

**VILLAGE OF BREWSTER  
PLANNING COMMISSION  
BYLAWS AND PROCEDURES**

## **BREWSTER VILLAGE PLANNING COMMISSION BYLAWS & PROCEDURES:**

### **Article I: Duties of the Planning Commission**

The Planning Commission shall perform the following duties:

1. Review, consider, and make recommendations on proposed rezoning, subdivision plans, amendments to the zoning text, platting regulations, and variances and similar items having to do with administration and regulatory measures
2. Review, consider and issue conditional zoning certificates as specified in the Village Zoning Code
3. Perform other duties and responsibilities or respond as requested by the Village Council.

### **Article II: Membership and Officers**

#### **A. Membership, Appointment, and Terms:**

The legislative authority of Brewster shall establish a commission of five members consisting of:

1. The Village Mayor
2. A Councilmember appointed by the legislative authority for the remainder of that individual's term as such member of the legislative authority,
3. Two citizens of the village appointed by the legislative authority for terms of six years each
4. A public member to be appointed by the Village Mayor for a term of six years

#### **B. Officers and Duties**

At the first regular meeting each calendar year the Planning Commission shall select from its membership a Chairperson and a Secretary. All officers shall serve a term of one year, or until their successors are selected and assume office. All officers shall be eligible for re-election for consecutive terms for the same office.

**A. Chairperson** – The Chairperson shall preside at all meetings, appoint committees and perform such other duties as may be ordered by the Planning Commission. In the absence of the Chairperson the Village Mayor as a Planning Commission member shall preside at the meeting, or if both the Chairperson and the Village Mayor are absent the Village Council representative shall preside.

**B. Secretary** – The Secretary shall execute documents in the name of the Planning Commission, perform the duties hereinafter listed below, and shall perform such other duties as the Planning Commission may determine. In the absence of the Secretary, a suitable person designated by the Chairperson, presiding at the meeting, shall record accurate Minutes of all proceedings.

1. **Minutes** – The Secretary shall be responsible for maintaining a permanent record of the minutes of each meeting and shall have them recorded in suitable permanent records maintained by the Village Clerk. The minutes shall contain a brief synopsis of the meeting, including a complete restatement of all motions and record of votes, conditions or recommendations made on any action and record of attendance. The Minutes of shall be promptly prepared, filed and maintained open for public inspection

2. **Correspondence** – The Secretary or designee shall be responsible for issuing formal written correspondence with other groups or persons, as directed by the Planning Commission. All communications, petitions, reports or other written materials received by the secretary or designee shall be brought to the attention of the Planning Commission.

### **C. Members –**

1. Members are asked to review all documents provided and to the best of their ability thoroughly and fairly consider all aspects of any issue brought before them in their considerations.
2. Members are asked to notify the Chairperson or the Village Administrator of any expected absence from a scheduled meeting via telephone, email, or text.
3. The Secretary may report to the Village Council any member who has missed three (3) consecutive unexcused absences.
4. Village Council shall take measures they may deem necessary to maintain an active five-member Planning Commission

### **Article III: Meetings**

1. Planning Commission Meetings will be scheduled by the Chairman of the Planning Commission as needed. The Time and Place of these scheduled Meetings shall be scheduled for the **third Thursday** of the month at 7 PM, in Council Chambers at Brewster Village Hall at 302 Wabash Avenue S. Brewster, Ohio, and continue until adjournment. The Commission may, by a majority vote, change its regular or **any meeting** dates for any reason provided proper public notice of the changed meeting is provided.
2. An Annual Meeting of the commission shall be a regular meeting, typically the first meeting in January of each year, at which time elections of Chair and Secretary will be held.
3. When a Planning Commission meeting is to be scheduled, the Secretary shall advertise the hearings in one or more newspapers of general circulation in the Village at least ten days prior to the date of such hearing. Members of the Planning Commission shall be notified of the scheduled hearing and provided with appropriate meeting materials a minimum of ten days prior to the day of the meeting. Meeting materials shall be available to the Public for review a minimum of ten days prior to the day of the meeting.
4. All meetings of the Planning Commission shall be conducted in accordance with the Ohio Open Meeting Law and the Village code. All business and discussion that occurs at a meeting is open to the public. The proceedings of meeting shall be conducted using standard parliamentary procedure.
5. The presence of a majority of all regular voting members currently appointed to the Planning Commission shall constitute a quorum for the purpose of conducting business and exercising its powers and for all other purposes.
6. In the event a quorum is not reached, a smaller number of members may meet to have informal discussion; however, formal action shall not be taken and must be reserved for such time as when a quorum of the Commission is in attendance.
7. A quorum of the members shall not discuss Commission business by email, forms of social media, telephone, or informal meetings
8. Deliberations are to be Conducted in Public Session except for matters expressly declared by State Law to be appropriate for discussion in Executive Session, and all deliberations of the Commission shall be conducted in meetings open to the public.
9. The nature of Business to be conducted is to be provided in the notice given to the Public and shall be appropriate for discussion at the Meeting of the Commission. Other matters may be presented, but no Motion to recommend legislation to Village Council shall be entertained unless discussion of the subject to which the recommendation pertains has been included in the Public notice for the meeting.

10. Any Regular Meeting established by these Rules may be canceled by the Chairperson whenever, in the opinion of such official, there is insufficient business to warrant the Meeting or it appears that an insufficient number of Members will be available to attend the Meeting.

11. The Planning Commission may recess such meetings from time to time, and if the time and place of the continued hearing is publicly announced at the time of adjournment, no further notice shall be required.

12. Minutes of each meeting of the Planning Commission shall be promptly prepared, filed and maintained open for public inspection.

13. Unless required by statute, motions placed before the Planning Commission may be adopted by a majority vote of the membership in attendance, if a quorum is present. Voting shall be by voice vote with members called in revolving alphabetical order for each meeting.

14. Ethical Conflicts: A Member who has a personal or monetary interest in a decision of the Commission of such character as manifests a substantial and improper influence upon him or her shall not vote upon the disposition of the issue other than by the entry of an abstention.

15. Ethical Conflicts: A Member required to abstain from voting upon an issue shall not participate in the discussion or debate of that issue. The Member may, but shall not be required to, exercise the Right of Personal Privilege to explain the reason for his non-participation.

**(Page Four of these Rules is a "Conflict of Interest Ethics Statement" sheet that outlines a statement that members of the Planning Commission could use if a conflict of interest should arise for a member at a meeting if that member should feel a need to speak on the issue.)**

16. Matters of Personal Privilege: Any member may explain a matter personal to himself or herself including, without limitation, the existence of an ethical conflict of interest requiring the Member to refrain from debate and abstain from voting upon an issue. A Member in explaining a matter of personal privilege shall not discuss or comment upon the merits of a question or issue before the Commission in such explanation.

17. Members of the public who desire to speak to any issue that is properly within the scope of the powers and duties of the Commission and not on the Agenda for the current meeting may, at the discretion of the Presiding Officer, be permitted an opportunity to speak briefly to that matter. In the event the Presiding Officer elects not to permit substantive discussion of the issue, the person presenting the concern shall be informed of the appropriate method to request inclusion of the subject on the Agenda of a future meeting of the Commission.

18. Members of the Planning Commission shall be afforded an opportunity to comment on matters that are not on the Agenda for the current meeting but are within the scope of the powers and duties of the Commission and may request that such matters be placed on the Agenda for consideration at a future meeting.

#### **Article IV: Amendment and Suspension of the Rules**

These Rules may be amended, or new rules adopted, by Resolution of the Commission approved by a Majority of its Members. The Commission retains inherent power to suspend these rules, individually or collectively, upon Motion made and adopted in accordance with the applicable provisions of these Rules