public can see them.

Most of the time, the City Clerk or an assigned staff member will be securing and setting up the meeting room. You should notify the City Clerk's office or the staff person assigned to your Board or Commission of any special needs (e.g. a slide or overhead projector and screen or an easel with paper).

## **Key #8: Supportive Feedback**

All members should feel that their participation is important. Recognition and appreciation for member contributions should be given regularly. It is each member's responsibility to ensure that feedback is given and received in an atmosphere of trust, honesty and sincerity and that problem-solving and conflict-resolution is done in a supportive atmosphere.



## YOUR ROLE IN MAKING MEETINGS EFFECTIVE

<b>WHEN:</b>	<b>WHO: Chairperson</b>	<b>WHO: Members</b>
<b>Before the Meeting:</b>	<ul style="list-style-type: none"> <li>• Review items for the agenda.</li> <li>• Work with presenters to determine any special needs and notify staff of these.</li> <li>• Work with City staff to develop the agenda.</li> <li>• Notify staff of any special notification needs.</li> </ul>	<ul style="list-style-type: none"> <li>• Block time out on your schedule.</li> <li>• Confirm attendance.</li> <li>• Review any necessary materials.</li> <li>• Prepare any presentation you will be making.</li> <li>• Gather any additional materials or information you may need.</li> <li>• Let the chairperson know if you will be late.</li> </ul>
<b>During the Meeting:</b>	<ul style="list-style-type: none"> <li>• Start the meeting on time.</li> <li>• Ask if there are any additions/deletions to the agenda.</li> <li>• Follow the agenda.</li> <li>• Manage the use of time.</li> <li>• Limit/control the discussion.</li> <li>• Elicit participation.</li> <li>• Build consensus and help resolve differences.</li> <li>• Clarify actions to be taken and decisions that have been made.</li> <li>• Summarize results.</li> </ul>	<ul style="list-style-type: none"> <li>• Listen and participate.</li> <li>• Be open-minded and receptive.</li> <li>• Stay on the subject.</li> <li>• Limit or avoid side conversations and distractions.</li> <li>• Ask questions to assure you understand points being made.</li> <li>• Take notes on action items.</li> </ul>
<b>After the Meeting:</b>	<ul style="list-style-type: none"> <li>• Review minutes</li> <li>• Check with others to ensure they know what you are expecting from them before the next meeting.</li> <li>• Evaluate your effectiveness as a leader.</li> </ul>	<ul style="list-style-type: none"> <li>• Read the minutes promptly and inform the chairperson of any discrepancies.</li> <li>• Take any actions you agreed to.</li> </ul>

## WHAT ARE WE VOTING ON ANYWAY?

### THE LAYPERSON'S GUIDE TO ROBERT'S RULES OF ORDER

For the purposes of most Boards and Commissions, Robert's Rules of Order can be distilled into a few fairly simple guidelines. Robert's Rules are based on common sense and courtesy and, as such, are a guide for protecting the basic rights of participants. Robert's Rules outline an orderly process for placing items before a group for their guiding discussion and clarifying voting. The basic steps of making a motion, amending it and voting are listed below and should cover most situations. When a major controversy is to be put before your Board or Commission, if there is a fairly complicated or divisive matter on your agenda, or if you suspect that someone present is likely to call you on a point of order, you may wish to request that the City provide a parliamentarian for that meeting.

### THE LAYPERSON'S GUIDE TO ROBERT'S RULES OF ORDER

#### **The Motion:**

When Robert's Rules of Order are being used, a motion is required to bring an item before the group for consideration. Motions usually come about as a result of a general discussion about an issue. As the group's thoughts coalesce and a direction becomes clear, one member will say; *"I move that ....."*

#### **Restatement:**

The Chairperson should restate the motion to be sure that everyone has a common understanding of what action is being proposed. He/she says, *"We have a motion before us to [state motion], do we have a second?"*

#### **The Second:**

To be certain that the motion is of interest to more than one person, a second is necessary in order to begin debate on the motion. If there is no second, the motion dies. Since it is not "on the table", no further discussion about it should occur. It is not a good idea to second a motion just to be nice to a fellow member. The rule of requiring a second is intended to ensure that time is not spent on items that are not of interest to the group or are simply poor ideas.

#### **Discussion, Clarification, Debate:**

Only one main motion may be under consideration at any one time. Once the motion has been seconded, the chairperson will say, *"The floor is open for discussion"*. Members then discuss the merit of the proposal and state their positions.

### **Amendment To The Original Motion:**

During the course of the discussion and debate, someone may suggest that the original wording needs to be changed to more accurately express what the majority wants it to say or to reflect a point made during the discussion. The Chairperson should ask this person to offer specific wording for the amended motion. Amendments must relate to and/or clarify the subject of the motion under discussion. They should not introduce a different issue or topic.

### **If there is no objection to the amendment:**

The Chair may ask the persons who made and seconded the original motion if they accept the proposed amendment. If they do, and if no one else objects, the Chair may suspend a formal vote on the amendment. He/she would restate the motion as amended and proceed to a discussion of the now amended motion.

### **If someone objects to the amendment:**

If anyone objects to the amendment, the Chairperson would restate the amendment and call for a second to the amendment. Discussion, clarification, debate and ultimately a vote are then taken on the amendment. An amendment cannot be separated from the motion it amends and may not - by itself - be referred to a committee or postponed to another time.

### **Motion to Amend An Amendment:**

A motion to amend an amendment can be made but there can only be one such motion on the table at any given time. This is to avoid people getting hopelessly confused about what they are - or are not - voting on. There would be debate and a vote first on the motion to amend the amendment. After that discussion and vote on the amendment (in its original form or as amended).

### **Debate on the Original Motion:**

Once a vote on any amendment has been taken, debate returns to consideration of the original motion or on the original motion as amended.

### **Motion to Limit Debate:**

This motion permits the group to set limits on the time allowable for discussion before voting. The motion to limit debate is not debatable. That is, if there is a second to the motion, the Chair must call for a vote. Since the motion to limit debate may infringe on the basic principle of freedom of discussion, a vote of two-thirds of those present is required. If the motion to limit debate is passed, the Chairperson must keep track of time, announce when the limit has been exhausted, and call for a vote on the motion under discussion. If discussion is not complete when the time limit has been exhausted, any member may move to table the motion which has been under discussion.

## DEFINITION OF MOTIONS

**MAIN MOTION** - only one before the board or commission at a time; cannot be introduced when any other motion is before the group.

**MOTION TO AMEND** - changes a motion before it comes up for final vote; takes precedence over motion to which it applies. Limit - two amendments.

**SUBSTITUTE MOTION** - amends by substituting another form, changed or additional wording.

**MOTION TO REFER** - refers question to a committee or person for further study/report back.

**MOTION TO TABLE** - temporarily puts aside motion being considered. Must be removed from table at that or next meeting. (Not amendable or debatable)

**MOTION TO POSTPONE INDEFINITELY** - same as tabling.

**MOTION TO RECONSIDER** - action taken at same meeting to bring a question up again after it has been adopted or rejected. (Debatable but not amendable)

**MOTION TO RESCIND** - action taken at a later meeting to repeal previous action. (Amendable and debatable)

**MOTION TO ADJOURN** - ends all discussion at this meeting. (Not amendable or debatable)

## ORDER OF BUSINESS

### (1) **Call to Order**

The \_\_\_\_\_ (Board or Commission) meeting of the City of Westerville of February 1, 2020 (Date) will come to order.

### (2) **Roll Call**

The Chairman will ask the Secretary to read the roll.

### (3) **Pledge of Allegiance to the Flag**

Ask the members and the audience to stand and repeat the pledge.

### (4) **Approval of Minutes of (date)**

Ask whether there are any corrections to the minutes. If not, ask for a motion to approve the minutes.

### (5) **New Business**

All proposed items should be presented under this section of the Agenda.

### (6) **Old Business**

All items that are pending or tabled from previous meetings should be listed under this section of the Agenda.

### (7) **Comments from Board or Commission Members**

### (8) **Adjournment**

## **YOU HAVE AN AUDIENCE!**

Unlike other meetings you may have participated in, meetings of the City’s Boards and Commissions are public meetings. That is, any member of the public or the media may attend and ask to participate or commend on the proceedings. The public’s presence may at first be unnerving, but public participation is necessary if the public is to trust and have confidence in the decisions of appointed Boards and Commissions. Because the business of the City’s Boards and Commissions is public business, there must be adequate public notice of meetings. Laws requiring public notice of elected or appointed government bodies are commonly called “Sunshine Laws.” These laws also require that meeting locations be open and accessible to all people.

Proper notification of the public is usually overseen by the Secretary of the Board or Commission. Any person may, in fact, submit a written request to be notified of all or a specified subset of Boards and Commission meetings with the City Clerk. In addition, any person may visit or phone the City Clerk’s Office during regular business hours to receive information about scheduled meetings of any Board or Commission. Notice of public meetings is posted on the Bulletin Board in the Lobby of the Municipal Building.

It is important that the City Clerk’s office be notified of meeting dates and locations and any changes made to a meeting schedule. To ensure that this happens, each Board or Commission is required to designate a member or agent to be responsible for notifying the City Clerk’s office in a timely manner of meeting dates and, to the degree it is known, the subject matter to be discussed.

Many meetings are recorded and broadcast using the City’s channels. In addition, when members of the public have the right to attend, they may also record (audio or visual) the meeting for their own use and distribution. Therefore, you should conduct yourself accordingly at all times.

## **CAN WE GO INTO EXECUTIVE SESSION?**

The conditions under which a Board or Commission may meet in Executive Session are restricted. It is rare that an appointed Board or Commission has the need to adjourn to executive session.

If you anticipate the need for an Executive Session, you should check with the Director of Law for further guidance. Executive Sessions can be held only after a majority of the Board or Commission has determined by a roll call vote to hold such a session.



## SHOULD I VOTE ON THIS?

Public law generally prohibits public officers from engaging in activities in which their private interests conflict with their public duty. Those serving on an appointed Board or Commission are not required to sign a conflict of interest statement but are encouraged to act in the best interest of the general public and to exercise the powers conferred on him/her with disinterested skill and diligence.

A conflict of interest occurs when loyalties must be confronted. That is, when a member could personally benefit, or when someone with whom he has personal or business ties stands to benefit, from a decision of the Board or Commission on which he/she serves. The result of ignoring actual or potential conflicts of interest can range from public distrust to prosecution. To avoid charges of conflict of interest, you should make any potential conflicts known to your fellow members and absent yourself from any actions which could influence decision-making. This means that you would definitely not vote on any issues in which there is an actual, perceived or potential conflict of interest. To be on the safe side, you should also remove yourself from any related discussions and request that your absence be reflected in the minutes.

The Law Department answers members' initial questions on ethical boundaries, and will sometimes refer specific conflict questions to the Ohio Ethics Commission or other appropriate body.

# ROBERT'S RULES OF ORDER

# HANDOUT

Robert's Rules of Order is a manual of parliamentary procedures that governs most organizations with boards of directors. Robert's Rules of Order are a provision of each of the SMPS chapter's bylaws normally stated as the following:

*"The rules contained in the most recent edition of Robert's Rules of Order shall provide the rules of procedure for the Chapter where they are not inconsistent with the provisions of the Articles of Incorporation or these bylaws."*

## TYPES OF MOTIONS

- **Main Motion:** Introduce a new item
- **Subsidiary Motion:** Change or affect how to handle a main motion (vote on this before main motion)
- **Privileged Motion:** Urgent or important matter unrelated to pending business
- **Incidental Motion:** Questions procedure of other motions (must consider before the other motion)
- **Motion to Table:** Kills a motion
- **Motion to Postpone:** Delays a vote (can reopen debate on the main motion)
- **Point of Inquiry:** A member may use point of inquiry to ask for clarification in a report to make better voting decisions.
- **Point of Personal Privilege:** A member may use point of personal privilege to address the physical comfort of the setting such as temperature or noise. Members may also use it to address the accuracy of published reports or the accuracy of a member's conduct.

## EVERY MOTION HAS 6 STEPS

1. **Motion:** A member rises or raises a hand to signal the chairperson.
2. **Second:** Another member seconds the motion.
3. **Restate motion:** The chairperson restates the motion.
4. **Debate:** The members debate the motion.
5. **Vote:** The chairperson restates the motion, and then first asks for affirmative votes, and then negative votes.
6. **Announce the vote:** The chairperson announces the result of the vote and any instructions.

**TIP!** If the board is in obvious agreement, the chairperson may save time by stating, "If there is no objection, we will adopt the motion to..." Then wait for any objections. Then say, "Hearing no objections, (state the motion) is adopted." And then state any instructions. If a member objects, first ask for debate, then vote and then announce the vote.

## REQUESTING POINTS OF SOMETHING

Certain situations need attention during the meeting, but they don't require a motion, second, debate or voting. It's permissible to state a point during a meeting where the chairperson needs to handle a situation right away. Board members can declare a Point of Order, Point of Information, Point of Inquiry, or Point of Personal Privilege.

- **Point of Order:** Draws attention to a breach of rules, improper procedure, breaching of established practices, etc.
- **Point of Information:** A member may need to bring up an additional point or additional information (in the form of a nondebatable statement) so that the other members can make fully informed votes.

## TIPS AND REMINDERS FOR CHAIRPERSONS

Robert's Rules of Order, which is also widely known as parliamentary procedure, was developed to ensure that meetings are fair, efficient, democratic and orderly. A skilled chairperson allows all members to voice their opinions in an orderly manner so that everyone in the meeting can hear and be heard. The following tips and reminders will help chairpersons to run a successful and productive meeting without being run over or running over others.

- Follow the agenda to keep the group moving toward its goals.
- Let the group do its own work; don't overcommand.
- Control the flow of the meeting by recognizing members who ask to speak.
- Let all members speak once before allowing anyone to speak a second time.
- When discussions get off-track, gently guide the group back to the agenda.
- Model courtesy and respect, and insist that others do the same.
- Help to develop the board's skills in parliamentary procedure by properly using motions and points of order.
- Give each speaker your undivided attention.
- Keep an emotional pulse on the discussions.
- Allow a consensus to have the final authority of the group.

Source: [www5.njit.edu](http://www5.njit.edu)

# ROBERT'S RULES OF ORDER

# HANDOUT

FOR USE FOR REFERENCE DURING MEETINGS

## HANDLING MOTIONS

Member says, "I move that...". Another member seconds the motion, or chair asks, "is there a second?"

Chair states motion and asks for discussion.

Members enter into a debate. Make of motion has first right of floor. Debate only on merits of motion.

Debate is closed when no members seek further discussion.

Chair puts motion to vote.

Chair announces results of vote.

## WHAT MINUTES MUST INCLUDE

- The kind of meeting begin held..regular, special, etc.
- The name of club
- Date, time and place of meeting
- Names of person running meeting
- Names of everyone in attendance.
- Approval of past meeting minutes with any corrections.
- Summaries of reports from officers.
- Exact final working of all motions with names of movers and seconders.
- Results of all votes.
- Points of order raised an appeals made, with the chair's ruling on each.
- Announcements.
- The time of adjournment.
- The signature of the secretary or person who took minutes.

AGENDAS A typical agenda includes...	TYPICAL LANGUAGE USED BY PERSON RUNNING MEETING
Call To Order	"I call this meeting to order"
Roll Call	"Will the secretary please do roll call?"  "We have a quorum. Will the secretary please read the minutes of the last meeting"
Reading & Approval of Minutes	"Are there any corrections to the minutes?"  "If there are no corrections, the minutes stand approved".
Reports of Officers	"We'll now move to the officer's reports. Will the treasurer, Jane Doe please read/submit their report."  "Are there any questions concerning the treasurer's report? (if none) Will the Vice President now give their report?"
Unfinished Business	"We'll now move on to unfinished business. At the last meeting..."
New Business	"The meeting is now open for new business"  "It has been moved and seconded that.....is there any further discussion?"  "We will now vote on that motion that...Al in favor say "Aye". All opposed say "Nay". The motion has passed.
Announcements	"Are there any announcements?" The next meeting will be held on....."
Adjournment	"May I please have a motion to adjourn the meeting?"

Source: manchestercc.edu

# ROBERT'S RULES OF ORDER

# HANDOUT

## QUICK REFERENCES

Action	What to say	Can speaker be interrupted?	Need a second?	Can this be debated?	Can this be amended?	Votes needed
Introduce main motion	"I move to..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move to amend the motion by..."	No	Yes	Yes	Yes	Majority
Move item to committee	"I move that we refer the matter to committee."	No	Yes	Yes	No	Majority
Postpone item	"I move to postpone the matter until..."	No	Yes	Yes	No	Majority
End debate	"I move the previous question."	No	Yes	Yes	No	Majority
Object to procedure	"Point of order."	Yes	No	No	No	Chair's decision
Recess the meeting	"I move that we recess until..."	No	Yes	No	No	Majority
Adjourn the meeting	"I move to adjourn the meeting."	No	Yes	No	No	Majority
Request information	"Point of information."	No	Yes	No	No	No vote
Overrule the chair's ruling	"I move to overrule the chair's ruling."	Yes	Yes	Yes	No	Majority
Extend the allotted time	"I move to extend the time by _____ minutes."	No	Yes	No	Yes	2/3
Enforce the rules or point out incorrect procedure	"Point of order."	Yes	No	No	No	No vote
Table a motion	"I move to table..."	No	Yes	No	No	Majority
Verity voice vote with count	"I call for a division."	No	No	No	No	No vote
Object to considering some undiplomatic matter	"I object to consideration of this matter..."	Yes	No	No	No	2/3
Take up a previously tabled item	"I move to take from the table..."	No	Yes	No	No	Majority
* Reconsider something already disposed of	"I move to reconsider our action to..."	Yes	Yes	Yes	Yes	Majority
Consider something out of it scheduled order	"I move to suspend the rules and consider..."	No	Yes	No	No	2/3
Close the meeting for executive session	"I move to go into executive session."	No	Yes	No	No	Majority

\*A member may make a motion to reconsider something that was already disposed; however, the reconsidered motion may not be subsequently reconsidered. A motion to reconsider must be made during the same meeting and can extend to a meeting that lasts for more than one day.

Source: [www5.nijit.edu](http://www5.nijit.edu)



## GENERAL PRINCIPLES

- Everyone has the right to participate in discussion if they wish, before anyone may speak a second time.
- Everyone has the right to know what is going on at all times. Only urgent matters may interrupt a speaker.
- Only one thing (motion) can be discussed at a time.

A **motion** is the topic under discussion (e.g., “I move that we add a coffee break to this meeting”). After being recognized by the president of the board, any member can introduce a motion when no other motion is on the table. A motion requires a second to be considered. If there is no second, the matter is not considered. Each motion must be disposed of (passed, defeated, tabled, referred to committee, or postponed indefinitely).

## HOW TO DO THINGS

**You want to bring up a new idea before the group.**

After recognition by the president of the board, present your motion. A second is required for the motion to go to the floor for discussion, or consideration.

**You want to change some of the wording in a motion under discussion.**

After recognition by the president of the board, move to amend by

- adding words,
- striking words or
- striking and inserting words.

**You like the idea of a motion being discussed, but you need to reword it beyond simple word changes.**

Move to substitute your motion for the original motion. If it is seconded, discussion will continue on both motions and eventually the body will vote on which motion they prefer.

**You want more study and/or investigation given to the idea being discussed.**

Move to refer to a committee. Try to be specific as to the charge to the committee.

**You want more time personally to study the proposal being discussed.**

Move to postpone to a definite time or date.

**You are tired of the current discussion.**

Move to limit debate to a set period of time or to a set number of speakers. Requires a 2/3<sup>ds</sup> vote.

**You want to take a short break.**

Move to recess for a set period of time.

**You want to end the meeting.**

Move to adjourn.

### Unanimous Consent:

If a matter is considered relatively minor or opposition is not expected, a call for unanimous consent may be requested. If the request is made by others, the president of the board will repeat the request and then pause for objections. If none are heard, the motion passes.

- **You may INTERRUPT a speaker for these reasons only:**
  - to get information about business –point of information to get information about rules– parliamentary inquiry
  - if you can't hear, safety reasons, comfort, etc. –question of privilege
  - if you see a breach of the rules –point of order
  - if you disagree with the president of the board's ruling –appeal
  - if you disagree with a call for Unanimous Consent –object

Source: [www.assembly.cornell.edu](http://www.assembly.cornell.edu)

## PUBLIC COMMENT

### REMEMBER:

- THIS IS AN OPPORTUNITY FOR MEMBERS OF THE PUBLIC TO INFORM THE GOVERNING BODY ABOUT THEIR VIEWS.
- THE MEETING ITSELF BELONGS TO THE GOVERNING BODY.
- THE PUBLIC DOES NOT PARTICIPATE IN THE DECISION-MAKING. INSTEAD, IT PROVIDES INPUT TO THE GOVERNING BODY, WHICH TAKES THE INPUT INTO CONSIDERATION IN MAKING ITS DECISIONS.

### TIME CONSIDERATIONS

- Establish specific periods for public comment during your meetings, in a way that is consistent with your community's expectations and customs.
- Set a length of time by which each period will conclude, unless the council votes to extend it.
- Set a time limit for each individual to speak.
- Speakers may not give their time to other people.

### WRITTEN GUIDELINES

- Provide printed copies of the guidelines and expectations.
- Review the guidelines at the beginning of each comment period if necessary, and explain that this is the time for citizens and residents to express their views in order to inform the council. Explain that the council will not engage in dialogue with the public during this time.
- The council has the right to set limits on what subjects may be addressed, how long public comment will be, and how many times people may speak. All such limits must be viewpoint neutral: they must not favor one point of view over another.

### DURING PUBLIC COMMENT

- **REQUIRE ALL SPEAKERS TO ADDRESS THEIR REMARKS TO THE CHAIR.**
- **REQUIRE ALL SPEAKERS TO ADHERE TO THE TIME LIMITS.**
- **THE CHAIR SHOULD THANK EACH SPEAKER, WHETHER POSITIVE OR NEGATIVE.**
- **IN GENERAL, IT IS BEST NOT TO RESPOND AT ALL TO PUBLIC COMMENT. HOWEVER, THE CHAIR MAY PROVIDE BRIEF FACTUAL INFORMATION, IF APPROPRIATE.**
- **THE CHAIR MUST NOT UNDER ANY CIRCUMSTANCES ENTER INTO BACK-AND-FORTH EXCHANGES WITH THE PUBLIC.**
- **COUNCILMEMBERS REFRAIN FROM SPEAKING DURING THIS PORTION OF THE MEETING.**
- **HAVE STAFF READY TO NOTE INPUT OR QUESTIONS FROM THE PUBLIC AND TO PROVIDE RESPONSES AT A LATER DATE.**

### BEHAVIORAL EXPECTATIONS

- Model courtesy and respect and encourage members of the public to do the same.
- The public has the right to make critical and harsh remarks.
- Members of the public **do not** have the right to disrupt the meeting.
- The council may prohibit demonstrations (*booing, hissing, clapping*).

Source: [www.assembly.cornell.edu](http://www.assembly.cornell.edu)