

ORDINANCE NO. 121– 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 CERTAIN AMENDMENTS TO ARTICLE 4 OF THE CHARTER OF THE CITY ENTITLED “ADMINISTRATIVE DEPARTMENTS” IN SECTION 4.02(c), TO CHANGE THE APPOINTING AUTHORITY TO THE DIRECTOR OF PUBLIC SERVICE FOR THE CITY ENGINEER 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 RESOLVED, that the City of Barberton, County of Summit, State of Ohio, not less than 2/3 of all members of concurring:

SECTION 1. 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 proposals to amend the Charter of the City of Barberton, Ohio:

To change the appointing authority of the City Engineer to the Director of Public Service.

Article 4, Section 4.02(c) shall be amended to read as follows:

**ARTICLE 4
ADMINISTRATIVE DEPARTMENTS**

Section 4.02 DEPARTMENT OF PUBLIC SERVICE

* * * *

(c) Division of Engineering. There shall be within the Department of Public Service a Division of Engineering under the direction of the City Engineer who shall be a registered State of Ohio professional civil engineer and who shall be appointed by the ~~Mayor~~ **Director of Public Service** and shall be under the supervision of the Director of Public Service. He shall carry out the duties of City Engineer as provided by ordinance or, if not by ordinance, as provided by general law. This shall be an ~~un~~classified position.

* * * *

SECTION 3. That if the foregoing proposal receives the affirmative vote of the majority of the electors voting thereon, then existing Section 4.02 (c) of Article 4 shall be amended and replaced with the additional language of Section 4.02 (c) of Article 4 herein.

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 4.02(c) of Article 4 of the City Charter be amended to change the position of City Engineer to a classified position and change the appointing authority of the City Engineer to the Director of Public Service?

_____ 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.

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