

LOM:raf  
06/23/2020

Presented by: Mr. Megyes  
Mrs. Debevec  
Mr. Heitic  
Mr. Greer  
Mrs. Angeloff  
Mr. Griffin  
Mr. Jaber  
Mrs. Coburn  
Mrs. Frey

**ORDINANCE NO. 79-2020**  
**Sponsored by: Mr. Griffin**

**TITLE: PROPOSED CHARTER AMENDMENT**  
**CHARTER REVIEW COMMISSION**

**AN ORDINANCE TO PROVIDE FOR AN ELECTION ON A PROPOSED CHARTER AMENDMENT FOR THE CITY OF BARBERTON REGARDING THE APPOINTMENT DATE OF THE CHARTER REVIEW COMMISSION, AND FOR GIVING NOTICE THEREOF, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the voters of the City of Barberton at the general election held in this City on November 6, 1973, adopted by a majority vote the Barberton City Charter; and

**WHEREAS**, pursuant to Section 12.02 of this Charter, a Charter Review Commission was duly appointed and submitted the following recommendation to Council; and

**WHEREAS**, pursuant to Section 12.01 of this Charter, Council may, by a 2/3's affirmative vote, submit any proposed amendment(s) to this Charter to the electors in accordance with the provisions of the Constitution and laws of Ohio.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Barberton, State of Ohio:

**SECTION 1.** That in accordance with Section 12.02 of the Barberton City Charter, the Council hereby directs the Summit County Board of Elections that certain proposed Charter amendments be placed before the electors of the City of Barberton at the general election to be held on November 3, 2020, and that the proposed amendments be stated on the ballot as follows:

1. That Section 12.02, "Charter Review Commission" of the Charter be amended, with the language to be deleted shown in ~~striketrough~~ and the language to be added shown in **bold**, which reads as follows:

**SECTION 12.02. CHARTER REVIEW COMMISSION**

~~In January, 1980, and each fifth (5th) year thereafter, the Mayor shall, with confirmation by Council, appoint a commission of~~ **The Mayor shall appoint the Charter Review Commission no later than the last day of February every fifth (5<sup>th</sup>) year, beginning in 2025. Such appointments shall be confirmed by Council. The members of the commission shall be** seven (7) qualified electors of the Municipality, no more than four (4) of whom are members of the same political party. No member shall hold an elective office, appointment or employment in the government of this Municipality. The members of the Charter Review Commission shall serve until their duties as provided herein are completed. The members shall serve without compensation. The Charter Review Commission shall, in meetings open to the public, review the Municipal Charter, and, no later than ~~August 1~~ **the third Monday in June** of the same year, recommend to Council such amendments, if any, to this Charter, as in its judgment, are conducive to the public

interest. Council may submit to the electors any such proposed amendments to this Charter in accordance, in each instance, with the Constitution of Ohio.

That the ballot language for the election of the above-proposed amendments shall be as follows:

**YES    NO    Shall Section 12.02 of the Charter be amended to require the Mayor to appoint the Charter Review Commission by March 1 and have recommendations to Council for timely consideration?**

**SECTION 2.** That the Clerk of this Council is hereby directed to immediately forward a certified copy of this ordinance to the Summit County Board of Elections.

**SECTION 3.** That the Summit County Board of Elections shall cause notice of the election to be held on November 3, 2020, on the question of the proposed amendments of the Charter of the City of Barberton to be given in the manner provided by law and shall prepare ballots and otherwise conduct and supervise such election and canvas and certify the results thereof in the manner provided by law.

**SECTION 4.** That the Clerk of this Council is hereby directed to either (1) cause copies of the proposed Charter amendments to be printed or otherwise legibly reproduced and to cause copies of said proposed Charter amendments to be mailed to each elector of this City whose name appears on the registration books of the last general election held in this City, as provided by Article XVIII, Section 8 of the Constitution of the State of Ohio or (2) publish the full text of these proposed Charter Amendments in accordance with Ohio Revised Code Section 731.211.

**SECTION 5.** That there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorization and directions of this ordinance.

**SECTION 6.** That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, and for the reason that it concerns the efficient operation of the City because of the necessity of filing a certified copy of this ordinance with the Board of Elections by a certain date, and it shall, therefore, be in full force and effect immediately upon its passage and approval by the Mayor.

Passed \_\_\_\_\_ 2020

_____	_____
Clerk of Council	President of Council

Approved \_\_\_\_\_ 2020

\_\_\_\_\_  
Mayor