

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 21-80

INTRODUCED BY: Dietrich, Weimer, Marnecheck

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON A CERTAIN AMENDMENT TO ARTICLE XVIII MISCELLANEOUS, SUBSECTION (f) OF THE CHARTER OF THE CITY OF NORTH ROYALTON, PERTAINING TO CHARTER REVIEW COMMISSION, AND DECLARING AN EMERGENCY

WHEREAS: Council desires to provide a ballot issue to change the section entitled Charter Review Commission to allow for Council to participate in the process of crafting the proposals that the Commission determines to present to the voters and to provide for a collaborative effort in the formation of such amendments; and

WHEREAS: To provide for the above, it is necessary to recommend an amendment to Article XVIII, Council, Subsection (f), Charter Review Commission of the Charter of the City of North Royalton; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Pursuant to Article XVIII, Section 9 of the Ohio Constitution, and Article XVIII, Subsection (e) of the Charter of the City of North Royalton, this Council hereby authorizes and directs the submission to the electors of the City of North Royalton, at an election to be held in the usual places of voting in said City on November 2, 2021, a proposed amendment to Article XVIII, Miscellaneous, Subsection (f) of the Charter of the City of North Royalton which shall upon adoption read as follows:

## ARTICLE XVIII MISCELLANEOUS

### (f) CHARTER REVIEW COMMISSION.

Commencing with the first Council meeting in November, 2002, and every four (4) years thereafter, a Charter Review Commission of nine (9) members and the Law Director shall be appointed in the following manner. The Mayor shall appoint five (5) members to the Charter Review Commission and Council, by majority vote, shall appoint four (4) members to the Charter review Commission. Each member appointed by the Mayor or Council shall have been a resident and qualified elector of the municipality for at least three (3) continuous years immediately prior to his/her appointment, and shall continue to be a resident throughout his/her term of office. No elected official or employee of the municipality shall be eligible to serve on the Charter Review Commission. Each Charter Review Commission shall cease to function after the last day on which issues are required to be certified to the Board of Elections for placement on the ballot for election at the next general election following appointment.

Within seven (7) days of the appointment of the Charter Review Commission, the Director of Legislative Services shall notify each member appointed to the Commission that the Commission shall schedule its first meeting within thirty (30) days after the appointment thereof. At the initial meeting the Commission shall elect one of its members as Chairperson. Any vacancy on the Commission shall be filled by appointment by the Mayor or Council, whomever made the original appointment to the seat declared vacant. A member so appointed to serve in the position where a vacancy was created shall serve as though originally appointed to such position. Members of the Commission shall serve without compensation unless otherwise provided by an ordinance duly adopted by Council. At the initial meeting, the Commission shall, by majority vote, approve rules of organization and procedure.

The Council shall provide funds for the Commission as reasonably necessary. All proposed amendments revisions and alterations to this Charter, approved by a majority vote of any Charter Review Commission, shall be submitted to the Council on or before June 1st of the year following appointment of the Charter Review Commission which shall submit the same ~~without alteration,~~ to the electors for their approval or rejection on a separate ballot at the next general election in November following the appointment of the members of the Charter Review Commission. ***In the event of a disagreement between the Commission and a majority of Council over the language of a proposed amendment, two members of the Commission and two members of the Council majority and the President of Council shall meet and work collaboratively to determine by majority vote on the actual text of the amendment. The text determined by this committee shall be that submitted to the voters.***

If a majority of electors voting on the issues shall approve such amendment, revision or alteration, the same shall become a part of this Charter. When more than one amendment, revision or alteration to this Charter shall be submitted to the electors at the same time, they shall be so submitted as to enable the electors to vote on each amendment, revision or alterations separately. The effective date ***of approved amendments*** ~~to this section shall be~~ ***contemporaneous with*** immediately upon certification by the appropriate board of elections.

Section 2. The ballot for said issue shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

SHALL THE CHARTER OF THE CITY OF NORTH ROYALTON, ARTICLE XVIII, MISCELLANEOUS, SUBSECTION (f), CHARTER REVIEW COMMISSION BE AMENDED TO PROVIDE FOR A PROCESS THAT ALLOWS FOR COUNCIL TO PARTICIPATE IN THE CREATION OF PROPOSED AMENDMENTS AND FOR A COLLABORATIVE RESOLUTION IN THE EVENT OF A DISAGREEMENT

	YES
	NO

Section 3. The foregoing proposed amendment, if approved by a majority of the electors voting thereon at the aforesaid election to be held on November 2, 2021, shall become a part of the Charter of this City and shall be effective as of the date that said amendment has been certified by the Cuyahoga County Board of Elections as having been approved by a majority of the voters.

Section 4. The Director of Legislative Services be and hereby is authorized and directed to immediately deliver to the Board of Elections a certified copy of this Ordinance.

Section 5. The Director of Legislative Services be and hereby is authorized and directed, pursuant to the laws passed by the General Assembly, to give notice of this proposed Charter amendment by newspaper advertising.

Section 6. There shall be and hereby is appropriated from the General Fund a sufficient sum of money to pay the cost of printing and mailing copies of said proposed Charter amendment, for publishing an election notice, and for other costs incidental to carrying out the terms of this Ordinance.

Section 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 8. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that this Ordinance must be effective immediately in order to permit necessary arrangements to be made in sufficient time for said election.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck  
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz  
MAYOR

DATE PASSED: May 18, 2021

DATE APPROVED: May 19, 2021

ATTEST: /s/ Dana A. Schroeder  
DIRECTOR OF LEGISLATIVE SERVICES

First reading April 20, 2021  
Second reading May 4, 2021  
Third reading May 18, 2021

YEAS: Marnecheck, Fenos, Barath, Krejci  
Dietrich, Weimer, Wos

NAYS: none