



City of Gahanna
Signature
Resolution

200 South Hamilton Road
Gahanna, Ohio 43230

File Number: RES-0015-2011

Date Passed: 7/18/2011

TO PROVIDE FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENT TO THE
GAHANNA CITY CHARTER PERTAINING TO THE MAYOR

WHEREAS, the Gahanna Charter Review Commission has made recommendation to City Council that a change be made to Section 3.04, Executive and Administrative Powers, of Article III, The Mayor, of the Gahanna City Charter; and

WHEREAS, the Gahanna Charter Review Commission has made recommendation to City Council that a change be made to Section 3.07, Vacancy, of Article III, The Mayor, of the Gahanna City Charter; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GAHANNA,
STATE OF OHIO:

Section 1. That the question of an amendment to the Charter of the City of Gahanna, which is deemed to be in the best interest of the citizens of Gahanna be submitted to the electors of the City of Gahanna at the next regular general election so that, as amended, the same shall read as follows on EXHIBIT A, attached hereto and made a part hereof as if fully written herein.

Section 2. That the Clerk shall make available to the Board of Elections sufficient copies of this text so as to have one copy per precinct in all voting places within the City of Gahanna.

Section 3. That this amendment be digested on the voting machine with the following language:

Shall Section 3.04, Executive & Administrative Powers, and Section 3.07, Vacancy, of Article III, The Mayor, be amended to require a State of the City Address annually and to clarify when a vacancy in the office of the Mayor shall be filled.

For _____ Against _____

Section 4. That public notice of the time and place of holding such election shall be given by publication of notice thereof at least ten (10) days prior to the day of such election in a newspaper published and of general circulation in the City.

Section 5. That the Clerk of Council is hereby directed to publish the full text of the proposed Charter amendment as set forth in EXHIBIT A, attached hereto and made a part hereof as if fully rewritten herein, once a week for not less than two consecutive weeks in a newspaper of general

circulation within the municipality, with the first publication being at least fifteen (15) days prior to the election, all in accordance with Section 9 of Article XVIII, Ohio Constitution, and Section 731.211(b), Ohio Revised Code, and that she is directed to verify a copy of this resolution to the Board of Elections within the time period prescribed by Section 8 of Article XVIII, Ohio Constitution.

Section 6. That the Board of Elections is hereby authorized to place the digest shown in Section 3 above, within the voting machine at a special election to be held on the date of the general election, Tuesday, November 8, 2011.

Section 7. That language to the effect that a majority affirmative vote is necessary for passage be digested on the voting machine.

Section 8. That the City Attorney is hereby authorized to do any and all things necessary to ensure that the issues are placed on the ballot in conformance with the Constitution and the laws of the State of Ohio and the Charter of the City of Gahanna.

Section 9. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

This Resolution was Adopted, this 18th day of July, 2011.



David L. Samuel
President of Council

ATTESTED to and PRESENTED to the Mayor;
this 19th day of July, 2011.



Isobel L. Sherwood, MMC
Clerk of Council

APPROVED by the Mayor, this
19th day of July 2011.



Rebecca W. Stinchcomb
Mayor

Approved as to form:



Thomas L. Weber
City Attorney

PROPOSED ARTICLE III, THE MAYOR
Section 3.04 Executive & Administrative Powers
Section 3.07 Vacancy

Present Charter	Proposed Charter	Reasoning
<p style="text-align: center;">ARTICLE III THE MAYOR</p> <p>SECTION 3.04 EXECUTIVE AND ADMINISTRATIVE POWERS.</p> <p>The executive and administrative powers of the Municipality shall be vested in the Mayor, directors of departments, and other administrative officers and boards provided for in this Charter or by ordinance. The Mayor shall be recognized as the chief executive and the official and ceremonial head. The Mayor shall function as the chief conservator of the peace, to see that all laws, resolutions and ordinances are enforced. The Mayor should attend all meetings of Council with the right to participate in debate, but not to vote. The Mayor shall appoint and shall have the power to remove:</p> <ul style="list-style-type: none"> (a) All department heads. (b) The Mayor's appointees to boards and commissions. (c) Any other employees as otherwise provided in this Charter or whose positions may be created by Council and for whose appointment the Mayor shall be responsible. <p>The Mayor shall appoint or delegate to the heads of departments, appointments of municipal employees, subject to the provisions of this Charter, any applicable collective bargaining agreements and any applicable Civil Service regulations adopted in accordance with this Charter. The Mayor may, without notice, cause the affairs of any department or the conduct of any employee to be examined. Except</p>	<p style="text-align: center;">ARTICLE III THE MAYOR</p> <p>SECTION 3.04 EXECUTIVE AND ADMINISTRATIVE POWERS.</p> <p>The executive and administrative powers of the Municipality shall be vested in the Mayor, directors of departments, and other administrative officers and boards provided for in this Charter or by ordinance. The Mayor shall be recognized as the chief executive and the official and ceremonial head. The Mayor shall function as the chief conservator of the peace, to see that all laws, resolutions and ordinances are enforced. The Mayor should attend all meetings of Council with the right to participate in debate, but not to vote. The Mayor shall appoint and shall have the power to remove:</p> <ul style="list-style-type: none"> (a) All department heads. (b) The Mayor's appointees to boards and commissions. (c) Any other employees as otherwise provided in this Charter or whose positions may be created by Council and for whose appointment the Mayor shall be responsible. <p>The Mayor shall appoint or delegate to the heads of departments, appointments of municipal employees, subject to the provisions of this Charter, any applicable collective bargaining agreements and any applicable Civil Service regulations adopted in accordance with this Charter. The Mayor may, without notice, cause the affairs of any department or the conduct of any employee to be examined.</p>	<p style="text-align: center;">ARTICLE III THE MAYOR</p> <p>SECTION 3.04 EXECUTIVE AND ADMINISTRATIVE POWERS.</p> <p>In order to keep Gahanna citizens fully informed about the functioning and activities of the city's government, the Mayor would be required to present a public State of the City address on an annual basis.</p> <p>SECTION 3.07 VACANCY This change clarifies that vacancies in the position of Mayor are only to be filled at the next municipal election as opposed to the next general election for state and federal officials.</p>

as otherwise provided in this Charter, the Mayor may remove any employee for whose appointment the Mayor is responsible. The Mayor shall execute on behalf of the Municipality all authorized contracts, conveyances, evidences of indebtedness, and all other instruments to which the Municipality is a party, and shall, where required, attach thereto the official seal of the Mayor's office. The Mayor or the Mayor's designee shall execute the purchasing function for the City. (Amended Nov. 7, 2006.)

SECTION 3.07 VACANCY.

In the event of death, resignation, recall, or removal of the Mayor, the President of Council, Vice President of Council, or any member of Council designated by the majority vote of Council, in that order, shall become the Mayor, to serve until the certification of results by the Board of Elections of the next election or for the balance of the unexpired term, whichever occurs first, and his/her office as Councilperson shall become thereby vacant; provided that if the Mayoral vacancy occurs within ninety (90) days of the next election and the Mayoral position is not already on the ballot in that election, the new Mayor shall serve until the certification by the Board of Elections of the results of the next following election or for the balance of the unexpired term, whichever occurs first. The salary of the Mayor for the balance of the term shall be that established by the ordinance for the term as provided in this Charter.

(Amended Nov. 6, 2001.)
(Amended Nov. 7, 2006.)

Except as otherwise provided in this Charter, the Mayor may remove any employee for whose appointment the Mayor is responsible. The Mayor shall execute on behalf of the Municipality all authorized contracts, conveyances, evidences of indebtedness, and all other instruments to which the Municipality is a party, and shall, where required, attach thereto the official seal of the Mayor's office. The Mayor or the Mayor's designee shall execute the purchasing function for the City.

THE MAYOR SHALL PRESENT AN ANNUAL STATE OF THE CITY ADDRESS DURING THE FIRST QUARTER OF EVERY CALENDAR YEAR. SAID ADDRESS SHALL NOT BE PRESENTED AT A COUNCIL MEETING BUT SHALL BE PRESENTED AT A TIME AND PLACE DETERMINED BY THE MAYOR WITH NOTIFICATION TO THE PUBLIC. (Amended Nov. 7, 2006.)

SECTION 3.07 VACANCY.

In the event of death, resignation, recall, or removal of the Mayor, the President of Council, Vice President of Council, or any member of Council designated by the majority vote of Council, in that order, shall become the Mayor, to serve until the certification of results by the Board of Elections of the next **REGULAR MUNICIPAL** election or for the balance of the unexpired term, whichever occurs first, and his/her office as Councilperson shall become thereby vacant; provided that if the Mayoral vacancy occurs within ninety (90) days of the next **REGULAR MUNICIPAL** election and the Mayoral position is not already on the ballot in that **REGULAR MUNICIPAL** election, the new Mayor shall serve until the

	<p>certification by the Board of Elections of the results of the next following REGULAR MUNICIPAL election or for the balance of the unexpired term, whichever occurs first. The salary of the Mayor for the balance of the term shall be that established by the ordinance for the term as provided in this Charter. (Amended Nov. 6, 2001.) (Amended Nov. 7, 2006.)</p>	
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