

CITY OF TWINSBURG, OHIO

RESOLUTION 57-2014

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 7.05 OF THE CHARTER OF THE CITY OF TWINSBURG REGARDING THE CIVIL SERVICE COMMISSION

WHEREAS, the Charter Review Commission of the City of Twinsburg appointed pursuant to Section 11.01 of the City Charter has recommended that Section 7.05 of the Charter titled CIVIL SERVICE COMMISSION be amended; and

WHEREAS, said amendment to §7.05 would clarify and make the Charter consistent with the current rules of the Civil Service Commission; 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 synopsised 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. 7.05 Civil Service Commission

The Civil Service Commission shall consist of three (3) electors of the City not holding other municipal office excepting there from membership in the Twinsburg Development Foundation to be appointed by the Council to serve for terms of six years, except that the first appointment shall be for six (6), four (4), and two (2) years respectively. A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term in the manner authorized for an original appointment.

The Civil Service of the City is hereby divided into the Unclassified and Classified Service.

A. The Unclassified Service shall include:

1. All officers elected by the people and those persons appointed to fill positions pending an election.
2. All Directors of Departments to include, but not limited to:
 - a. Chief of Fire
 - b. Chief of Police
 - c. Director of Finance
 - d. Director of Parks and Recreation.
 - e. Director of Human Resources
 - f. Director of Information Technology
 - g. Director of Public Works
 - h. Golf Course Manager
 - i. Golf Course Superintendent
 - j. Building Commissioner
 - k. Municipal Engineer
 - l. Law Director
 - m. Director of Planning and Community Development
3. Clerk of Council.
4. The members of all boards and commissions.
5. Any temporary, seasonal, or part-time position.
6. Secretary to the Civil Service Commission.

7. Volunteer Fire Fighters.
 8. One Clerk, Secretary or Administrator appointed to any board or commission.
 9. One Executive Secretary to the Mayor.
 10. An Executive Secretary to the Fire Department and an Executive Secretary to the Police Department.
 11. All persons who work without compensation.
- B. The Classified Service shall comprise all positions not specifically included by this Charter in the Unclassified Service. There shall be in the Classified Service, two groups to be known as the Competitive and the Non-Competitive group.

The Competitive Group shall include:

1. Police Dispatchers, and all Police Officers and all Firefighter/Paramedic positions except those defined as Unclassified positions.

The Non-Competitive group shall include:

1. All positions that require a license issued by an agent of the State or Federal Government.
2. All skilled and unskilled labor.
3. Clerical Staff.

The Civil Service Commission shall make necessary rules and regulations for the appointment, promotion, transfer, layoff, reinstatement, suspension, removal and in general, for the enforcement of the merit system, in the Classified Service.

The Commission shall report its proceedings to Council upon request and shall make a report to Council at the beginning of each fiscal year.

All persons who have been continuously employed in the service of the Municipality in the same or similar position herein included in the Classified Service for at least thirty (30) days preceding the adoption of this amendment shall retain their position until discharged, reduced, promoted or transferred in accordance with the provisions of this Charter. Council may provide for such additional classifications of employees as it deems appropriate by future enactments.

Before any rules or amendments of the Civil Service become effective, they shall be published in writing and an opportunity given for a public hearing thereon to be held after reasonable notice has been given by the Commission.

The Commission shall provide rules for the procedure of the Commission for the standardization and classifications of the positions, for competitive and non-competitive tests, for qualifications in meeting reasonable requirements as to age, physical condition and moral character, for investigating and keeping a record of the efficiency of the personnel in the Classified Service and for requiring reports relative thereto from appointing authority, or their delegated authority, for such other rules as may be necessary and proper for the enforcement of the merit system and for appeals from the action of appointing authority in the case of transfer, reduction or removal and the action of the Commission in any such appeal shall be final.

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

PROPOSED CHARTER AMENDMENT

Shall section 7.05 of Article VII of the Charter of the City of Twinsburg be amended to include all Directors of Departments in the Unclassified Service and amend the balance of the Section to be consistent with the Rules adopted by the Civil Service Commission?

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

Sec. 7.05 Civil Service Commission

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The Civil Service of the City is hereby divided into the Unclassified and Classified Service.

A. The Unclassified Service shall include:

1. All officers elected by the people and those persons appointed to fill positions pending an election.
2. All Directors of Departments to include, *but not limited to* ~~in addition:~~
 - a. Chief of Fire ~~Superintendent of Sewage Treatment Plant,~~
 - b. Chief of Police ~~Assistant Director of Public Service,~~
 - c. Director of Finance ~~Chief Building and Zoning Inspector,~~
 - d. Director of Parks and Recreation.
 - e. *Director of Human Resources*
 - f. *Director of Information Technology*
 - g. *Director of Public Works*
 - h. *Golf Course Manager*
 - i. *Golf Course Superintendent*
 - j. *Building Commissioner*
 - k. *Municipal Engineer*
 - l. *Law Director*
 - m. *Director of Planning and Community Development*
3. Clerk of Council.
4. The members of all boards and commissions.
5. Any temporary, *seasonal*, or part-time positions ~~as defined by ordinances enacted by City Council.~~
6. ~~Part-time~~ Secretary to the Civil Service Commission.
7. ~~All persons employed by any court of record.~~
8. Volunteer Fire Fighters.

9. One Clerk, Secretary or Administrator appointed to any board or commission.

10. One *Executive* Secretary to the Mayor. ~~and each principal Executive Department Head.~~

11. An Executive Secretary to the Fire Department and an Executive Secretary to the Police Department.

~~12. All employees of the Public Library.~~

13. All persons who work without compensation.

~~14. The Clerk of the Board of Education and those positions granted unclassified status within the employ of the Board of Education according to the Ohio Revised Code.~~

B. The Classified Service shall comprise all positions not specifically included by this Charter in the Unclassified Service. There shall be in the Classified Service, two groups to be known as the Competitive and the Non-Competitive group.

The Competitive Group shall include:

1. Police Dispatchers, and all Police Officers and all Firefighter/Paramedic positions except those defined as Unclassified positions.

The Non-Competitive group shall include:

1. All positions that require a license issued by an agent of the State or Federal Government.

2. All *skilled and* unskilled labor.

3. Clerical Staff.

The Civil Service Commission shall make necessary rules and regulations for the appointment, promotion, transfer, layoff, reinstatement, suspension, removal and in general, for the enforcement of the merit system, in the Classified Service.

The Commission shall report its proceedings to Council upon request and shall make a report to Council at the beginning of each fiscal year.

All persons who have been continuously employed in the service of the Municipality in the same or similar position herein included in the Classified Service for at least thirty (30) days preceding the adoption of this amendment shall retain their position until discharged, reduced, promoted or transferred in

accordance with the provisions of this Charter. Council may provide for such additional classifications of employees as it deems appropriate by future enactments.

Before any rules or amendments of the Civil Service become effective, they shall be published in writing and an opportunity given for a public hearing thereon to be held after reasonable notice has been given by the Commission.

The Commission shall provide rules for the procedure of the Commission for the standardization and classifications of the positions, for competitive and non-competitive tests, for qualifications in meeting reasonable requirements as to age, sex, physical condition and moral character, for investigating and keeping a record of the efficiency of the personnel in the Classified Service and for requiring reports relative thereto from appointing authority, or their delegated authority, for such other rules as may be necessary and proper for the enforcement of the merit system and for appeals from the action of appointing authority in the case of transfer, reduction or removal and the action of the Commission in any such appeal shall be final.

Draft 04/18/2014