

RESOLUTION NO.: 2019-R68
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: JUNE 25, 2019 ASSIGNED TO: _____

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF GREEN A PROPOSAL TO AMEND SECTION 10.1 OF THE CHARTER OF THE CITY OF GREEN TO PROVIDE THAT THE CITY EXPRESSLY RESERVES THE RIGHT TO DICTATE BALLOT LANGUAGE FOR ALL PROPOSED INITIATIVE ISSUES, 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 10.1 of the Charter to provide that the City expressly reserves the right to dictate ballot language for all proposed initiative issues submitted to the electorate in accordance with this Charter; ~~and, and to require that a full copy of the proposed issue be placed upon the ballot; and that~~ in any Ordinance or Resolution placing a proposed initiative on the ballot, Green City Council may prescribe a brief summary of the same, which shall be accurate, shall not be misleading, and shall be without material omission or argument; and, ~~that Council may require that the summary so proscribed, or in lieu thereof, a full copy of the proposed issue may proscribed~~ be placed up on the ballot.

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

SECTION ONE:

~~Section 10.1 of the~~ **The Charter Review Commission has recommended that the electors of the City of Green shall consider a proposal that Section 10.1 of the Charter of the City of Green be amended to read as follows:**

10.1 INITIATIVE

The electors of the City shall have the same right and power to initiate or propose any ordinance or resolution as is now or may hereafter be provided by the Constitution and laws of the State of Ohio, except as otherwise provided in this Charter.

The City expressly reserves to Council the right to dictate ballot language for all proposed initiative issues submitted to the electorate in accordance with this Charter and may require a full copy of the proposed issue be placed upon the ballot.

In any ordinance placing a proposed initiative on the ballot, Council may prescribe a brief summary of the same, which shall be accurate, shall not be misleading, and shall be without material omission or argument. Council may dictate that the summary so prescribed be placed upon the ballot.

SECTION TWO:

The proposed amendments to Section 10.1 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 ~~10.0 9.1~~ 10.1 of the Charter of the City of Green be amended to provide that the City expressly reserves the right to dictate ballot language for all proposed initiative issues submitted to the electorate in accordance with ~~this the~~ Charter; and, and to provide that Council may require a full copy of the proposed issue to be placed upon the ballot; and that in any Ordinance or Resolution placing a proposed initiative on the ballot, Green City Council may prescribe a brief summary of the same, which ~~shall must~~ be accurate, ~~shall must~~ not be misleading, and ~~shall must~~ be without material omission or argument; and, that Council may require that the summary so ~~proscribed, or in lieu thereof, a full copy of the proposed issue may be placed up on~~ prescribed be placed upon the ballot?”

_____ **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.

Resolution 2019-R68 (AMENDED AUGUST 27, 2019)

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

ON ROLL CALL: Babbitt Dyer Humphrey Shaughnessy
 Speight Yeargin Young

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk

08/22/2019 ~~06/20/2019~~ Approved as to form and content by William G. Chris, Director of Law, Interim _____