

ORDINANCE NO. 51-93

AN ORDINANCE ESTABLISHING THE CITY TREE
COMMISSION OF THE CITY OF NAPOLEON, OHIO, AND
PROVIDING FOR ITS MEMBERSHIP, DUTIES, POWERS
AND OTHER RELATED MATTERS.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON,
STATE OF OHIO:

Section 1. That there is established the City Tree Commission (hereinafter called "the Commission") of the City of Napoleon, Ohio (hereinafter called "the City").

Section 2. That the Commission shall be composed of seven (7) members, a majority of whom shall be residents of the City. Five (5) members shall be appointed by the Mayor, subject to the approval of City Council. The sixth (6th) member shall be a City employee whose area of work, expertise or interest is the same or similar to that for which the Commission is established, who shall be appointed by the President of City Council and who shall be an ex-officio member. The seventh (7th) member shall be a member of the City Council and a member of City Council's Municipal Properties, Buildings, Streets, Sidewalks and Cemeteries Committee, who shall be appointed by the President of City Council and who shall be an ex-officio member. No member of the Commission appointed by the Mayor shall receive, or be entitled to receive, any compensation therefor. No ex-officio member of the Commission shall receive, or be entitled to receive, any additional compensation therefor. The five (5)

members appointed by the Mayor shall be appointed as follows:
one (1) for two (2) years, two (2) for three (3) years, and two
(2) for four (4) years, and shall serve until their successors
are duly appointed and approved by City Council. Successors to
those members appointed by the Mayor thereafter shall be
appointed for terms of four (4) years. Vacancies caused by
death, resignation or otherwise shall be filled for the unexpired
term in the same manner as original appointments are made. No
person shall serve as a member of the Commission for more than
two (2) consecutive terms.

Section 3. That the duties and powers of members of
the Commission shall be as follows:

(A) To study, investigate, plan, advise, report
and recommend to City Council and to its Municipal
Properties, Buildings, Streets, Sidewalks and
Cemeteries Committee any action, program, plan or
legislation which the Commission shall find or
determine to be necessary or advisable for the care,
preservation, trimming, planting, re-planting, removal
or disposition of trees and shrubs in public ways,
streets and alleys; and

(B) To seek to educate and inform citizens of the
City about the proper care and selection of trees and
shrubs; and

(C) To publicize information relative to trees
and shrubs in whatever manner they decide best serves
the needs of citizens of the City; and

(D) To inform citizens of the City about the
legislation pertaining to trees and shrubs in force in
the City.

All plans, findings, advices, reports and recommendations made by
the Commission shall be in writing and designate by name those
members of the Commission approving or concurring therein, and
those members who do not so approve or concur therein shall have

the right to state their reasons for refusing to approve or concur.

Section 4. That all meetings of the Commission, which shall be not less often than bi-monthly, shall be open to the public and notice of each meeting shall be given to all members of the Commission and to the general public at least seventy-two (72) hours prior thereto by the Secretary of the Commission or by the City Finance Director.

Section 5.

(A) A majority of all members of the Commission shall constitute a quorum to do business and shall be necessary to adopt any recommendation to City Council or to any Committee of City Council.

(B) The Commission shall elect a Chairperson, Vice-Chairperson and Secretary from its members. The Chairperson shall preside at all meetings of the Commission. The Vice-Chairperson shall preside in the absence of the Chairperson. The Secretary shall take, record and keep minutes of all meetings of the Commission. The Commission, by motion approved by a majority of its members who are present, may make rules and take other action concerning its meetings and the conduct thereof that are not contrary to or inconsistent with the provisions of this Ordinance, the City's Revised Code of General Ordinances, the Ohio Revised Code or the Constitution of the State of Ohio.

(C) The Commission may meet in executive session for any of the reasons set forth in §121.22 of the Ohio Revised Code and as later amended.

(D) The Commission shall hold its meetings at the City's facilities. The Commission shall have access to and may make use of City personnel, equipment, supplies and other resources to reasonably enable it to carry out its functions as provided in this Ordinance.

Section 6. That it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the City's Revised Code of General Ordinances.

Section 7. That this Ordinance shall go into effect at the earliest time allowed by law.

Passed: May 17th, 1993 Steven R. Lankenau
Steven R. Lankenau, Mayor

Attest:
Rupert W. Schweinhagen
Rupert W. Schweinhagen, Finance Director

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