

CITY OF TWINSBURG, OHIO

RESOLUTION 55-2014

A RESOLUTION REQUESTING AND AUTHORIZING THE SUMMIT COUNTY BOARD OF ELECTIONS TO PLACE UPON THE CITY OF TWINSBURG BALLOT AT THE GENERAL ELECTION OF NOVEMBER 4, 2014, CERTAIN PROPOSED AMENDMENTS TO SECTION 4.05A OF THE CHARTER OF THE CITY OF TWINSBURG REGARDING POWERS OF THE MAYOR

WHEREAS, the Charter Review Commission of the City of Twinsburg appointed pursuant to Section 11.01 of the City Charter has recommended that Section 4.05A of the Charter titled POWERS OF THE MAYOR be amended; and

WHEREAS, said amendment of §4.05A would clarify that the Mayor is the Director of Public Safety and confirm that the Mayor is the appointing authority for all appointive officers of the City; and

WHEREAS, Section 11.01 of the Charter provides that the Charter Review Commission shall submit to Council such alterations, revisions and amendments as in its judgment are desirable and Council shall then submit such proposed alterations, revisions, or amendments in the manner provided in Article X of the Charter; and

WHEREAS, Section 10.01 of Article X of the Charter provides that Council shall submit issues presented by the duly appointed Charter review Commission to the electors unless five (5) or more members of Council vote against the recommendation, and such amendment or amendments shall only be effective upon approval of a majority of the electors voting thereon.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Twinsburg, County of Summit and State of Ohio:

SECTION I: That the question of proposed amendments to the Charter of the City of Twinsburg, Ohio, as originally adopted by the electorate on June 25, 1957, and as subsequently amended by the electorate since that date is hereby directed to be submitted to a vote of the qualified electors of the City of Twinsburg, Ohio, at the general election to be held on the 4th day of November, 2014, at the regular places of polling in said municipality between the hours established by the Summit County Board of Elections.

SECTION II: That the ballot at the top thereof be entitled, "City of Twinsburg Charter Amendment Issue," and the question to be submitted on said ballot shall be substantially in the words and form following which may, however, be synopsisized on the

ballot by reference to an appropriate title to the issue: "City of Twinsburg Charter Amendment Issue...shall a proposed amendment to the Charter of the City of Twinsburg be adopted which amendment reads as follows:

Sec. 4.05 Powers of the Mayor

- A. Executive. The Mayor shall be the chief executive officer of the City. The Mayor shall supervise the administration of the City's affairs, and shall exercise control over all departments and divisions. The Mayor shall be the chief conservator of the peace within the City and shall see that all laws and ordinances are enforced therein. The Mayor shall be responsible for the preparation and submission of the annual estimate of receipts and expenditures, and appropriate measures, and shall at all times keep the Council fully advised as to the financial condition and needs of the City. The Mayor shall recommend to the Council such measures, as the Mayor deems necessary or expedient. The Mayor shall see that all terms and conditions imposed in favor of this City or its inhabitants in any franchise or contract to which this City is a part are faithfully kept and performed.

The Mayor shall serve as the Director of Public Safety for the City and he/she shall serve in that capacity unless and until the Mayor appoints another individual to serve as the Safety Director.

Subject to provisions of the Civil Service Regulations and the provisions of this Charter, the Mayor shall have the power to appoint, promote, discipline, transfer, reduce or remove any employee of the City except: (a) those required by this Charter to be elected, and (b) those whose terms of office may be fixed by this Charter. All appointive officers shall serve at the pleasure of the Mayor. Members of all Commissions shall serve at the pleasure of the Council.

The Mayor shall review annually the wages of all City employees and appointed officers of the City and submit the Mayor's recommendations to Council.

Unless otherwise provided for in this Charter, the Mayor shall execute on behalf of the City all contracts, conveyances, evidences of indebtedness, and all other instruments to which the City is a party. The Mayor shall have custody of the seal of the City and may affix it to all of said instruments, but the absence of the seal shall not affect the validity of any such instrument. The Mayor shall be recognized as the official and ceremonial head of the City government by the Governor for military purposes and by the courts for the purpose of

serving civil processes. The Mayor shall have his/her office at the City Hall.

SECTION III: That for purposes of presentation on the ballot the issue presented herein may be synopsized as follows:

PROPOSED CHARTER AMENDMENT

Shall section 4.05A of Article IV of the Charter of the City of Twinsburg be amended to clarify that the Mayor is the Safety Director for the City?

FOR THE AMENDMENT

AGAINST THE AMENDMENT

SECTION IV: That in the event the foregoing amendments to the City Charter are approved by a majority of the electors voting thereon, they shall become part of the Charter of the City of Twinsburg and shall become effective as provided therein.

SECTION V: That the Clerk be, and she hereby is ordered to give notice of such pending and proposed amendments through publishing or mailing according to law.

SECTION VI: That the Clerk be, and she hereby is directed to certify a copy of this Resolution to the Board of Elections of Summit County. That this Resolution be, and hereby is, determined sufficient authority upon filing with the Summit County Board of Elections to cause that government body to proceed to place the herein prescribed Charter Amendment Issue upon the Twinsburg City Ballot November 4, 2014, general election, and that such authority be deemed granted to the Board upon receipt of a certified copy of this Resolution from the Clerk of Council.

SECTION VII: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting or meetings of this Council and any of its committees that resulted in such formal action, were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION VIII: That this Resolution shall be read on three (3) different days in order to publish and notice the proposed changes to be presented on the ballot and shall thereafter take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

APPROVED: _____

EFFECTIVE: _____

Maureen Stauffer, President of Council

Submitted to the Mayor for approval this
_____ day of _____, 2014

Approved by the Mayor _____, 2014

Katherine A. Procop, Mayor

ATTEST:

Shannon Collins
Clerk of Council

Passed: _____

Yes _____ No _____

CERTIFICATE OF POSTING

I, Shannon Collins, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the _____ day of _____, 2014.

Shannon Collins
Clerk of Council
City of Twinsburg

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