

**RESOLUTION NO.:** 2020-R67 (*AMENDED OCTOBER 13, 2020*)  
**SPONSOR:** LISA CAREY DEAN, DIRECTOR OF LAW **Rules & Personnel**  
**INTRODUCED:** SEPTEMBER 8, 2020 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION AMENDING THE CITY OF GREEN CHARTER TO CORRECT TYPOGRAPHICAL ERRORS; REARRANGE SECTIONS; REMOVE INCONSISTENT LANGUAGE; AND, CORRECT LANGUAGE THAT VIOLATES OHIO LAW, AND DECLARING AN EMERGENCY.**

WHEREAS, the Citizens of Green approved a Charter form of government; and, the City’s Charter became effective on January 1, 1993; and

WHEREAS, Section 9.2 of the Charter requires periodic review of the Charter by a Charter Review Commission; and

WHEREAS, the Charter was reviewed by a City appointed Charter Review Commission in 1998, 2005, 2012 and 2019; and

WHEREAS, the voters approved amendments to the Charter pursuant to the recommendations of the Charter Review Commission in 1998, 2005 , 2012 and 2019; and

WHEREAS, the voters also approved amendments to the Charter in 1999 and 2010 based upon proposals submitted by Green City Council to the voters pursuant to the Ohio Constitution; and

WHEREAS, in 2012, the voters approved a new Section 12.10 of the Charter which allows Green City Council to correct typographical errors and/or make changes to the form of the Charter by Resolution.

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

**SECTION ONE:**

Green City Council approves the modifications, changes and corrections to the Charter set forth in the copy of the Charter attached as **AMENDED** Exhibit “A”. City Council specifically finds and determines that none of the modifications, changes or corrections affect the construction, meaning, substance or intent of the Charter as adopted and amended by the people; except, where the change corrects the Charter to comply with Ohio law.

**SECTION TWO:**

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.

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SECTION THREE:

Green City 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. Council declares these corrections to be made immediately so that the corrections can be finalized and circulated to the citizens and businesses in Green as soon as possible. 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: October 13 2020

Molly Kapeluck  
Molly Kapeluck, Clerk

Barbara Babbitt  
Barbara Babbitt, Council President

APPROVED: Oct. 14, 2020

Gerard M. Neugebauer  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: Oct. 14, 2020

ON ROLL CALL: Babbitt *-aye* Brandenburg *-aye* DeVitis *-aye* France *-aye*  
Shaughnessy *-aye* Yeargin *-aye* Young *-aye* Adopted 7-0

Suburbanite publication on Oct. 23 and Oct. 30, 2020

Molly Kapeluck  
Molly Kapeluck, Clerk of Council

Lisa Carey Dean  
(LS)

### 3.3 POWERS OF THE MAYOR

D. Appointment: Confirmation of Directors and Other Employees.

*"Except as set forth in Section 6.4 of this Charter,* the Mayor shall appoint, or engage pursuant to contract, persons who shall serve as Directors of the city administrative departments. Such persons shall be subject to confirmation by a majority vote of the members of Council and shall serve at the pleasure of the Mayor and Council. Such Directors may be removed by the Mayor upon approval of A two-thirds (2/3) vote of the members of Council.

### 4.12 CLERK OF COUNCIL

**The Clerk of Council shall be appointed by Council- AND shall serve at the pleasure of Council. The Clerk of Council shall keep the journal of Council, an accurate and complete record of all proceedings of Council; authenticate by their signature and have custody of all laws, ordinances, and resolutions of Council; have custody of all official documents, reports, papers, and files of Council; and perform other such duties as Council shall require.**

### 6.4 DIRECTOR OF LAW

D. Vacancy in Office

"If council shall fail to fill the vacancy within said 45-day period, the power of Council to do so shall lapse, and the Mayor may make an appointment to fill the vacancy from among qualified electors making application in accordance with the provisions set forth below or fill the vacancy as an interim or acting appointment *pursuant to Section 3.3 D. of the Charter.*

