

RESOLUTION NO.: 2019-R61
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: JUNE 25, 2019 **ASSIGNED TO:** _____

A RESOLUTION TO AMEND SECTION 4.6 OF THE CHARTER OF THE CITY OF GREEN TO PROVIDE FOR COUNCIL TO FILL VACANCIES THAT OCCUR BETWEEN A NOVEMBER GENERAL ELECTION AND THE END OF DECEMBER OF THAT SAME YEAR, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green's Charter requires a review of the Charter's provisions every seven (7) years; and

WHEREAS, Mayor Neugebauer, pursuant to the terms of the Charter, appointed a Charter Review Commission to review the Charter and recommend amendments; and

WHEREAS, the Charter requires Green City Council to submit the proposed amendments to the electors of the City of Green at the next regular municipal or Ohio General Election unless the proposed amendment is rejected by three-fourths ($\frac{3}{4}$) vote of the members of Council; and

WHEREAS, Green City Council determines that the amendments should be submitted to the electors of the City of Green on November 5, 2019; and

WHEREAS, the Charter Review Commission unanimously recommended that Green City Council amend Section 4.6 of the Charter to provide that in the event of a vacancy on the office of a Council member between a November general election and December 31 of that same year, the time periods set forth in the Charter for Council to fill the vacancy shall be tolled, and therefore, not begin to run until January 1 of the following year.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:

SECTION ONE:

Section 4.6 of the Charter of the City of Green shall be amended as follows:

4.6.VACANCIES

In the event a vacancy shall occur in the office of a Council member between a November General Election and December 31 of that year, the above time periods to fill the vacancy shall be tolled, and therefore, not to begin to run, until January 1 of the following year.

SECTION TWO:

The proposed amendments to Section 4.6 of the Charter of the City of Green shall be placed before the qualified electors of the City of Green for their approval on the ballot of the November 5, 2019 election.

SECTION THREE:

Green City Council requests the following ballot language:

“Shall Section 4.6 of the Charter of the City of Green be amended to provide in the event a vacancy shall occur in the office of a Council member between a November General Election and December 31 of that year, the above time periods to fill the vacancy shall be tolled, and therefore, not to begin to run, until January 1 of the following year?”

_____ **FOR THE AMENDMENT**

_____ **AGAINST THE AMENDMENT**

SECTION FOUR:

The Clerk of Council of the City of Green shall certify a copy of this Resolution to the Board of Elections of Summit County, along with a copy of the proposed ballot language no later than September 6, 2019, as required by law.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meeting of this Council and any deliberations of this City and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SIX:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Molly Kapeluck, Clerk

Bob Young, Council President

APPROVED: _____, 2019

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2019

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ON ROLL CALL: Babbitt Dyer Humphrey Shaughnessy
 Speight Yeargin Young

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk

06/20/2019 Approved as to form and content by William G. Chris, Director of Law, Interim _____