

**CITY OF TWINSBURG, OHIO**

**RESOLUTION 61-2014**

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 ARTICLE XII OF THE CHARTER OF THE CITY OF TWINSBURG PERMITTING THE USE OF ELECTRONIC NOTIFICATION

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**WHEREAS**, the Charter Review Commission of the City of Twinsburg appointed pursuant to Section 11.01 of the City Charter has recommended that Section 12.04 of the Charter titled USE OF ELECTRONIC NOTIFICATION be established; and

**WHEREAS**, said creation of §12.04 would allow the City to post and advertise notifications electronically rather than exclusively in the newspaper; 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:

**ARTICLE XII GENERAL PROVISIONS**

Sec. 12.04 Use of Electronic Notification.

For any provision of this Charter that requires notification to be posted in a "newspaper of general circulation" said requirement shall be satisfied by posting or electronically advertising such information on the recognized City website and/or any other electronic medium generally recognized as an industry source for such information.

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

**PROPOSED CHARTER AMENDMENT**

**Shall section 12.04 of Article XII of the Charter of the City of Twinsburg be established to allow public notifications to be made electronically instead of exclusively using the newspaper?**

**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 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

## ARTICLE XII GENERAL PROVISIONS

### Sec. 12.01 Effective Date of Charter

For the purpose of nominating and electing officers of this City and fixing the compensation of those to be elected in 1957, this Charter shall be in effect from and after the date of its approval by the electors and for all other purposes, the Charter shall be in effect on and after the first day of January, 1958.

### Sec. 12.02 Effect of Partial Invalidity

The determination that any part of this Charter is invalid shall not invalidate or impair the force or effect of any other part hereof except to the extent that such other part is wholly dependent for its operation upon the part declared invalid.

### Sec. 12.03 Effect of the Charter Upon Existing Laws and Rights.

The adoption of this Charter shall not affect any pre-existing rights of the City, or any right or liability or pending suit or prosecution, either on behalf of or against the City or any officer thereof, nor any franchise granted by the City, nor pending proceedings for the authorization of public improvements or the levy of assessments therefor. Except as a contrary intent appears herein, all acts of the Council of the City shall continue in effect until lawfully amended or repealed.

### Sec. 12.04 *Use of Electronic Notification.*

*For any provision of this Charter that requires notification to be posted in a "newspaper of general circulation" said requirement shall be satisfied by posting or electronically advertising such information on the recognized City website and/or any other electronic medium generally recognized as an industry source for such information.*