

# BOARDS & COMMISSIONS ORIENTATION HANDBOOK

*A Handbook for City of Bellbrook Boards and Commission  
Members*

City of Bellbrook

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## 1. WELCOME

Congratulations on your appointment to a Bellbrook Board or Commission. Our community relies on the dedication of individuals with pride in their community and the initiative to become involved in the local municipal government process.

You will be performing a valuable service by addressing community issues and needs as you represent Bellbrook's residents. It is a service that is needed and that carries with it great responsibilities, which, hopefully, this manual will help you meet without feeling overwhelmed.

City officials look forward to your contribution as we all work together to provide efficient municipal services that are responsive to local needs and expectations.

## 2. INTRODUCTION TO THIS HANDBOOK

This handbook has been prepared to help officials of the City of Bellbrook in carrying out their duties and responsibilities. It is intended to be used for reference purposes only. The information contained in this handbook is based on state general, local government reference works, other municipal manuals, and similar publications available through the Ohio Municipal League.

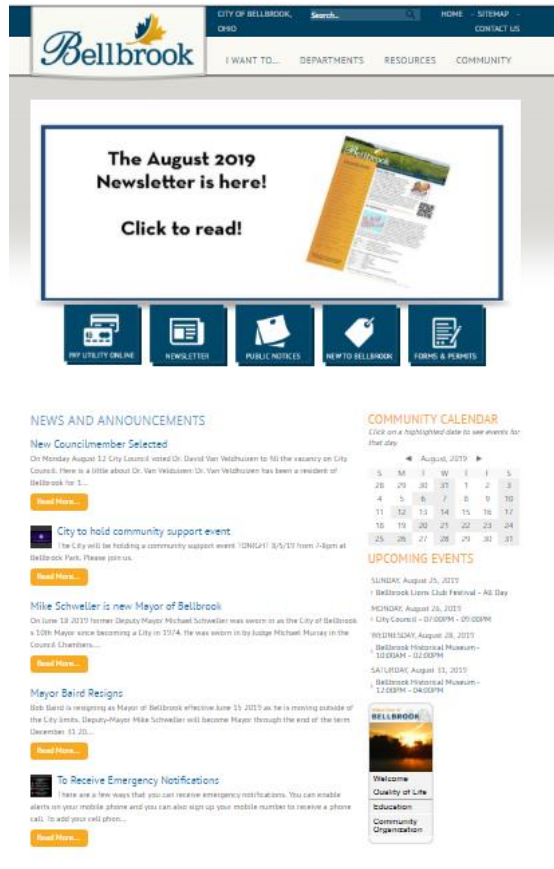
In the various sections of this handbook, information has been provided on the basic structure of city government, as well as some guidance on conducting meetings, descriptions of how the City is organized, and details of what is required for public hearings.

The city's committees, commissions, and boards review city programs, projects, and community issues. These groups provide greater community participation and can be a valuable source of information as they make recommendations to the City Council on specific areas.

If you have questions regarding your role, authority or area of responsibility, please feel free to direct your questions or concerns to the City Manager or city staff.

### 3. IMPORTANT INFORMATION FOR OFFICIALS

- Much of the information you will need can be found on the city’s website including:



- Bellbrook Charter and Municipal Code

- o Agendas, Minutes, Public Notices, and Legislation

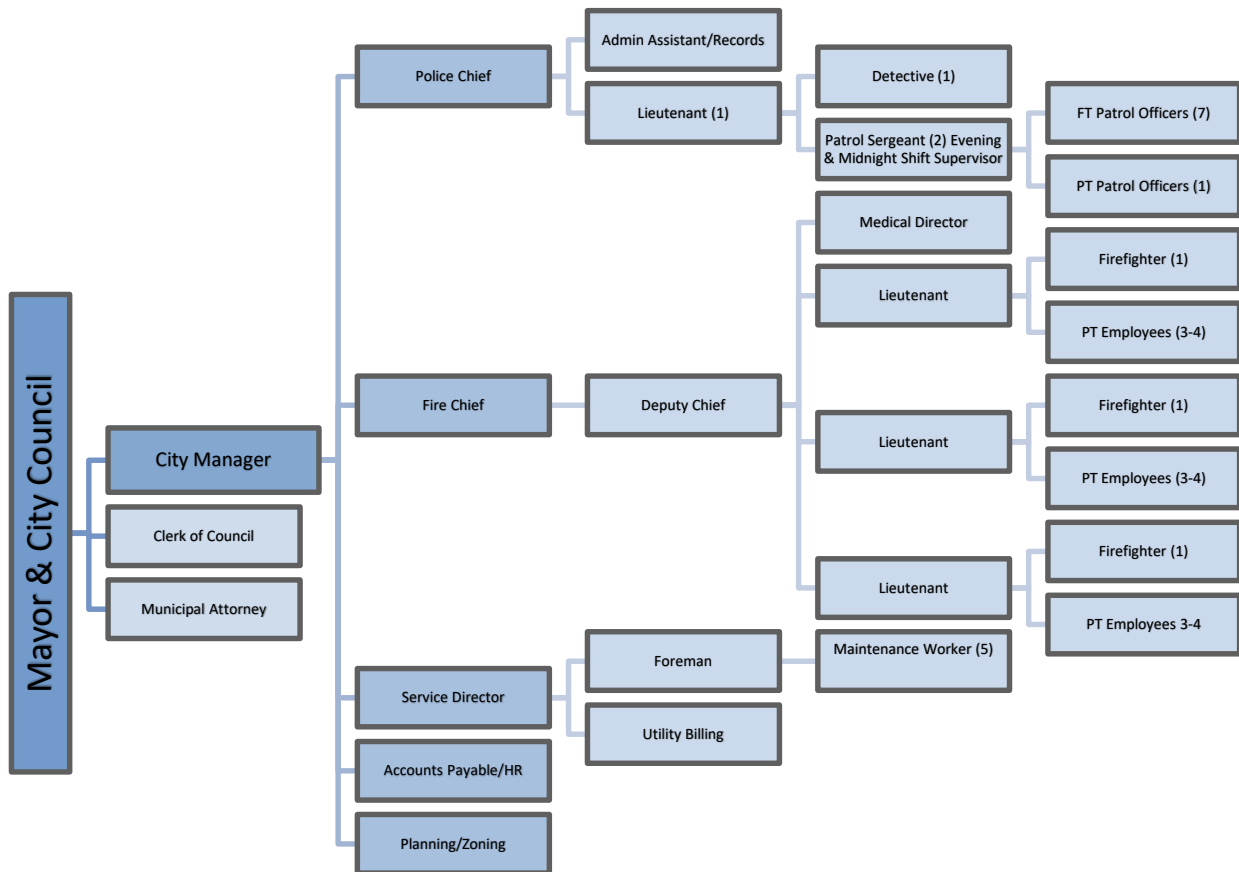
- o Videos of past City Council meetings
- o Planning and Zoning Information

Name & Email	Position	Address	Phone
Jeff Green	Planning and Zoning Assistant	15 East Franklin Street	(937) 848-4558

- Ohio Revised Code and Administrative Code: <http://codes.ohio.gov/>
- Ohio Ethics Commission: <https://ethics.ohio.gov/>

- State Auditor: <http://ohioauditor.gov/>
- Ohio Municipal League: <http://www.omloho.org/>
- Greene County Government: <https://www.co.greene.oh.us/>
  - Board of County Commissioners
  - Board of Elections
  - GIS Mapping
  - Regional Planning
- Miami Valley Communications Council: <https://mvcc.net/>

## 4. CITY ORGANIZATIONAL CHART





## 5. BELLBROOK CITY CHARTER

Section 7 of Article XVIII of the Ohio Constitution provides that “[a]ny municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government.

Sections 8 and 9 of Article XVIII provide the procedures for adoption and amendment of a municipal charter.

In 1972 the Bellbrook electorate adopted a charter. A charter is in essence the “constitution” or governing document of the municipality. A charter permits the establishment of the structure and organization of municipal government, the procedures used by the municipality and the manner in which its powers of local self-government are exercised.

The municipality of the City of Bellbrook is organized under the Council-Manager form of government. Under this form of government, Council acts as the governing and policy- making body of the City. The City Council has the power to pass ordinances, adopt resolutions, appoint a chief executive officer (“City Manager”) whose responsibility it is to carry out the day-to-day functions of the City and to implement the policies set by Council. Council also has those powers afforded it under the City Charter which include the appointment of persons to certain boards and commissions. Appointees, (City Manager, Law Director, and Clerk of Council) report directly to Council.

## 6. CITY COUNCIL

The six members of Council are elected at large in a non-partisan election. Three members of Council shall be elected every two years in odd numbered years for a four-year term. Every year there is a Council election, the Mayor shall be elected for a two-year term.

Council is responsible for setting the policies and priorities of the City. The administration implements those policies and priorities. In a Council-Manager form of government it is the role of the City Manager to see that the policies established by Council are carried out by the staff. All communications relating to City matters should be made directly to the City Manager.

Each Council member will be appointed to serve as on at least one committee. Generally, the role of a liaison is to establish an informational “bridge” between the committee and City Council.

### 6.1 Powers of Mayor

The mayor shall have the right to vote on all issues before the Council but shall have no power of veto. In addition to powers, and duties as a member of Council, the mayor shall preside at meetings of Council, shall be recognized as head of the Municipal Government for all ceremonial and non-administrative purposes, by the Governor for military law, and by the Courts for civil process involving the City of Bellbrook.

### 6.2 Powers of City Council

The powers of City Council, set forth in the City Charter, are largely legislative. Council establishes policies and enacts legislation to implement those policies. The policies and legislation of Council are executed through the City administration under the direction of the City Manager.

### 6.3 Council Appointees

City Council appoints the City Manager, Clerk of Council, and the Law Director who serve at the pleasure of Council.

City Manager/Finance Director: The City Council appoints the City Manager on the basis of merit, who serves for an indefinite term at the pleasure of the Council. The City Manager is the head of city administration and possesses and exercises executive and administrative powers of city government. The City Manager has no legislative powers. The Finance Director oversees the duties of the accounting, utility billing/customer service/collections, cash management and investments, debt management, payroll administration, fixed asset reporting, employee health

benefits, liability and property insurance/claims and other financial and non-financial matters. In addition, the office of the Finance Director coordinates the annual audit conducted or overseen by the Auditor of State of Ohio of the City's financial statements and citywide compliance with relevant laws and regulations.

Clerk of Council: The Clerk of Council maintains Council records, prepares minutes of special and regular meeting of Council, serves as secretary to the Boards and Commissions, makes annual reports on Council proceedings, serves as the Chair of the Records Commission and performs such other duties as specified in the City Charter and by ordinance or resolution of Council.

Law Director: The Law Director serves as the legal advisor of, and attorney and counsel for the City and for all its officers and departments in all matters relating to their official duties and powers. As such, he or she represents the City in all civil cases in which it is a party. He or she is responsible for the preparation or review of all contracts and other written instruments in which the city is concerned and approves the form thereof.

## 7. Boards and Commissions

### 7.1 Bellbrook Boards and Commissions

#### 7.1.1 Planning Board

The Planning Board consists of five members appointed by City Council. The members are appointed to five-year terms with a two-term limit. The Planning Board shall have the powers of zoning; and the Bellbrook Charter may impose all the power and authority conferred upon city planning boards by the Ohio Revised Code and such other duties as upon it by the Municipal Administrative Code.

The duties of the Planning Board include:

- Initiating language revisions to the Zoning Code;
- Reviewing and making recommendation to City Council of all property re-zoning requests (Zoning Amendments) as specified in Article 21;
- Reviewing and making recommendation to City Council of subdivision and PUD developments;
- Approving re-plats to existing subdivisions and lot splits of un-platted land;
- Reviewing all requests for similar uses not specifically mentioned within zoning districts to determine if these uses are similar to permitted principal uses and therefore, may be allowed; and
- Performing other discretionary and advisory duties as specified throughout the Zoning Code.

#### 7.1.2 Board of Zoning Appeals and Property Review Commission

The Board of Zoning Appeals and Property Review Commission consists of five members appointed by Council. These members are appointed to five-year terms.

The Board of Zoning Appeals hears appeals and evaluates requests for interpretations of the Zoning Code and approves or denies specific deviations pertinent to zoning matters. The Board of Zoning Appeals has the following responsibilities:

- Administrative review of Zoning Inspector decisions;
- Determination of zoning district boundary locations;
- Granting conditional use permits; and
- Authorizing variances

As the Property Review Commission, members are responsible for the enforcement and administration of the Property Maintenance Code of the City of Bellbrook. This Code establishes minimum standards governing the condition, maintenance and rehabilitation of all existing structures in the City of Bellbrook. The Code also fixes

certain responsibilities of owners and occupants of structures and assigns penalties for violations of the Code.

### 7.1.3 Village Review Board

The Village Review Board consists of five members appointed by Council. meets as needed. Members' responsibilities include overseeing the implementation of the Overlay Ordinance for the Old Village District including review of new construction, renovation of existing buildings, demolition and all signs for businesses in the old village.

- One member shall be a resident of said district.
- One member shall own real property at a location within the district and operate a business at that location. This member need not be a City resident. If a qualified person cannot be found to fill this position, then Council may fill the position by appointing any City resident who has the requisite interest and skill.
- Three members shall be residents of the City who shall serve in at-large positions. They need not live in the district.

## 7.2 Board and Commission Member Aspirations

- I will be motivated primarily by an earnest desire to serve my municipality and the people of Bellbrook in the best way.
- I will endeavor to attend all board meetings.
- I will listen to what other members of the board and other individuals or groups may have to say before making final decisions.
- I will endeavor to avoid rancor, to observe proper behavior, to encourage full and open discussions in all matters with my fellow board members, and to treat all with respect and consideration.
- I will abide by majority decisions once they are made and will accept and support them as long as I remain a member.
- I will endeavor to keep informed on all local, State, and national developments of municipal significance through attendance of educational events.
- I will prepare for each meeting.

## 8. Open Meetings (Sunshine Law)

All meetings must be open to the public pursuant to the open meetings law. The intent of the law is to ensure actions are taken openly and that deliberations be conducted openly. Furthermore, Boards and Commissions must announce a time, place and date for holding any regular or special meetings.

A public meeting is defined as a prearranged meeting of a quorum of the body for the purpose of the discussion of public business. There is a significant amount of case law addressing the issue of whether or not a particular convergence of members of a public body constitutes a public meeting. For instance, although a quorum of the members may convene for the purpose of receiving information on a matter that is of concern or importance to the City, it will not constitute a public meeting unless the members attending that meeting deliberate or otherwise discuss public business. If you have questions or concerns, please contact the Clerk of Council.

The purpose of the meeting must be to conduct, transact, deliberate, or discuss public business. Thus, the Open Meetings Act would not apply to a social or ceremonial gathering. Nor would it cover a conference or similar event that a majority of members happened to attend, so long as they did not use the event as an excuse to deliberate or discuss public business without an open meeting.

Public bodies may not hold meetings through teleconferencing or videoconferencing. A member must be physically present to deliberate or vote on any matter of public business. Furthermore, the Attorney General indicates that members of a public body may not circumvent the open-meetings requirements by holding a conference call and claiming that there is no "meeting" because a majority of members is not present.

\*Note: Please do not use "Respond to All" when communicating with other members.

### 8.1 PUBLIC RECORDS

All business conducted by a board or staff is public record. The Clerk of Council is responsible for records and requests. Please direct questions to the Clerk.

A record is defined to include the following: ***A document in any format***; paper, microfilm, audio/video recording, and electronic (including, but not limited to, computer files and business email and text messages) ***that is created, received by, or comes under the jurisdiction of the City of Bellbrook that documents the organization, functions, policies, decisions, procedures, operations, or other activities of the city.***

## 8.2 Robert's Rules/Basics of Parliamentary Procedure

Unless otherwise provided in the Charter or in its rules, meetings will be conducted according to the procedures contained in the most recent version of "Roberts Rules of Order."

- **Motion:** To introduce a new piece of business or propose a decision or action, a motion must be made by a group member ("I move that.....") A second motion must then also be made (raise your hand and say, "I second it.") After limited discussion the group then votes on the motion. A majority vote is required for the motion to pass (or quorum as specified in your bylaws.)
- **Postpone Indefinitely:** This tactic is used to kill a motion. When passed, the motion cannot be reintroduced at that meeting. It may be brought up again at a later date. This is made as a motion ("I move to postpone indefinitely..."). A second is required. A majority vote is required to postpone the motion under consideration.
- **Amend:** This is the process used to change a motion under consideration. Perhaps you like the idea proposed but not exactly as offered. Raise your hand and make the following motion: "I move to amend the motion on the floor." This also requires a second. After the motion to amend is seconded, a majority vote is needed to decide whether the amendment is accepted. Then a vote is taken on the amended motion. In some organizations, a "friendly amendment" is made. If the person who made the original motion agrees with the suggested changes, the amended motion may be voted on without a separate vote to approve the amendment.
- **Commit:** This is used to place a motion in committee. It requires a second. A majority vote must rule to carry it. At the next meeting the committee is required to prepare a report on the motion committed. If an appropriate committee exists, the motion goes to that committee. If not, a new committee is established.
- **Question:** To end a debate immediately, the question is called (say "I call the question") and needs a second. A vote is held immediately (no further discussion is allowed). A two-thirds vote is required for passage. If it is passed, the motion on the floor is voted on immediately.
- **Table:** To table a discussion is to lay aside the business at hand in such a manner that it will be considered later in the meeting or at another time ("I make a motion to table this discussion until the next meeting. In the meantime, we will get more information so we can better discuss the issue.") A second is needed and a majority vote required to table the item being discussed.
- **Adjourn:** A motion is made to end the meeting. A second motion is required. A majority vote is then required for the meeting to be adjourned (ended).

## 8.3 Sample Agenda



### **BELLBROOK BOARD AGENDA**

**XXXX, 2019**

#### **6:00 pm-Regular Meeting**

1. Call to Order
2. Roll Call (if any member is absent, a motion will be made to excuse that member)
3. Formal Approval of the Regular and Special Meeting Minutes of xxxx, 2020 (Draft minutes are sent out prior to the meeting at which they are to be approved eliminating the need for the minutes to be read. It is standard practice for a board member to abstain from approving minutes for a meeting they did not attend.)
4. Cases using the numbering convention: 2-digit year-permit number-Board identifier, Property Address (i.e. 20-001-PB 1 Street)
  - Staff Summary
  - Property Owner
  - Public Input
  - Board Discussion/Decision
5. Old Business
6. Open Discussion
7. Adjourn

**Note:** No visitor may speak more than once or for longer than three minutes until every other member of the audience has been afforded an opportunity to speak. Thereafter, any person having previously addressed the board may have a second opportunity for an additional time not to exceed three minutes and can only speak about new information.

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## 9. ETHICS



### 9.1 Ohio Ethics Commission

The Ohio Ethics Law promotes the general public interest and supports confidence by prohibiting public officials and employees from:

- Participating in their public role in any action that involves the direct interests of the official, or those of a family member, or another with whom the official has an ongoing private business relationship;
- Authorizing, or using a public position to secure, a public contract or the investment of public funds in any security that benefits the official, a family member, or a business associate;
- Improperly profiting from a public contract;
- Soliciting or accepting substantial and improper things of value, including, outside employment or consultation fees, gifts, or travel, meals and lodging, from those dealing with the public agency;
- Unauthorized disclosure or use of information deemed confidential by law;
- Representing others before any public agency in a matter in which the official or employee was involved, both during, and for a period of time (at least 1 year) after, leaving public service.

The Ohio Ethics Commission does investigate public officials or employees who:

- Use his/her public position to benefit:
  - himself/herself
  - his/her family member or
  - his/her business associate
- Award, discuss, or recommend public contracts in which any of the following has a financial interest:
  - The public official or employee
  - his/her family member or
  - his/her business associate
- Hire family members into public positions (commonly referred to as “nepotism”)
- Engage in prohibited revolving-door/post-employment behaviors
- Solicit or accept substantial and improper things of value, including: outside employment, gifts, travel, meals, lodging, and entertainment
- Engage in the unauthorized disclosure or use of confidential information
- File false or incomplete Financial Disclosure Statements
- Receive improper supplemental compensation
- Misuse public equipment for private business

The Ohio Ethics Commission also may investigate anyone who:

- Provides substantial and improper things of value to public officials or employees, including outside employment, gifts, travel, meals, lodging, and entertainment
- Gives improper supplemental compensation to public officials or employees

**When in doubt, contact the Ohio Ethics Commission at (614) 466-7090.**

