

ORDINANCE NO. 58-1990

Offered by Council

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE VILLAGE OF RICHFIELD THE QUESTION OF WHETHER ARTICLE IV, SECTIONS 4.08 AND 4.09; ARTICLE IX, SECTION 9.01; AND ARTICLE XIII, SECTIONS 13.01 AND 13.02 SHALL BE AMENDED TO ALLOW FOR EXECUTIVE SESSIONS TO BE HELD IN ACCORDANCE WITH THE LAWS OF THE STATE OF OHIO AND DECLARING AN EMERGENCY

WHEREAS, a Charter Review Commission has been created; and

WHEREAS, the Charter Review Commission has recommended that Article IV, Sections 4.08 and 4.09; Article IX, Section 9.01; and Article XIII, Sections 13.01 and 13.02 be amended as hereinafter provided; and

WHEREAS, pursuant to Article XVIII, Section 18.02 of the Charter, the Council of the Village of Richfield has by a vote of two-thirds of its members determined to submit the proposed amendment to the Charter to the electors; and

WHEREAS, pursuant to Article XVIII, Section 18.02 of the Charter of the Village of Richfield and Article XVIII, Section 8 of the Constitution of Ohio, the Council has determined to submit the proposed Charter amendment at the general election to be held on November 6, 1990.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, State of Ohio, by the vote of two-thirds of its members:

SECTION 1: That this Council hereby authorizes and directs the submission to the electors of the Village of Richfield at the general election to be held on November 6, 1990 a proposal to amend the Charter of the Village of Richfield by amending Article IV, Sections 4.08 and 4.09; Article IX, Section 9.01; and Article XIII, Sections 13.01 and 13.02 as follows:

"ARTICLE IV
Council

Section 4.08 Regular Meetings

Council shall meet at such times as may be prescribed by its rules, regulations, by-laws, or by resolution or ordinance, except that it shall hold

regular meetings at least once during each calendar month. All regular meetings of Council shall be held at the Council Chambers and shall be open to the public, unless an executive session is held for one of the reasons set forth in the Ohio Revised Code.

Section 4.09 Special Meetings

Special meetings of Council may be called as provided by its rules, regulations, by-laws, or by ordinance or resolution. In the absence of any such provisions, special meetings may be called by a majority vote of Council taken at any regular or special meeting thereof, or shall be called by the Clerk of Council upon the written request of the Mayor, or the President of Council, or any three (3) members of Council. Notice, in writing, of each such special meeting called at the request of the Mayor, President of Council, or three (3) members of Council, shall state the date and time, and subject or subjects to be considered, and no other subject shall be considered thereat. Such written notice shall be served by the Clerk of Council upon the Mayor and each member of Council, either personally or by leaving a copy thereof at his usual place of residence, not less than twenty-four (24) hours preceding the time for the meeting. In the event that a special meeting is called by a vote of Council taken at any regular or special meeting from which any member of Council is absent, written notice of such special meeting shall be given such absentee in the manner and form hereinbefore provided. Service of such notice may be waived by an instrument in writing signed prior to the hour of such meeting, and the Mayor and any Councilman shall be deemed conclusively to have waived such notice by his attendance at any such meeting. All special meetings of Council shall be held at the Council Chambers and shall be open to the public, unless an executive session is held for one of the reasons set forth in the Ohio Revised Code.

ARTICLE IX Planning and Zoning Commission

Section 9.01 Organization

There shall be a Planning and Zoning Commission which shall consist of one (1) member of Council elected by Council annually and of four (4) electors of the Municipality not holding other municipal office or employment, to be appointed for terms of four

(4) years, or removed by the Mayor subject to confirmation by the affirmative vote of a majority of the members elected or appointed to Council. The Mayor shall be an ex officio member of the Commission, but shall have no vote.

Each member holding office on the effective date of the Charter shall continue to serve for the remainder of his term. Other members shall be appointed for terms so that the term for one (1) member shall expire annually. A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for original appointment.

All members of this Commission shall serve without compensation unless otherwise provided by ordinance of Council.

The Commission shall meet at least once a month and all meetings shall be open to the public, unless an executive session is held for one of the reasons set forth in the Ohio Revised Code.

ARTICLE XIII Park and Recreation Board

Section 13.01 Organization

There shall be a Park and Recreation Board which shall consist of five (5) electors of the Municipality not holding other municipal office or employment to be appointed, for terms of five (5) years, or removed by the Mayor subject to confirmation by the affirmative vote of a majority of the members elected or appointed to Council, except that of the members appointed for terms beginning January 1, 1971, one (1) shall be appointed for a term of one (1) year, one (1) for a term of two (2) years, and one (1) for a term of three (3) years, one (1) for a term of four (4) years, and one (1) for a term of five (5) years. A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

All meetings of the Board shall be open to the public.

Section 13.02 Operating Procedures

The Board shall elect from its members a Chairman, Vice Chairman, Secretary, and such other officers as it may deem necessary.

The Board shall elect, or re-elect its officers at a regular meeting in January of each year. A majority of the members of the Board shall constitute a quorum and the affirmative vote of a majority of the members of the Board shall be necessary for any official action.

The Board shall adopt its own rules and regulations and shall keep a complete Journal of proceedings, showing the vote of each member on every question, which Journal shall be open for public inspection at all times during the scheduled working hours of the municipal office, or by appointment.

All meetings of the Board shall be open to the public unless an executive session is held for one of the reasons set forth in the Ohio Revised Code."

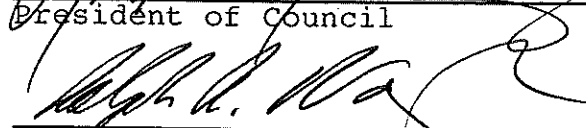
- SECTION 2: That the foregoing proposed amendment shall be voted on at the general election to be held on November 6, 1990 as above provided, and if approved by a majority of the electors voting thereon at such election, shall become effective from and after the time of its approval by the electors.
- SECTION 3: That, provided the foregoing proposed amendment is approved by a majority of the electors voting thereon at such election, any provisions of the Richfield Charter inconsistent therewith be, and the same hereby are, repealed.
- SECTION 4: That the Clerk of Council is hereby authorized and directed to cause a copy of the proposed Charter amendment to be published in accordance with the provisions contained in Ohio Revised Code Section 731.211(B).
- SECTION 5: That the Clerk of Council be, and she hereby is, authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Summit County, Ohio and to request the Board of Elections to place this issue on the ballot at the general election to be held in the Village of Richfield on November 6, 1990.
- SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety for the reason to be forwarded to the Summit County Board of Elections

to be voted upon by the electors on November 6, 1990 and provided this Ordinance receives the affirmative vote of two-thirds of the members elected or appointed, it shall take effect and be in force from and after its approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed: 8/21/90



President of Council



Mayor

Dated: 8/23/90

ATTEST:



Clerk of Council