

MEMORANDUM

To: Richmond Heights City Council
From: Richmond Heights Charter Review Commission
Re: Proposed Amendments
Date of Submission: July 22, 2014

Greetings to the President and Members of City Council:

After much deliberation, we, the undersigned and duly appointed members of the 2014 Richmond Heights Charter Commission, do hereby submit this year's proposed amendments to the Richmond Heights Charter to Council for placement on the November 2014 General Election Ballot in accordance with the provisions of Article XIV of the City Charter.

Respectfully submitted by:

Tyrone Drummer
Tyrone Drummer, Chairperson

Danielle Cadiou

Duane Crockrom
Duane Crockrom

Stephanie Douglas

Donald Hewston
Donald Hewston

Elliott Isenberg
Elliott Isenberg

Arnetta Parker
Arnetta Parker

Myrle Weems
Myrle Weems

Sherdina Williams

To All:

Please note that this document is just an advance copy for your information. We want you to be aware that the three missing signatures signify nothing more than the current unavailability of those members. All signatures will be on the final documents.

Ed E. Bush

ORDINANCE NO.: _____-2014
INTRODUCED BY: Mayor and All of Council

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF RICHMOND HEIGHTS THE QUESTION OF AMENDING SELECT PORTIONS OF THE CHARTER AT ARTICLE IV, THE COUNCIL; ARTICLE V, THE MAYOR; ARTICLE VIII, NOMINATIONS AND ELECTIONS; AND ARTICLE XV, MISCELLANEOUS PROVISIONS REGARDING GENDER NEUTRAL LANGUAGE THROUGHOUT THE CHARTER; THE COMPOSITION OF COUNCIL; THE FULL TIME STATUS OF THE MAYOR; THE NOMINATION REQUIREMENTS FOR "AT LARGE" AND WARD CANDIDATES; THE TAKING OF OATHS AND COMMENCEMENT OF DUTIES FOR ALL ELECTED OFFICIALS; THE POWERS OF THE ACTING MAYOR; THE AUTHORITY TO CHANGE THE STATUS OF DIRECTORS, BOARD MEMBERS AND DEPARTMENT HEADS WITHOUT APPROVAL OF COUNCIL; TO GIVE THE MAYOR AUTHORITY TO ENTER INTO CONTRACTS NETTING \$6,000 OR LESS; AND REQUIRING COUNCIL MEETINGS TO BE BROADCAST TO THE PUBLIC; AND DECLARING AN EMERGENCY.

WHEREAS, the Charter Review Commission has recommended to place the issue of amending the Charter before the electorate in order to change the gender bias of the language in the Charter; to clarify the dates and requirements for elected office in the municipality pursuant to Article VIII; to set new dates for taking oaths and assuming offices that are outlined in Articles IV and V of the Charter; to add a Transition Team to the Charter; to make the position of Mayor full time in Article V; to eliminate the elected position of Council President; to add a third "At Large" Council position; to provide for the Council President to be chosen from the body of Council; to eliminate the language "absent from the municipality" in Article IV, Section 11; to define the powers of the Acting Mayor; to grant the Mayor authority to control the status of persons appointed or supervised by the Mayor's office without council approval; to authorize the Mayor to enter into contracts with net amounts of \$6,000 or less without council approval and to require live broadcasting of Council meetings; and

WHEREAS, pursuant to Charter Article XIV, Council shall submit these proposed amendments to the electorate; and

WHEREAS, the Ohio Constitution provides that the Council shall submit the amendments to the electors at the next regular municipal election that occurs not less than 60 or more than 120 days from the passage of such ordinance.

NOW, THEREFORE, Be it Ordained by the Council of the City of Richmond Heights, Cuyahoga County, State of Ohio, that:

Section 1: There shall be submitted to a vote of the qualified electors of the City, at the general election to be held on Tuesday, the 4th Day of November, 2014, at the regular places of voting in

the City during the regular hours of voting on such date as prescribed by general law, the questions of the amendment of the Charter of the City of Richmond Heights, as outlined in the attached document that is incorporated by reference herein.

Section 2: The Board of Elections of Cuyahoga County be, and it is hereby, directed to provide for the voting upon said Amendments and the ballots for said election shall, at the top thereof, be entitled "Proposed Charter Amendment City of Richmond Heights: and the questions to be submitted on said ballot shall be substantially in the words in the attached document which are incorporated herein by way of reference. [See Attachment 1.]

Section 3: The Clerk of Council is directed to give notice of the above proposed Charter Amendments to the electors of the City in accordance with general law, and to certify a copy of this Ordinance to the Board of Elections of Cuyahoga County, Ohio, as provided by law.

Section 4: The Director of Finance is authorized and directed to appropriate from the general fund a sum sufficient to pay the cost of publishing said notice referred to in Section 3.

Section 5: 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 of any committee of its committees 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 6: 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 of Richmond Heights for the reason that it is necessary to timely submit the proposed Charter Amendments to the Board of Elections for placement upon the ballot for the general election to be held on November 4, 2014, in compliance with the Ohio Constitution and the City Charter, and, therefore, shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: _____

Miesha W. Headen, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall the wording in all sections of the Charter be made gender-neutral so that all references to officeholders and/or employees shall include male and female persons?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article VIII, Section 1, regarding Nominations and Elections be amended to state that Regular Municipal elections, for four year terms, shall be held on the first Tuesday after the first Monday in the month of November in every odd-numbered year commencing in 2015 and that any other election may be held as mandated by state law or by other provisions of this Charter?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article VIII, Section 2 regarding Nominations and Qualifications be amended by repealing the current language and changing the signature requirements for petitions so that petitions for nomination of a candidate for an office to be filled by election from the City "At Large" shall be signed by not less than 150 electors (registered voters) and that petitions for offices to be filed by election from a Ward shall be signed by no less than 50 electors residing in that ward?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article IV, Section 1 (b); Article V, Section 1 and Article XV regarding the commencement of terms, taking oaths and assuming duties, be amended to state that the Mayor and all members of Council shall take their respective Oaths of Office; assume their duties and commence serving on the first day of January next following their election in 2015 or thereafter, or until their successor is elected and certified by the local Elections Board?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article XV be amended by adding a section granting the incoming Mayor the authority to appoint a Transition Team whose purpose is to assure the continuation of the City's business between the date of the Election and December 31st of that election year?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article V, Section 5 be amended to specifically state that the position of Mayor shall be full-time with appropriate adjustments to the compensation and benefits of said office to be established by Council, effective for the term on the ballot in 2017?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article IV, Sections 1 (a); 8 and 11 regarding the composition of Council be amended to (1) eliminate the elected position of Council President, effective for the regular municipal election in the year 2017; (2) establish a third "At Large Council" position and (3) add provisions for the election of a Council President from the body of Council members for a term of one year at the first regular meeting in January following a regular municipal election and further providing that said President shall have the rights and privileges of a councilperson during such tenure?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article IV, Section 11 and Article V, Section 7 (a) regarding the Council President as Acting Mayor be amended to remove the language "absent from the municipality" and to state that the President of Council shall be the Acting Mayor when the Mayor is unable or unwilling for any cause to perform his or her duties with the same powers and duties of the Mayor and with the restriction of not voting in Council meetings consistent with Article V, Section 4 of this Charter?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article IV, Section 9 (b) and Art V, Section 5 be amended to grant the Mayor the authority to appoint, promote, transfer, demote or remove all directors, board members and department heads listed in this charter and who are appointed by or supervised by the Mayor, without Council approval, and in compliance with applicable state and federal law, and shall the necessity for Council approval for such actions be eliminated?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article IV, Section 9 (f) be amended to authorize the Mayor to enter into designated contracts in the budget that are for net amounts of \$6,000 or less per contract, without prior approval of Council?

YES
NO

PROPOSED CHARTER
AMENDMENT
CITY OF RICHMOND HEIGHTS

A majority affirmative vote is
necessary for passage.

Shall Article XV and Article IV, Section 5, be amended to require that Council meetings be available to the residents and to the public by being broadcast through live media outlets such as cable television and other electronic media?

YES
NO