

ORDINANCE NO. 2010-028

DIRECTING THE WARREN COUNTY BOARD OF ELECTIONS TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF WAYNESVILLE, OHIO, AT THE NOVEMBER 2, 2010, GENERAL ELECTION, CERTAIN CHARTER AMENDMENTS TO SECTIONS 3.05(B)(4), 3.05(D), 3.09(K), 4.05(A), 4.05(D), 4.05(E), 4.07, 4.07(A), 6.05(C), AND 7.02(A)(3) OF THE VILLAGE CHARTER (OPERATIONAL CHANGES)

WHEREAS, the Village of Waynesville Charter Revision Commission has recommended certain alterations, revisions, and amendments to the Charter of the Village of Waynesville; and

WHEREAS, it is the intent of the Village Council to submit said alterations, revisions, and amendments to the electors of the Village.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Waynesville, Ohio, _____ members elected thereto concurring:

Section 1. That the following amendments to the Charter of the Village of Waynesville, attached hereto as Exhibit A and incorporated herein by reference, shall be submitted to the electors of the Village of Waynesville as a single issue at the general election to be held on the 2nd day of November, 2010, at the regular places of voting in said Village as established by the Board of Elections:

Section 2. That the Clerk of Council is hereby directed to certify a copy of this Ordinance to the Board of Elections of Warren County, Ohio, and the Clerk is directed to provide notice of the proposed Charter amendments to the electors of the Village as required by law.

Section 3. That this Ordinance provides for the submission of a question to the electorate and shall be effective immediately upon its passage pursuant to Section 4.08 of the Village of Waynesville Charter.

Adopted this _____ day of _____ 2010.

Attest: _____
Staci Morris, Clerk of Council

Earl J. Isaacs, Mayor

CERTIFICATE

The undersigned, Clerk of Council of the Village of Waynesville, hereby certifies this to be a true and exact copy of Ordinance No. 2010-028, adopted by the Council of the Village of Waynesville on _____, 2010.

Clerk of Council

EXHIBIT A

3.05 B(4) fails to attend three consecutive regular meetings of Council without being excused, or misses six meetings in any consecutive twelve month period. Council shall, by rule, determine and list conditions and circumstances which constitute good cause for absence.

3.05 (D) Filling of Vacancies. Vacancies in the office of Council member shall be filled within forty-five days by an affirmative vote of at least four of the remaining members of Council. If a vacancy occurs in one or more positions among Council members, Council of the new term shall appoint, by an affirmative vote of at least four members, an eligible citizen of the Municipality of Waynesville. If the Council fails to do so within forty-five days following the occurrence of the vacancy, the power of Council to fill the vacancy shall lapse and the Mayor shall fill the vacancy by appointment at the next regularly scheduled Council meeting following the expiration of the said forty-five days. The person so appointed shall serve until the next Municipal election occurring not less than ninety days thereafter at which time a successor shall be elected for the remainder of the unexpired term.

Deleted: Unsuccessful candidates for council from the previous election, who are interested in the vacancy, should be given first consideration before any other applicants are considered. If none of these unsuccessful candidates is selected Council shall then make the appointment from the other qualified applicants

3.09 (K) The compensation of all officers and employees of the Municipality may be increased or decreased at any time by ordinance.

Deleted: Unsuccessful candidates for council from the previous election, who are interested in the vacancy, should be given first consideration before any other applicants are considered. If none of these unsuccessful candidates is selected then the Mayor shall make the appointment from the other qualified applicants

3.09 (L) The power to exercise all other powers granted to the Council by this Charter and by the Constitution and laws of the State of Ohio.

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4.05 (A) The Council may, by an affirmative vote of at least five members, dispense with the requirement that an ordinance or resolution shall be read on two separate days, and authorize the adoption of an ordinance or resolution upon its first reading. The Ordinance or resolution shall contain a statement of the reasons for having one reading.

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4.05 (D) Unless approved by an affirmative vote of at least six members of Council, motions authorized by paragraphs (A) shall not apply to ordinances or resolutions that pertain to zoning classifications, districts or regulations, regulations governing the platting and subdivision of land, the incurring of a debt to be evidenced by bonds or notes, or the changing of compensation of members of Council or the Mayor.

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4.05 (E) The levying or a tax or fees by ordinance or resolution shall be fully and distinctly read by title on two separate days with the second reading of any such ordinance or resolution being no earlier than the next regularly scheduled Council meeting.

SECTION 4.07 CONTENT OF EMERGENCY ORDINANCES AND RESOLUTIONS.

Each emergency ordinance or resolution shall determine that said ordinance or resolution is necessary for the immediate preservation of the public peace, health or safety, and shall contain a statement of the necessity for such emergency. The power herein expressed in this sub-section shall be exercised by the affirmative vote of at least five members of

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Council. No ordinance or resolution pertaining to the following matters may be adopted as an emergency measure: zoning classifications, districts or regulations; regulations governing the platting and subdivision of land; the levying of a tax or the incurring of a debt to be evidenced by bonds or notes, unless such tax or debt shall be necessary to provide or replace municipal facilities, equipment or buildings and the need for such facilities, equipment or buildings arises out of a public crisis or need or the changing of compensation of members of Council or the Mayor.

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4.07 (A) When making a motion for an emergency ordinance, a reason for the emergency must be stated and recorded in the meeting minutes. Whenever Council has made a motion for an emergency ordinance, and received a second, the Mayor shall open the meeting to the public for questions and input before a vote on the ordinance is taken. The public should be given ample time to have their questions answered and concerns heard.

6.05 (C) The Financial Director shall prepare and submit a five year fund financial forecast to the Council. The purpose of the forecast is to ensure that financial shortfalls can be addressed before deficit fund balances develop.

(1) Five year forecast submissions to Council. The Financial Director shall prepare and submit to the Council a five year financial forecast before final appropriations for the year are approved.

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(2) The five year forecast shall include the following:

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(a) Revenue and expenditure detail for the previous two years.

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(b) Projected revenue and expenditures for the current year and for four future fiscal years.

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(c) Capital expenditures summary.

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(d) Amortization tables for all outstanding debt

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7.02 A(3) Council shall consider all applicants. Applicants may be interviewed by or at the direction of Council.

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Deleted: The Manager and the Mayor plus two members of Council shall interview all applicants