

Current language highlighted in yellow. If there is a suggested language addition/deletions/change in wording that is specific it is highlighted in blue.

Changes which are not specific are written after the Item Number and are not highlighted.

Item One ARTICLE II. 2.4 FORM OF GOVERNMENT

2.4 FORM OF GOVERNMENT

The municipal government provided for the City by this Charter shall be known as "Strong Mayor-Council" form of government.

Item Two ARTICLE III. THE MAYOR 3.1 TERM OF OFFICE **CHANGE?** Define/change the second paragraph. Have two-terms, sit out one-term, be re-elected and serve two-terms and be done; or, have two-terms, sit out one-term, be re-elected and serve two-terms and immediately be eligible for an unlimited number of terms; or, need to sit out one-term between each time running third/forth/etc. set of terms.

3.1 TERM OF OFFICE PARAGRAPH 2 The Mayor may serve for two (2) successive four (4) year terms, after which the Mayor shall be ineligible for re-election as Mayor until a period of not less than four (4) years shall have elapsed. Any partial term to fill a vacancy lasting more than two (2) years shall count as a four (4) year term, and against the limit. (Amended November 5, 2019)

Item Three **CHANGE. In three places noted below?** Add index or glossary of terms to define certain specific language throughout the Charter or define immediately in the Charter text.

3.2 QUALIFICATIONS PARAGRAPH 2 The Mayor shall not be otherwise employed by the City and shall hold no other public office than that of Notary Public...

Article IV COUNCIL 4.3 QUALIFICATIONS **CHANGE?** second paragraph define/index "public office."

4.3 QUALIFICATIONS PARAGRAPH 2 A Council member shall not be otherwise employed by the City and shall hold no other public office that that of Notary Public.....

6.4 DIRECTOR OF LAW PARAGRAPH 3 QUALIFICATIONS The Director of Law shall not otherwise be employed by the City and shall hold no other public office other than that of a notary public, member of the Ohio National Guard or Reserve Corps of the United States.

Item Four 3.3 POWERS OF THE MAYOR **CHANGE?** Add index or glossary of terms to define certain specific language throughout the Charter or define immediately in the Charter text. Request information from Lisa Carey Dean.

A. Judicial

The Mayor shall have full judicial powers pursuant to the Constitution of the State of Ohio, the statutes of the State of Ohio, and the ordinances of the City of Green, Ohio.

C. Executive Paragraph 3 Competitive bidding. Examine information from City of Dublin. Discuss removing competitive bidding. Ask City Engineer to comment on this.

The Mayor shall be the contracting officer of the City and shall award and execute all contracts on behalf of the City (except as otherwise provided in this Charter and except that Council may also authorize contracts). When awarding contracts, the Mayor shall follow the procedures established by Council by ordinance or resolution, which procedures may include but shall not be limited to matters pertaining to competitive bidding. The Mayor shall follow the procedures established by the general laws of the State of Ohio until Council shall provide for such procedures by ordinance or resolution.

C. Executive Paragraph 6 Remove the words “or appointed” or change the wording to address the authority to remove the Law Director, if appointed.

The Mayor shall, except for the individual elected or appointed as the Director of Law, and except where this Charter provides that others shall perform such function, appoint and remove all directors of city departments and all subordinate officers and employees in the city departments, subject to the provisions of paragraph D below, and the civil service provisions of this Charter.

Item Five Executive 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. If the elected Director of Law is replaced for any reason by an appointed Director of Law, the appointed Director of Law may be removed by the Mayor upon approval of a two-thirds (2/3) vote of the members of Council.

Item Six 3.4 VACANCY IN THE OFFICE OF MAYOR

A. Temporary Vacancy Paragraph 1 define “temporarily absent”. Add language to clarify or add language defining incapacitated when referring to a temporary absence.

When the Mayor is temporarily absent from the City or is temporarily unable for any reason to perform the duties of the office, the President of Council shall act as Mayor, with all the duties, rights and powers of the Mayor during the period of the Mayor’s absence or inability to perform the Mayor’s duties. If both the Mayor and the President of Council are temporarily absent or unable to perform their duties, the Vice President of Council shall act as Mayor. When the President or Vice President of Council shall become acting mayor, in accordance with the provisions of this section, the acting mayor shall not cease to be a Council member.

B. Permanent Vacancy Paragraph 1 define disqualification

In the event of the death, disqualification, recall, removal, or resignation of the Mayor, the President of Council shall thereupon become Mayor and shall serve until a successor is elected and qualified. In the event the President of Council shall decline the office of Mayor, the President of Council shall remain as President of Council. The Council shall then appoint a Council member to fill the vacancy in the office of Mayor. Such

appointment shall be made by an affirmative vote of a two-thirds (2/3) vote of the members of Council. In this event the President of Council or another Council member shall become Mayor, in accordance with the provisions of this section shall not cease to be a Council member and shall retain full voting privileges.

Item Seven. ARTICLE IV COUNCIL wording “public office”

Item Eight. 4.6 Vacancies Betty Konen to research “90 days” in paragraph 1 and if the Board of Election has past practice to address this. Term “disqualification” in paragraph 1 and 4 define/index?

Whenever the office of a Council member shall become vacant for any reason, whether occurring by death, **disqualification**, recall, removal, or resignation, such vacancy shall be filled by a majority vote of the remaining members of Council from among qualified electors making application in accordance with the provisions set forth below. Except as provided below, Council shall fill the vacancy not less than thirty (30) days, nor more than forty-five (45) days after it occurs. If the Council shall fail to fill the vacancy within forty-five (45) days after it has occurred, the power of Council to do so shall lapse, and the Mayor shall make an appointment to fill the vacancy, from among qualified electors making application in accordance with the provisions set forth below. (Amended November 6, 2012) Such appointee shall have qualifications as specified in Section 4.3 for a candidate for election to the office that has become vacant. Such appointee shall hold office for the balance of the unexpired term of the member in whose office the vacancy has occurred, or until the beginning of the term of a successor duly elected for the unexpired term at the next regular Municipal election held following the vacancy in said office, further provided that said election shall occur more than **ninety (90) days** subsequent to the vacancy in said office. The Council member newly elected pursuant to this provision shall assume office on January 1 following the Council member’s election and shall serve for the unexpired term of the Council member in whose office the vacancy occurred.

Item Nine. 4.8 Regular and Special Meetings. Strike “...leaving a copy thereof at their usual place of resident..” and adding “by email with read receipt.” Nichole Messner to look at other communities language concerning notifications of special meetings.

Special meetings of the Council may be called as provided by its rules, regulations, by-laws, or by resolution or ordinance. In the absence of any such provisions, special meetings may be called by a vote of Council taken at any regular or special meeting thereof or shall be called by the Clerk of Council upon the written request of the Mayor or the President of Council, or by any three (3) members of Council. Notice in writing of each special meeting called at the request of the Mayor or the President of Council, or by three (3) members of Council, shall state the date and time of the meeting and subject or subjects to be considered at such meeting. No subject or subjects, other than those listed in this written notice shall be considered at such special meetings. The written notice required by this section shall be served by the Clerk of Council upon the Mayor and each Council member, either personally or **by email with read receipt** by leaving a copy thereof at their usual place of residence, not less than twenty-four (24) hours proceeding the time for the meeting. In the event that a special meeting is called by a vote of Council taken at any regular or special meeting from which any Council member was absent, written notice of such special meeting shall be given such absentee in the manner provided here.

Item Ten. 4.9 C. Committee Deliberation Review third paragraph,

The recommendations reported by such committee(s) **shall be in writing** and shall be accompanied by the original documents, if any, upon which such report is based. Such report and supporting documentation shall be entered or referred to upon the journal of Council.

Item Eleven. 4.11 Publication of Ordinances and Resolutions. Recommendation from Nichole Messner and after Commission discussion:

Council shall have the power to determine the method of publication of its adopted ordinances and resolutions, and of any other of its proceedings, which other proceedings it deems proper to publish. Such publication shall be by posting for a minimum period of two (2) weeks, the ordinance and resolution **at the Central Administration Building** in at least five (5) public places within the City, and the publication of a concise summary of the ordinance or resolution in at least any one (1) newspaper of general circulation in the City **(or its**

electronic/online equivalent), once a week for two (2) consecutive weeks or on the City of Green website where it shall remain available for not less than thirty (30) days. Until such time as Council provides for the method of publication, such public notice shall be given in the manner provided by the general laws of the State of Ohio.

Item Twelve 6.4 DIRECTOR OF LAW Revise, move to its own Article, or re-write the whole thing to update language, clarify hours

A. Qualifications

The Director of Law shall:

1. be an attorney who is licensed, during the term of the Director of Law's appointment, to practice law in the State of Ohio;
2. have a minimum of five (5) years of employment or public practice experience in municipal and/or other governmental law (Amended November 8, 2005); and
3. for a Director of Law first elected or appointed after January 1, 2020 shall:
 - (a) for at least two (2) continuous years immediately prior to the Director of Law's election or appointment, and, during the Director of Law's term, be a qualified elector and resident of the City;
 - (b) be an attorney who is licensed, during the term of the Director of Law's election or appointment, to practice law in the State of Ohio and maintain the qualifications for a Certificate of Good Standing from the Supreme Court of Ohio during the term of the Director of Law's appointment or election to office (Amended November 5, 2019); and
 - (c) have a minimum of five (5) years of employment or public practice experience in municipal and/or other governmental law. (Amended November 8, 2005)

For the purposes of Section 6.4 A. 3. (c), "employment or public practice experience in municipal and/or other governmental law" shall mean either (i) experience as a director of law or assistant director of law for an Ohio municipality, or substantially equivalent position for the State of Ohio or one of its political subdivisions or agencies, or (ii) substantially equivalent experience as an attorney representing the State of Ohio or one or more of its instrumentalities, municipalities, political subdivisions or agencies in civil matters, including but not limited to representation of such entities in state or federal court or agency proceedings.

The Director of Law shall not otherwise be employed by the City and shall hold no other public office other than that of a notary public, member of the Ohio National Guard or Reserve Corps of the United States.

The Director of Law shall be a part-time or full-time position with such compensation (and benefits, if any) as fixed by ordinance or resolution of Council as provided herein.

If required by ordinance or resolution of Council, the Director of Law shall certify to the Director of Finance on a biweekly or other periodic basis determined by Council that the Director of Law has complied with the workweek requirements as set forth by ordinance or resolution of Council. (Amended November 5, 2019)

B. Powers and Duties

The Director of Law shall:

1. be the legal advisor on all legal matters coming before the City and shall represent or direct the representation of the City in all litigation, cases, or suits coming before the City;
2. prepare or review all contracts, ordinances, resolutions, and other documents or instruments as required by the Mayor and Council;
3. have other powers and duties performed by directors of law of general statutory plan cities under the general laws of the State of Ohio; and

4. perform other duties specified by city solicitors by the laws of the State of Ohio.

Nothing in this Charter shall preclude the City from contracting for additional legal services as may be periodically required.

C. Election; Term of Office

The Director of Law shall represent the City in accordance with the ethical standards for Ohio attorneys as set forth in the Ohio Rules for Professional Conduct adopted by the Supreme Court of Ohio. In the event there is a conflict of interest, the conflict shall be resolved in accordance with the Ohio Rules for Professional Conduct adopted by the Supreme Court of Ohio. The Director of Law shall be an elector of the City of Green, and the position shall be an elected position to coincide with the election of the Mayor unless an election is required to fill a vacancy in the office of the Director of Law as provided in Section 6.4.D. of this Charter. The

Director of Law shall serve a four-year term not to exceed two consecutive elected terms but may be appointed in the event of a vacancy pursuant to Section 6.4(D) of this Charter. Any partial term to fill a vacancy shall not count as a four (4) year term with respect to the foregoing term limits.

The Director of Law shall be nominated pursuant to Sections 5.3 and 5.4 of the Charter in the same manner as the Mayor requiring the same number of signatures as Council members at Large. (Issue 14, 2018 General Election) For the office of the Director of Law, there shall be no primary election unless four (4) or more persons file nominating petitions. (Amended November 5, 2019)

D. Vacancy in Office

Whenever the office of the Director of Law shall become vacant for any reason, whether occurring by death, disqualification, recall, removal, or resignation, such vacancy shall be filled by a three-fourths (3/4ths) majority vote of Council from among qualified electors making application in accordance with the provisions set forth below.

Council shall fill the vacancy not less than thirty (30) days, nor more than forty-five (45) days after it occurs. In the event a vacancy shall occur in the office of the Director of Law 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 begin to run, until January 1 of the following year.

If Council shall fail to fill the vacancy within said forty-five (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.

Such appointee shall have the qualifications as specified in Section 6.4.A. of this Charter for a candidate for election to the office of Director of Law, except that an interim or acting appointee need not be an elector of the City. An appointee, other than an appointee subject to Section 3.3.D. of the Charter, shall hold office for the balance of the unexpired term, or until the beginning of the term of a successor duly elected for the unexpired term at the next regular Municipal election held following the vacancy in said office, further provided that said election shall occur more than ninety (90) days subsequent to the vacancy in said office.

The Director of Law newly elected pursuant to this provision shall assume office the following January 1.

Applicants for a Director of Law vacancy shall submit a letter of qualifications together with petitions signed by a minimum of seventy-five (75) electors of the City at-large. The date of petition, and the dates of all signatures on such petitions, shall be after the date of vacancy in the office for which the petitions

are being submitted. (Amended November 5, 2019)

Item Thirteen. 6.5 DIRECTOR OF PLANNING Create new department for Economic Development?

Item Fourteen. 6.6 DIRECTOR OF PUBLIC SAFETY

B. Powers and Duties

- a. The Director of Public Safety shall oversee all matters relating to public safety, including police, fire, and emergency medical services.

Item Sixteen 8.2 ALLOCATION OF INCOME TAX REVENUES

The funds collected under the provisions of any Municipal income tax in the City shall be deposited in a special fund known as the Income Tax Revenue Fund. Disbursements of money~~s~~ from this fund shall be made as follows:

A. First, funds shall be allocated to defray all expenses of collection, administration, and enforcement of the income tax and the provisions of the ordinance.

B. Second, a minimum of seven percent (7%) of the ~~annual income tax revenues~~ revenue shall be allocated and assigned as follows:

1. ~~Parks and Recreation Income Tax fund. At least sixty percent (60%) of the annual allocation shall be used exclusively for parks and recreation capital purposes, including: the acquisition of property, construction of facilities and amenities, and the acquisition, repair, or improvement of park equipment and other park related infrastructure.~~

~~2. No more than forty percent (40%) of the annual allocation may be used for the operation, programming, and general care and support of parks and recreation services, facilities, lands, and activities. shall be allocated and assigned to the City parks and recreation program. Such funds shall be appropriated first to capital expenditures, that is, the purchase of property, building construction, or other improvements with a life of five (5) years or longer.; provided that if the total expended funds for such capital expenditures are less than the total funds available for capital expenditures, up to fifteen percent (15%) of the seven percent (7%) of income tax revenues available annually may be expended for the City's parks and recreation special events and programming. Any unused funds shall, on an annual basis, be assigned to a fund for use only for future capital expenditures, special events and programming in support of the City's parks and recreation program on the same allocation basis set forth in this Section. (Amended November 6, 2012) This provision shall be reviewed by the Charter Review Commission as specified in the time period mandated in Section 9.2. (Amended November 8, 2005)~~

B.C. Third, funds shall be allocated as required to defray expenses of the General Fund of the City. (Amended November 3, 1998)

Item Seventeen. 8.4 INCOME EXEMPT FROM MUNICIPAL INCOME TAX

H. The income of all individuals whose gross earned income is three-thousand ~~(\$3,000)~~ dollars per year or less.

Item Eighteen 9.2 CHARTER REVIEW

In January five (5) years after the effective date of this Charter, and in January every ~~s-seven (7)~~ years thereafter, to ~~five (5)~~ years or ~~four (4)~~ years.

Item Nineteen 9.2 CHARTER REVIEW *(possibly change to the same language as Item Eleven)*

Paragraph three second sentence, "The Council shall publish the recommendations of the Charter Review Commission in at least any ~~one (1) newspaper of general circulation~~ within the City once a week for two (2) successive weeks; and, Council shall hold a public hearing on such recommendations within one (1) week after the second publications thereof."

NON-SUBSTANTIVE

"Non-substantive" describes something lacking material importance, essential content, or significant impact, often referring to minor, formal, or editorial changes that do not alter the core meaning or substance. It implies triviality, formality, or being superficial rather than foundational.

CHARTER PAGE:

- Page 2 3.3 B change "He" to "The Mayor"
- Page 13 4.9 C Committee Deliberations. remove the "." (period) after deliberations
- Page 14 4.10 B item 6. Any change in the boundaries of the City; change the ";" semi-colon to a comma
- Page 18 5.4 paragraph 3, If a person nominated by petition in accordance with this section of the Charter, for the offices of Mayor Council member – add a comma between "Mayor Council"
- Page 19 6.1 B Council may...to assure operating and management efficiently..." change efficiently to efficiency?
- Page 20 6.3 B #2 change "his" to "their"
- Page 23 D add paragraph between "Whenever the office...making application in accordance with the provisions set forth below. Council shall fill..."
- Page 29 7.4 B third and fourth paragraphs-change "moneys" to "monies"
- Page 30 C. Role of Alternate Members. remove the "." (period) after Members.
- Page 14 9.2 Charter Review-" Commission shall...recommend to Council any alterations, revisions, or amendments to this Charter." Use this section to recommend re-numbering the Charter if an Article specifically for the Director of Law is separated from the other directors.
- Page 35-36 10.3 Recall, first paragraph second sentence change "his"; second paragraph second sentence change "he"; third paragraph second sentence change "him"; third paragraph third sentence change "his"; third paragraph fourth sentence change "he" and "his".

Other

Make recommendations to update job descriptions, especially concerning directors duties.

Match Charter language with City's web site when it comes to titles.