

RESOLUTION NO.: 2019-R59 (AMENDED AUGUST 27, 2019)  
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 4.1 OF THE CHARTER OF THE CITY OF GREEN TO ~~LIMIT COUNCIL MEMBERS TO SERVING TWO (2) SUCCESSIVE~~ PROVIDE THAT A PARTIAL TERM OF OFFICE TO FILL A VACANCY IN THE OFFICE OF COUNCIL MEMBER THAT LASTS MORE THAN TWO YEARS SHALL COUNT AS A FULL FOUR (4) YEAR TERMS, WITH PARTIAL TERMS LASTING MORE THAN TWO (2) YEARS COUNTING AS A FOUR (4) YEAR TERM AGAINST THE TWO TERM LIMIT APPLICABLE TO COUNCIL MEMBERS, 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 **submit to the City electorate a proposal to amend Section 4.1 of the Charter to allow a Council member to serve for two (2) successive four (4) year terms, after which they shall be ineligible for re-electing or reappointment as a Council member until a period of not less than four (4) years shall have elapsed; and, to provide that any partial term to fill a vacancy lasting in the office of Council member that lasts more than two (2) years shall count as a full four (4) year term; and, against the limits two-term limit applicable to Council members.**

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

**SECTION ONE:**

**The Charter Review Commission has recommended that the electors of the City of Green consider a proposal that Section 4.1 of the Charter of the City of Green shall be amended to read as follows:**

**4.1.COMPOSITION AND TERMS OF OFFICE**

**Council shall be composed of seven (7) members. One (1) member shall be elected by the electors of each of four (4) wards herein provided and three (3) members shall be**

elected by the electors of the City at-large. The members elected from wards shall be known as Ward Councilmembers. The members elected from the City at large shall be known as Councilmembers At Large.

All Members of Council shall have the same rights, powers, and responsibilities, subject to the provisions of Section 4.13 of this Charter.

The term of a Council member shall be four (4) years, beginning January 1 next following ~~his~~-a Council member's election, and ~~he~~-a Council member shall hold office until ~~his~~-their successor is elected and qualified.

Council terms shall be staggered. ~~Ward Councilmembers~~-Council members shall be elected every four (4) years beginning with the regular Municipal election occurring in November 1993. ~~Councilmembers~~-Council members At Large shall be elected every four (4) years beginning with the regular Municipal election occurring in November 1995.

A Council member may serve for two (2) successive four (4) year terms, after which ~~he~~ they shall be ineligible for re-election or ~~reappointment~~ re-appointment as a Council member 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.

#### SECTION TWO:

The proposed amendments to Section 4.1 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 4.1 of the Charter of the City of Green be amended to allow that a Council member may serve for two (2) successive four (4) year terms, after which they shall be ineligible for re-election or reappointment as a Council Member until a period of not less than four (4) years shall have elapsed.; and, to provide that any partial term to fill a vacancy lasting in the office of a Council member that lasts more than two (2) years shall count as a full four (4) year term, and against the two-term limit?" applicable to Council members?~~**

\_\_\_\_\_ 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

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 \_\_\_\_\_