

07/28/2025

Presented by: MS. GEARHART

ORDINANCE NO. 120 – 2025

**AMENDMENT
CITY OF BARBERTON CHARTER**

AN ORDINANCE OF THE CITY OF BARBERTON PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BARBERTON AT THE NEXT REGULAR NOVEMBER ELECTION AN AMENDMENT TO ARTICLE 12 OF THE CHARTER OF THE CITY ENTITLED “AMENDMENTS TO CHARTER” REVISING SECTION 12.02 TO CHANGE CERTAIN DEADLINES, ELIMINATE PARTISAN REQUIREMENTS AND REQUIRE A PUBLIC HEARING, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with Article 12 of the City Charter, the Mayor appointed and Council affirmed the Charter Review Commission.

WHEREAS, the Committee has reviewed and recommended to City Council certain amendments to the Charter.

WHEREAS, Council reviewed the recommendation, accepted some and rejected others.

WHEREAS, Certain Council Members also proposed Charter amendments;

WHEREAS, after many meetings and discussions, Council has agreed on several Charter amendments.

NOW, THEREFORE, BE IT RESOLVED, AND IT HEREBY ORDAINED, that the City of Barberton, County of Summit, State of Ohio, not less than 2/3 of all members of concurring:

SECTION 1. That Council hereby proposes the amendment of the Charter of the City of Barberton by showing said amendment with a ~~strike through~~ for any deletions and **bold** for any additions to read as follows:

SECTION 2. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article 12 of the Charter of the City of Barberton, this Council hereby authorizes and directs the submission to the electors of the City of Barberton, at a regular November election to be held at the usual places of voting in said City on Tuesday, November 4, 2025, the following proposal to amend the Charter of the City of Barberton, Ohio:

To change certain deadlines regarding the Charter Review Commission, eliminating partisan requirements and requiring a public hearing.

Article 12, Section 12.02 shall be amended to read as follows:

**ARTICLE 12
AMENDMENTS TO CHARTER**

* * * *

SECTION 12.02. CHARTER REVIEW COMMISSION.

The Mayor shall appoint the Charter Review Commission no later than the last day of ~~February~~ **January** every fifth (5th) 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 the third (3rd) Monday in ~~June~~ **April** 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 shall hold a public hearing on the recommendations submitted by the Charter Review Commission within thirty (30) days of the submission of the recommendations.**

Council may submit to the electors any such proposed amendments to this Charter in accordance, in each instance, with the Constitution of Ohio. (Nov. 3, 2020)

SECTION 3. That if the foregoing proposal receives the affirmative vote of the majority of the electors voting thereon, then existing Section 12.02 of Article 12 shall be and the same is hereby amended and replaced with the additional language.

SECTION 4. That is the desire of the Council that the ballots for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section 12.02 of Article 12 of the City Charter be amended to change certain deadlines, eliminate partisan requirements and require a public hearing?

_____ YES

_____ NO

SECTION 5. That the clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Summit County no later than August 8, 2025.

SECTION 6. That the Board of Elections of Summit County shall cause an appropriate notice to be duly given of the regular election to be held on November 4, 2025 on the foregoing amendment to the Charter of this City, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

SECTION 7. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of Barberton, with the first publication to be made at least fifteen (15) days prior to the election to be held on November 4, 2025 or to mail a copy of such proposed Charter amendment to each elector whose name appears in the registration books of the last general or regular municipal election held in the City at least thirty (30) days prior to the November 4, 2025 election, all as provided in Article XVIII, Section 9 of the Constitution of the State of Ohio, in Section 731.211 of the Ohio Revised Code and Article 12, Section 12.01 of the Charter.

SECTION 8. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of it’s committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 9. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to facilitate timely implementation, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after it’s passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed JULY 28, 2025

Clerk of Council

President of Council

Approved _____ 2025

Mayor