

PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY VARIOUS AMENDMENTS TO THE CITY CHARTER AS PROPOSED BY THE CHARTER REVIEW COMMISSION AND PROVIDING FOR IMMEDIATE ENACTMENT

WHEREAS, a Charter Review Commission was appointed by the Mayor in January 11, 2021 to consider possible amendment to the City Charter; and

WHEREAS, the Charter Review Commission has made eight recommendations for changes to the Charter; and

WHEREAS, such proposed changes must be considered by Council and placed before the electors at the November 2, 2021 General Election; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TALLMADGE, COUNTIES OF SUMMIT AND PORTAGE, STATE OF OHIO.

SECTION 1. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall Section 3.04 A and Section 4.06 be amended to eliminate a temporary absence from the City as a basis for the President of Council temporarily performing the duties of Mayor and the Vice President of Council temporarily performing the duties of the President of Council?

SECTION 2. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall Section 3.04 B. of the Charter be amended to change the manner in which the Permanent Vacancy of the Mayor is filled by: requiring the President of Council to notify Council in writing within seven days of the vacancy if he/she will decline the office; providing that general law shall be followed if the President of Council declines the office; requiring that elections to fill such vacancies be held at municipal elections; and nominations shall be made as provided by general law except that if there is no primary election, the appropriate committee to fill a party nomination shall consist of the party precinct committee members residing in the City?

SECTION 3. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall Sections 11.01, 12.01 and 13.01 be amended to provide that the Mayor may appoint one (1) alternate to the Planning and Zoning Commission, Board of Zoning Appeals, and Heritage Commission (proposed name change to Architectural Review Board)?

SECTION 4. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall Sections 11.02, 12.02, and 13.02 be amended to provide that the alternate may vote only in the absence of a member for any reason, or if a member has a conflict of interest?

SECTION 5. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall Articles X and XII be amended to change the name of the Heritage Commission to Architectural Review Board?

SECTION 6. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall Section 13.01 be amended to provide there shall be an Architectural Review Board, which shall consist of five (5) members, and may consist of one (1) alternate, appointed by the Mayor for staggered four (4) year terms. The persons appointed to the Board shall be chosen on the basis of their training, education, and experience in matters relating to the appearance and use of buildings and land. At least three (3) members shall be residents of the City as shall be the alternate if one is appointed. The alternate may vote only in the absence of a member for any reason, or if a member has a conflict of interest?

SECTION 7. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall all references to the Appearance Commission in Articles X and XIII of the Charter be amended to change the name of that board to the Heritage Commission?

SECTION 8. That the following issue shall be submitted to the electors of the City at the November 2, 2021 General Election:

Shall Section 13.02 be amended to provide that the Architectural Review Board shall have the powers and duties provided by ordinance, or as those powers and duties may be changed by ordinance, relating to the maintenance, safeguarding and enhancement of the distinctive architectural and/or historic character of Overlay Districts within the City to protect and preserve property, promote the stability of property values and protect real estate from impairment or destruction of value?

SECTION 9. That all other provisions of the Charter shall remain unchanged.

SECTION 10. That the Clerk of Council is hereby directed to deliver a certified copy of this Ordinance to both the Summit County Board of Elections and to the Portage County Board of Elections.

SECTION 11. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after November 28, 1975 that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 12. That this ordinance is necessary to provide for and to accomplish the purposes herein set forth, which are conducive to the health, safety, and welfare of the citizens of Tallmadge. For that reason, provided this ordinance shall receive the affirmative vote of three-fourths of the members of Council and approval by the Mayor, it shall be enacted immediately and shall be of immediate effect.

Passed:

\_\_\_\_\_  
Susan E. Burton, Clerk of Council  
MER/jt  
4/14/21  
Filed with the Mayor \_\_\_\_\_

\_\_\_\_\_  
Carol A. Kilway, President of Council  
  
Approved:

\_\_\_\_\_  
David G. Kline, Mayor

This \_\_\_\_\_ day of \_\_\_\_\_, 2021

Committee Assignment: \_\_\_\_\_

Readings: 1st \_\_\_\_\_ 2d \_\_\_\_\_ 3d \_\_\_\_\_