

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2022-03**

**REPEALING OLD CHAPTER 288 ARTS AND CULTURE COMMISSION OF TITLE
EIGHT BOARDS AND COMMISSIONS OF PART TWO ADMINISTRATION CODE
OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS,
OHIO AND ENACTING NEW CHAPTER 288 PUBLIC ARTS AND CULTURE
COMMISSION**

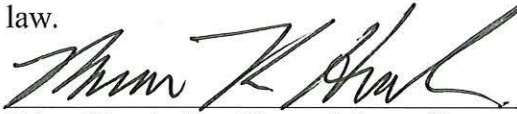
Whereas, Current members of the Arts and Culture Commission wish to reduce confusion between the Village's Commission and the local Arts organization,

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

Section 1. That Chapter 288 *Arts and Culture Commission* of Title Eight *Boards and Commissions* of Part Two *Administration Code* of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. That a new Chapter 288 *Public Arts & Culture Commission* of Title Eight *Boards and Commissions* of Part Two *Administration Code* of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A, 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: 2-7-2022

Attest: 

Judy Kintner, Clerk of Council

ROLL CALL: Brian Housh__Y__ Marianne MacQueen__Y__ Kevin Stokes__Y__
 Lisa Kreeger__Y__ Carmen Brown__Y__

CHAPTER 288

Public Arts & Culture Commission

[288.01](#) Establishment and Purpose.

[288.02](#) Membership and Procedure.

[288.03](#) Powers and Duties.

[288.04](#) Reports.

[288.05](#) Compensation.

CROSS REFERENCES

Power of Council to establish - see CHTR. § [17](#)

288.01 ESTABLISHMENT AND PURPOSE.

There is hereby established in and for the Village a Commission, which shall be known as the Public Arts & Culture Commission, for the purpose of promoting and supporting improvement, beautification, growth and creativity of the Yellow Springs community.

288.02 MEMBERSHIP AND PROCEDURE.

(a) The Public Arts & Culture Commission will consist of five to seven members who are appointed by Council subsequent to submitting a letter of interest and resume and being interviewed and recommended by two Council members.

(b) One member shall be a Council Liaison, appointed to serve at the pleasure of Council, charged with coordinating Commission activities in line with Village goals and objectives and ensuring communication between Council and the Commission. The other members shall be appointed for three-year terms. At the outset, some members shall be assigned two-year terms, and some members shall be assigned three-year terms, after which all terms shall be three years in duration. Members shall serve until their successor is appointed by Council or they are no longer eligible to serve.

(c) Up to two members can be at-large members if there are no qualified Village resident candidates or there are other compelling reasons in line with the purpose of the Public Arts & Culture Commission. However, the Public Arts & Culture Commission will consist of a majority of Village residents, and non-resident members should only be appointed in exceptional circumstances.

(d) Each member of the Public Arts & Culture Commission shall demonstrate experience, expertise and/or education that is relevant to the purpose, powers and duties of the Commission. The members of the Public Arts & Culture Commission shall be as broadly representative of the residents of the Village as possible. The Village Manager or designee will serve as an ex officio member.

(e) The Public Arts & Culture Commission shall annually select a Chair, Vice-Chair and Secretary. Except in unusual circumstances, the Council Liaison will not serve as an officer. If the Public Arts & Culture Commission is appropriated a budget, it shall also elect a Treasurer. The Chair creates the agenda and leads the meeting. The Vice-Chair fills in for the Chair in her or his absence and takes on other responsibilities as appropriate. The Secretary is responsible for taking minutes and sending them to the Clerk of Council in a timely manner after approval.

(f) Generally, a Commission member shall serve no more than two full consecutive terms. However, Council may determine in certain situations that extending a Commission member's term is appropriate. In the event of the death or resignation of any member, a successor shall be appointed by Council to serve for the unexpired period of the term for which such member has been appointed.

(g) Council is authorized to appoint up to two alternate members to serve on the Public Arts & Culture Commission. An alternate member shall be selected for a term of two years and shall be a resident of the Village. Alternate members are encouraged to attend Public Arts & Culture Commission meetings, whether or not they are serving as a member of the Commission at that meeting. However, there is no requirement that an alternate member attend meetings at which she or he is not asked to serve as a Public Arts & Culture Commission member. In any event, no alternate member shall cast a vote on a matter that was heard, in part or in full, at a prior meeting that the alternate member did not attend. If an alternate member is present as a Public Arts & Culture 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 alternate member shall not be considered as part of the quorum for purposes of determining a majority of the quorum of the Public Arts & Culture Commission in deciding votes for and against matters. An alternate may apply to be a Commission member if a seat becomes open in the manner outlined in 288.02 (a).

(h) A majority of current Public Arts & Culture Commission members shall constitute a quorum, and the concurring vote of a majority shall be necessary to take any action authorized by the Code.

(i) The Public Arts & Culture Commission will have available to it through the Village Manager's office, without cost to its members, those things necessary to carry out its charge, such as a meeting room, copying/printing and postage. Any other expenditure of funds must be approved by Council.

288.03 POWERS AND DUTIES.

The Public Arts & Culture Commission shall:

(a) Advise Council regarding the merits of any art concept, exhibit and installation as well as issues that affect use, appearance, and experience of Yellow Springs operated public spaces, taking into consideration the respect for all users of public space to promote and support improvement, beautification, growth and creativity of our community;

(b) Initiate public education activities related to its purpose;

(c) Conduct an annual planning process that results in priorities and specific activities centering on its purpose, which will include adopting rules and procedures (or otherwise following *Robert's Rules of Order*) to carry out its purpose that are consistent with the Village Charter and Ohio Sunshine Laws, approved by Council and filed with the Clerk of Council;

(d) Keep minutes of its proceedings that reflect the actions of the Public Arts & Culture Commission, the reasoning behind those recommendations, and the vote of each member upon each question or, if absent or failing to vote, indicating as such. Minutes and the records of all official actions shall be approved and filed with the Clerk of Council and kept as a public record;

(e) Hold regular public meetings that are properly announced and provide a list of agenda items to the Clerk of Council a week before a regular meeting, which is available to interested citizens;

(f) Serve as a sounding board for issues related to its purpose and provide feedback and information to Council, which may include coordinating, assisting and unifying the efforts of private groups, institutions and individuals within the Village and Miami Township in accordance with the purposes of this Chapter as well as liaising and communicating with public and private agencies and organizations of local, regional, state and national scope whose programs and activities have an impact on the quality of life of the community or which can be of assistance to the Commission;

(g) Review any conceptual proposal presented to the Village for the purpose of making recommendations to Council regarding the merits of the proposed project as well as review more specific renderings and details for approved projects for the purpose of making recommendations on final approval of a project specifically addressing whether a proposed project meets the purpose of public art statement;

(h) Upon request of Council, serve as a jury regarding the artistic quality and merit of a proposed project, determining whether the project meets the purpose of public art statement;

(i) Recommend to Council actions that could be taken to accomplish the goals of the Village;

(j) Carry out such other duties as may be assigned to it by Council.

288.04 REPORTS.

The Public Arts & Culture Commission shall submit an Annual Report to Council concerning the activities and work of the Commission and from time to time shall submit such reports and recommendations as may be necessary to fulfill the purposes of this Chapter.

288.05 COMPENSATION.

The members of the Public Arts & Culture Commission shall receive no compensation for their services as members thereof.