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Subject: RE: Charter Amendments

Thanks for the note CJ and many thanks to everyone who participated in the Charter Review process.

Looking forward, I encourage the Council and the administration to separately revisit the changes proposed to Article III, Section 3.3 (D), and perhaps consider proposing an amendment to the Charter placing a more comprehensive summary of the entire language of the recommended changes on the ballot.

Below in green is the language that appeared as Issue 25 on the November 5, 2019 ballot intended to reflect the recommendation for changes in Article III, Section 3.3(D), made by the Charter Review Commission.

Below the ballot language of Issue 25, is the actual recommendation of the Charter Review Commission. In hindsight, my own view is that the Issue 25 ballot language failed to capture and fully inform voters of some of the “checks and balances” and other nuances of the recommended changes.

In any event, thanks again to Mayor Neugebauer for the opportunity to serve on the Review Commission. It was a pleasure working with my colleagues on the Commission.

Ted

25. GREEN – Proposed Charter Amendment – Shall Section 3.3D of the Charter of the City of Green be amended to authorize the Mayor, without the approval of Council, to make short-term interim or acting appointments of Directors when necessary and to provide a procedure for extending such appointments as well as for removing interim or acting Directors?

3.3

*D. Appointment **and** ; Confirmation **and** Removal of Directors and Other Employees.*

The Except for the Director of Law, the Mayor shall appoint, or engage pursuant to contract, persons who shall serve as

directors Directors of the City administrative city 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 Directors may be

removed by the Mayor upon approval of a two-thirds (2/3) vote of the members of Council.

Subject to the general and Civil Service provisions of this Charter, the Mayor shall appoint all employees of the City unless

this Charter denies the appointing power to the Mayor or grants the appointing power to another office or body.

Except as provided otherwise in this Charter, the Mayor shall have the authority to appoint an interim or acting Director

when necessary. An acting Director is a person appointed on a temporary basis to perform the duties of a Director who is on

leave, with the expectation that the Director will return to their regular position in the future.

An interim Director is a person

appointed on a temporary basis to perform the duties of a Director who has resigned, been removed, placed on leave, or

otherwise vacated the position, with the expectation that the Director will not return to the position.

Appointment of an acting Director shall not require the approval of Council. Acting Director appointments shall expire

ninety (90) days following their effective date unless a Director is appointed prior to that time pursuant to Section 3.3(D) or

Section 6.4(D), where applicable, or unless Council, by majority vote, extends the acting Director appointment for an

additional period determined by Council. Acting Directors may be removed by the Mayor at any time without the approval

of Council.

Appointment of an interim Director shall not require the approval of Council. Interim Director appointments shall expire six

(6) months following their effective date unless a Director is appointed prior to that time pursuant to Section 3.3(D) or

Section 6.4(D), where applicable, or unless Council, by majority vote, extends the interim Director appointment for an

additional period determined by Council. Interim Directors may be removed by the Mayor at any time without the approval

of Council.

In the event any acting Director appointment or interim Director appointment is allowed to expire without extension by

Council beyond the respective periods set forth above, the individual previously so appointed shall thereafter be ineligible to be reappointed into the same position, on either an acting Director or interim Director basis, without approval by majority vote of Council.

The qualification set forth in Section 6.4.A.(3)(a) shall not apply to the appointment of an interim or acting Director of Law.

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