

ORDINANCE NO.: 117 -2022
INTRODUCED BY: All of Council

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE CITY OF RICHMOND HEIGHTS THE QUESTION OF AMENDING THE CHARTER AT ARTICLE XIV TO SPECIFY WHEN THE CHARTER REVIEW COMMITTEE SHALL FIRST MEET TO PERFORM ITS DUTIES; AND DECLARING AN EMERGENCY.

WHEREAS, the Charter Review Committee, pursuant to Article XIV of the City Charter, has recommended to place the issue of amending the Charter before the City's electorate in order to require the Charter Review Committee to first meet to perform its duties required by Article XIV no less than 120 days prior to its deadline to report its recommendations, if any, to the Council;

WHEREAS, pursuant to Charter, Article XIV, Council shall submit this proposed amendment to the electorate;

WHEREAS, the Ohio Constitution provides that the Council shall submit the amendments to the electors at the next regular election that occurs not less than 60 nor more than 120 days from the passage of such ordinance, which is the general election on November 8, 2022, but the Council is required to file this Ordinance with the Cuyahoga County Board of Elections by September 9, 2022.

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 8th day of November, 2022, at the regular places of voting in the City during the regular hours of voting on such date as prescribed by general law, the question of the amendment of the Charter of the City of Richmond Heights, at Article XIV "Charter Review Committee" so that, as amended, it shall read in pertinent part as follows:

**ARTICLE XIV
CHARTER REVIEW COMMITTEE**

At some time during the month of January, 1963, and at least once every five (5) years thereafter, a committee of nine (9) qualified electors of the Municipality shall be appointed and to be known as a Charter Review Committee. Each member of Council shall appoint one (1) elector to the Charter Review Committee and the Mayor shall appoint two (2) electors to the Charter Review Committee. **Such Committee shall first meet to begin performing its duties required by this Article XIV no less than 120 days prior to its deadline to report its recommendations, if any, to the Council.** Such Committee shall review and recommend to Council not less than ninety (90) days prior to the next November election, any alterations, revisions, and amendments to this Charter as in its judgment seem advisable. The Council shall submit to the electors any such proposed alterations, revisions, or amendments to the Charter at

the next regular November election. Each said Charter Review Committee shall cease to function on the day of the next November election following its appointment. The member shall serve without compensation unless otherwise provided by ordinance.

Section 2: The Board of Elections of Cuyahoga County is hereby directed to provide for the voting upon said Amendment and the ballots for said election shall, at the top thereof, be entitled "Proposed Charter Amendment City of Richmond Heights", and the question to be submitted on said ballot shall be substantially in the following words:

"Shall Article XIV of the Richmond Heights Charter be amended to require the Charter Review Committee to first meet to perform its duties required by Article XIV no less than 120 days prior to its deadline to report its recommendations, if any, to the Council?"

Section 3: The Clerk of Council is directed to give notice of the above proposed Charter Amendment to the electors of the City in accordance with general law, and to certify a copy of the 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 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 Amendment to the Board of Elections for placement upon the ballot for the general election to be held on November 8, 2022, 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: August 23, 2022

APPROVED: August 23, 2022

ATTEST: Betsy Traben
Betsy Traben
Clerk of Council

Kim A. Thomas
Kim A. Thomas, Mayor

Bobby Jordan
Bobby Jordan
President of Council