

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2019-17**

**REPEALING SECTION 1220.01 “APPOINTMENT OF ALTERNATE MEMBERS” OF
THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO
AND ENACTING NEW SECTION 1220.01 “APPOINTMENT OF ALTERNATE
MEMBERS”**

Whereas, Codified Ordinance Section 1220.01 of the Village of Yellow Springs, Ohio provides the Planning Commissions Appointment of Alternate Members; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1220.01 entitled “Appointment of Alternate Members” of the Codified Ordinances of the Village of Yellow Springs, Ohio to change procedures in keeping with the Village Charter,

**NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO
HEREBY ORDAINS THAT:**

Section 1. Section 1220.01 entitled “Appointment of Alternate Members” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1220.01 entitled “Appointment of Alternate Members” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded** and deleted language in ~~strike through~~, which is attached hereto and incorporated herein.

Section 3. This ordinance shall take effect and be in full force at the earliest date permitted by law.

Brian Housh, President of Council

Passed: 7-15-2019

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh Y Marianne MacQueen Y Kevin Stokes Y

Lisa Kreeger Y Kineta Sanford Y

EXHIBIT A

1220.01 APPOINTMENT OF ALTERNATE MEMBERS.

(a) The Council of the Village of Yellow Springs is hereby authorized to appoint one or two alternate members to serve on the Village Planning Commission. The alternate members shall be selected for a term of two years. The alternate members shall be residents of the Village.

(b) If a regular member of the Planning Commission notifies the Secretary to the Commission that they will be unable to attend an upcoming meeting, the Secretary to the Commission shall contact the alternate member(s) and invite the alternate member to attend in place of the member who has notified the Secretary of their upcoming absence. ~~If Council has appointed more than one alternate member, the Secretary shall alternate the offers to the alternate members so that the alternate member who last previously served at a meeting will be contacted last. The Secretary shall use her discretion to determine when to contact a second alternate member if she is unable to receive confirmation of attendance or inability to attend by the first alternate member.~~

(c) Alternate members are encouraged to attend Planning Commission meetings at any time, whether they are serving on the Commission at that meeting or not. However, there is no requirement that the alternate member(s) attend meetings at which they are not asked to serve on the Commission. In any event, ~~no alternate member shall cast a vote on a matter which was heard, in part or in full, at a prior meeting which the alternate member did not attend as a member of the Commission.~~ if an alternate member was not in attendance at a prior meeting where a matter was heard, the alternate member shall only cast a vote upon confirmation that in preparation both the minutes and the available recorded copy of the prior meeting where a matter was heard, was reviewed. If the alternate member cannot confirm their preparation, they may not cast a vote on this matter ~~Where an alternate member is present as a Commission member and a vote is to be taken on a matter for which the alternate member was not present during part or all of the hearing on the matter, the alternative member and shall not be considered as part of the quorum of the Commission for purposes of determining a majority of the quorum of the Board in deciding votes for and against matters~~ for which the alternate member was not present during part or all of the hearing on the matter.

(Ord. 2010-28. Passed 1-18-11.)