



**Monroe Council Agenda
Regular Meeting of Council
July 27, 2021 – 6:30 p.m.
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

Roll Call

Approval of the Minutes – Council Minutes of July 13 and July 21, 2021

Visitors

- Renewable Energy Aggregation

Committee Reports

Public Works Committee
Finance Committee
Administrative Liaison Committee
Technology Committee
Public Involvement Committee
Public Safety Committee

Old Business

None.

New Business

Emergency Resolution No. 44-2021. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and CT Consultants for professional engineering services for the observation and reporting for the State Route 63 and Lawton Avenue Reconstruction Project and declaring an emergency.

Emergency Ordinance No. 2021-25. An Ordinance providing for the submission to the electorate of amendments to Section 4.01 of the Charter of the City of Monroe, Ohio, establishing term limits for members of City Council, and declaring an emergency.

Emergency Ordinance No. 2021-26. An Ordinance providing for the submission to the electorate of amendments to Section 4.02 of the Charter of the City of Monroe, Ohio, to allow any eligible Council member to submit their name for consideration of Mayor and/or Vice Mayor, and declaring an emergency.

Emergency Ordinance No. 2021-27. An Ordinance providing for the submission to the electorate of amendments to Section 4.06 of the Charter of the City of Monroe, Ohio, to reduce excused absences from four to



three and require the attendance of 66% of regularly scheduled meetings in a calendar year, and declaring an emergency.

Emergency Ordinance No. 2021-28. An Ordinance providing for the submission to the electorate of amendments to the Charter of the City of Monroe, Ohio, to provide for gender neutral references; require Council proceedings on public media platforms; include additional duties of the City Manager; amend what is to be adopted by an ordinance; permit legislation to be read by title only unless otherwise indicated; allow resolutions to become effective immediately; increase the time limit for zoning public hearings from 30 to 60 days; add or eliminate departments; eliminate the requirement for Council to authorize obtaining bids; and declaring an emergency.

Consideration of Motion setting the public hearing on an application of rezoning real property located at 860 Holman Avenue for Tuesday, August 10, 2021, at 6:00 p.m.

Consideration of Motion authorizing the expenditure of \$310,000.00 for Self Contained Breathing Apparatus for the Department of Fire.

Administrative Reports

Adjournment



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Finance Committee
Administrative Liaison Committee
Technology Committee
Public Involvement Committee
Public Safety Committee

Old Business

None.

New Business

Emergency Resolution No. 44-2021. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and CT Consultants for professional engineering services for the observation and reporting for the State Route 63 and Lawton Avenue Reconstruction Project and declaring an emergency.

Background. Due to the extent of the construction on this project, we do not have sufficient staff resources to provide inspection services while maintaining inspection needs of the other ongoing projects within the City. We have asked the Design Engineer to provide those inspection services since they are most familiar with the project design and time constraints.

Emergency Ordinance No. 2021-25. An Ordinance providing for the submission to the electorate of amendments to Section 4.01 of the Charter of the City of Monroe, Ohio, establishing term limits for members of City Council, and declaring an emergency.



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Consideration of Motion setting the public hearing on an application of rezoning real property located at 860 Holman Avenue for Tuesday, August 10, 2021, at 6:00 p.m.

Consideration of Motion authorizing the expenditure of \$310,000.00 for Self Contained Breathing Apparatus for the Department of Fire.

Background. This request is for the final step in purchasing SCBA's for the Fire Department. The entry into the HGAC purchasing cooperative for this endeavor has been approved, and the 30 day period has expired. The approved amount for this purchase was \$310,000.00. The current SCBA's have reached their useful life at 13 years, and part availability is becoming a serious issue. We currently have 3 SCBA's out of service awaiting backordered parts.

Administrative Reports

Adjournment

**Monroe Council Minutes
Regular Meeting of Council
July 13, 2021 – 6:30 p.m.
233 South Main Street, Monroe, Ohio**

Pledge of Allegiance

Mayor Frentzel opened the regular meeting of Council at 6:30 p.m. The Department of Fire Honor Guard led everyone in the Pledge of Allegiance.

Roll Call

Council members present: Tom Callahan, Jason Frentzel, Keith Funk, Anna Hale, Todd Hickman, and Christina McElfresh

Approval of the Minutes

Mr. Funk moved to approve the Council Minutes of June 22, 2021; seconded by Mrs. Hale. Voice vote. Motion carried.

Visitors

Law Director Callahan performed a ceremonial swearing in for recently hired Firefighter/EMT/Paramedics: Erik Dow, Ben Lause, Brandin Baxtron, Brendan Dziel, Drew Burch, Dan Leitz, and Todd Lohse.

State Representative Thomas Hall updated Council on the different issues the State Representatives have been working on.

Paul Lane asked Council for a status on the requested speed limit revision on Lebanon Street. Mr. Brock advised that speed limits fall under the Ohio Revised Code and recommended that the Safety Committee of Council meet to discuss this matter. Mrs. McElfresh requested that Mrs. Wasson schedule a Safety Committee meeting as soon as possible.

Kelly Clark, Chair of the 2021 Charter Review Commission, encouraged City Council to place the proposed changes related to term limits, attendance, and the selection of Mayor separate from the other proposed changes. Referring to the discussion at the last meeting of Council to place all of the proposed changes under one ballot question, Mrs. Clark felt that there are those divisive issues that risk none of the proposed changes being approved by the electorate.

Committee Reports

Mayor Frentzel reported that the Technology Committee did recommend Velecor for a new phone system. He noted that it is being presented as an emergency due to the fact that the current system is past its end of life.

Old Business

Resolution No. 36-2021. A Resolution authorizing the City Manager to enter into a Memorandum of Understanding with Performance Food Group/Presto Foods related to the continuance of an existing Community Reinvestment Area Agreement. (Second Reading)

Mr. Funk moved to consider this the second reading of Resolution No. 36-2021 and have it read by title only; seconded by Mrs. McElfresh. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 36-2021 by title only.

Mr. Funk moved to adopt Resolution No. 36-2021; seconded by Mrs. Hale. Roll call vote: six ayes. Motion carried.

Resolution No. 37-2021. A Resolution authorizing an employee dishonesty and faithful performance of duty policy as opposed to the existing surety bond to cover the positions of the City of Monroe rather than the individuals holding a position. (Second Reading)

Mr. Funk moved to consider this the second reading of Resolution No. 37-2021 and have it read by title only; seconded by Mr. Hickman. Voice vote. Motion carried.

The Clerk of Council read Resolution No. 37-2021 by title only.

Mr. Funk moved to adopt Resolution No. 37-2021; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried.

Ordinance No. 2021-21. An Ordinance amending and supplementing Section 1064.03 of the Codified Ordinances to establish rules and regulations for park areas designated as Dog Parks. (Second Reading)

Mr. Hickman asked when the dog park will open and Mr. Morton advised they have had a hard time with fencing contractors. The poles have been set for the fence and now we will pour the concrete. He hopes by mid to the end of August it will be open.

Mr. Funk moved to consider this the second reading of Ordinance No. 2021-21 and have it read by title only; seconded by Mr. Hickman. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2021-21 by title only.

Mr. Funk moved to adopt Ordinance No. 2021-21; seconded by Mrs. Hale. Roll call vote: six ayes. Motion carried.

New Business

Emergency Resolution No. 39-2021. A Resolution authorizing the City Manager to enter into an agreement by and between the City of Monroe and Velecor for a new telephone system and declaring an emergency.

Mr. Brock reiterated Mayor Frentzel's statement that the existing phone system is past its end of life and is failing.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 39-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. McElfresh. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 39-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 39-2021; seconded by Mr. Hickman. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 40-2021. A Resolution authorizing the City Manager to enter into a contract by and between the City of Monroe and R.A. Miller Construction Co., Inc. for the 2021 ADA Compliance Program and declaring an emergency.

Mr. Morton explained this is for the 2021 ADA project and the bid came in at \$81,384.50. \$70,000 will be refunded through the Community Development Block Grant Program.

In response to Mrs. McElfresh's question, Mr. Morton advised that this will focus on Old Street, Lebanon Street, and East Avenue as there is no handicap access in this area.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 40-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 40-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 40-2021; seconded by Mr. Hickman. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 41-2021. A Resolution authorizing the City Manager to enter into a contract by and between the City of Monroe and Ford Development Corporation for the State Route 63 and Lawton Avenue Reconstruction Project and declaring an emergency.

Mr. Morton reported this project is for the expansion of a third turn lane on State Route 63 between American Way and Lawton Avenue, rebuilding the first 1,000 feet of Lawton Avenue, and new traffic light poles at American Way. This project was bid out in mid-June with Ford Development being the low bidder at \$2,880,041.41. We have Ohio Public Works Commission funds in the amount of \$483,091 leaving the City \$1.6 million of this. This project came in over the original estimate, but back in May of 2020, he and Mr. Brock realized there had been items that were missed, such as a large culvert that had been rusted out and a water line in excess of 50 years old.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 41-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. Hale. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 41-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 41-2021; seconded by Mr. Hickman. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 42-2021. A Resolution authorizing the City Manager to enter into a contract by and between the City of Monroe and Graybar Electric for the South Main Street Lighting and declaring an emergency.

Mr. Morton advised this is for the South Main Street Lighting Project for new lights going down Main Street to the Monroe Community Park, as well as the City Building Plaza and the road going around the City Building. He noted this is for material only and they are seeking quotes for the installation.

Mayor Frentzel asked if the lights are too close to the power lines going down to Monroe Community Park. Mr. Morton did not believe they are too close as they are four to five feet below the lines.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 42-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mrs. McElfresh. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 42-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 42-2021; seconded by Mr. Callahan. Roll call vote: six ayes. Motion carried.

Emergency Resolution No. 43-2021. A Resolution authorizing the City Manager to enter into a contract by and between the City of Monroe and Barrett Paving Materials Inc. for the 2021 Asphalt Paving Program and declaring an emergency.

Mr. Morton reported this is for the annual paving program with Barret Paving Materials coming in as the low bid in the amount of \$842,325.25. This is \$42,325.25 over what was budgeted; however, he met with the Finance Director and they reviewed the capital improvements for this year and she is confident that we could cover this.

Mr. Funk asked if any capital projects are being moved to next year to create room for some of these overages. Mr. Morton replied that these are the bulk of the projects for this year and one of the projects that is getting pushed to next year is the Butler-Warren/Mason water line project.

Mrs. McElfresh asked what funds the overages are coming from. Mrs. Ervin explained that last year the State Legislature passed Senate Bill 4 that allows us to use 25% of our TIF/RID Funding for various street projects, so the majority of that is actually coming from that as this is the last year of that program.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Resolution No. 43-2021 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Hickman. Voice vote. Motion carried.

The Clerk of Council read Emergency Resolution No. 43-2021 by title only.

Mr. Funk moved to adopt Emergency Resolution No. 43-2021; seconded by Mrs. McElfresh. Roll call vote: six ayes. Motion carried

Ordinance No. 2021-22. An Ordinance amending and supplementing Ordinance No. 2021-13, otherwise known as the permanent appropriations ordinance, to meet current expenses and other expenditures of the City of Monroe, during fiscal year ending December 31, 2021.

Mrs. Ervin stated that they are trying to eliminate the amount of appropriation changes brought before Council and this is for the third quarter. Adoption of this Ordinance is dependent on the next piece of legislation for the allocation plan. We are talking about a transfer from the General Fund into the Park Improvement Fund and the Capital Improvement Fund. You will see an explanation in the packet.

Mr. Funk moved to suspend the rule requiring the reading of Ordinance No. 2021-22 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Callahan. Voice vote. Motion carried.

The Clerk of Council read Ordinance No. 2021-22 by title only.

Mr. Funk moved to adopt Ordinance No. 2021-22; seconded by Mrs. Hale. Roll call vote: six ayes. Motion carried.

Emergency Ordinance No. 2021-23. An Ordinance adopting an allocation plan for the distribution of certain personal services and declaring an emergency.

Mrs. Ervin explained that positions are allocated across several funds. For example, the City Manager's office supports every single fund of the City. Previously, we had them paid across all of the funds. If positions change it becomes very complicated. This legislation removes everyone except for three of the positions in Public Works as their salaries come from the Public Works Department.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Ordinance No. 2021-23 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Callahan. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2021-23 by title only.

Mr. Funk moved to adopt Emergency Ordinance No. 2021-23; seconded by Mr. Callahan. Roll call vote: six ayes. Motion carried.

Emergency Ordinance 2021-24. An Ordinance establishing the American Rescue Plan Act Fund and declaring an emergency.

Mrs. Ervin advised that the State Legislature requires a new fund for the American Rescue Plan Act Funds.

Mr. Funk moved to suspend the rule requiring the reading of Emergency Ordinance No. 2021-24 on two separate days, authorize its adoption on the first reading, and have it read by title only; seconded by Mr. Callahan. Voice vote. Motion carried.

The Clerk of Council read Emergency Ordinance No. 2021-24 by title only.

Mr. Funk moved to adopt Emergency Ordinance No. 2021-24; seconded by Mrs. Hale. Roll call vote: six ayes. Motion carried.

Consideration of Motion authorizing the expenditure of \$71,317.07 to Service Supply Ltd., Inc. for new playground equipment at Monroe Crossings Park.

Mr. Brock stated that this motion and the next are for new playground equipment at Monroe Crossings Park and Monroe Community Park.

Mr. Funk moved to authorize the expenditure of \$71,317.07 to Service Supply Ltd., Inc. for new playground equipment at Monroe Crossings Park; seconded by Mr. Callahan. Voice vote. Motion carried.

Consideration of Motion authorizing the expenditure of \$77,254.66 to Service Supply Ltd., Inc. for new playground equipment at Monroe Community Park.

Mr. Funk moved to authorize the expenditure of \$77,254.66 to Service Supply Ltd., Inc. for new playground equipment at Monroe Community Park; seconded by Mrs. Hale. Voice vote. Motion carried.

Mrs. McElfresh asked what happens with the old equipment and Mr. Morton replied that they will dispose of it.

Consideration of Motion authorizing the expenditure of \$8,275 to CT Consultants for professional engineering services related to truck traffic on Todhunter Road from Yankee/Salzman to State Route 4.

Mr. Brock explained this would be an independent review of limiting truck traffic in the subject area on Todhunter Road.

Mr. Funk moved to authorize the expenditure of \$8,275 to CT Consultants for professional engineering services related to truck traffic on Todhunter Road from Yankee/Salzman to State Route 4; seconded by Mrs. Hale. Voice vote. Motion carried.

Consideration of Motion authorizing the expenditure of \$7,125 to CT Consultants for professional engineering services related to the speed limit on State Route 63 from I-75 to Yankee Road.

Mr. Brock stated this is a speed study at the request of Council. This study is required by the Ohio Department of Transportation to consider the reduction of speed on State Route 63. In response to Mr. Hickman's question, Mr. Brock advised that everything will be reviewed, not just the speed, and a report will be provided to Council.

Mr. Funk moved to authorize the expenditure of \$7,125 to CT Consultants for professional engineering services related to the speed limit on State Route 63 from I-75 to Yankee Road; seconded by Mr. Hickman. Voice vote. Motion carried.

Consideration of Motion and Discussion to amend the Rules of Council and place the adoption thereof on the July 27, 2021 agenda.

No action taken.

Consideration of Motion and/or Discussion of alterations, revisions, and amendments to the Charter.

It was the consensus of Council to have four separate questions on the ballot being 1) term limits; 2) attendance; 3) selection of Mayor; and 4) everything else.

Brief discussion was held in response to Mr. Funk's concern from the previous meeting of Council about the changes in Section 4.06. Mr. Funk noted that he is concerned about including this in the Charter; however, if he is the only one objecting he is fine with moving forward as recommended by the Charter Review Commission.

Mr. Funk moved to have the Charter recommendations put in legislation form by the Clerk of Council for the next meeting of Council; seconded by Mr. Hickman. Voice vote. Motion carried.

Administrative Reports

Mr. Hickman inquired about a date to interview the three applicants for the existing vacancy on City Council. It was the consensus of Council to schedule a special meeting for Wednesday, July 21st at 6 p.m. at the new police facility.

Adjournment

Mr. Funk moved to adjourn; seconded by Mr. Hickman. Voice vote. Motion carried.

The regular meeting of Council adjourned at 8:22 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council



**Monroe Council Minutes
Special Meeting of Council
July 22, 2021 – 6:00 p.m.
601 South Main Street, Monroe, Ohio**

Mayor Frentzel opened the special meeting of Council at 6:03 p.m. with the Pledge of Allegiance.

Council members present: Tom Callahan, Jason Frentzel, Keith Funk, Anna Hale, Todd Hickman, and Christina McElfresh.

Mr. Funk moved to waive the live streaming of this special meeting; seconded by Mr. Hickman. Voice vote. Motion carried.

Mr. Funk moved to adjourn into executive session to consider the appointment of a public official; seconded by Mrs. Hale. Roll call vote: six ayes. Motion carried.

Council adjourned into executive session at 6:05 p.m.

Mr. Funk moved to reconvene into special session; seconded by Mrs. McElfresh. Voice vote. Motion carried.

Council reconvened into special session at 8:07 p.m.

Mr. Hickman moved to appoint Ben Wagner to the existing vacancy on City Council with the term ending December 31, 2021; seconded by Mrs. McElfresh. Roll call vote: three ayes; three nays (Funk, Hale, and Callahan). Motion failed.

Mr. Funk moved to appoint Marc Bellapianta to the existing vacancy on City Council with the term ending December 31, 2021; seconded by Mrs. McElfresh. Roll call vote: three ayes; three nays (Hickman, McElfresh, and Frentzel). Motion failed.

Chief Buchanan provided an update on the pending items remaining to complete the new police facility.

Mrs. McElfresh moved to adjourn; seconded by Mrs. Hale. Voice vote. Motion carried.

The special meeting of Council adjourned at 9:31 p.m.

Respectfully submitted,

Angela S. Wasson, MMC
Clerk of Council

EMERGENCY RESOLUTION NO. 44-2021

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT BY AND BETWEEN THE CITY OF MONROE AND CT CONSULTANTS FOR PROFESSIONAL ENGINEERING SERVICES FOR THE OBSERVATION AND REPORTING OF THE STATE ROUTE 63 AND LAWTON AVENUE RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, due to the extensive work of the State Route 63 and Lawton Avenue Reconstruction Project, Council desires to utilize the services of CT Consultants for observation and reporting services.

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

SECTION 1: The City Manager is hereby authorized to enter into an agreement by and between the City of Monroe and CT Consultants for professional engineering services for the observation and reporting of the State Route 63 and Lawton Avenue Reconstruction Project. The terms and conditions of this agreement is set forth on Exhibit "A" attached hereto and made a part hereof.

SECTION 2: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and further for the reason that Council desires to have onsite inspection services at the time the project begins. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor



July 20, 2021

Mr. Bill Brock, PE
City Manager
City of Monroe
223 South Main Street
Monroe, Ohio 45050

Re: Proposal for SR 63 at Lawton Ave – Construction Observation
Services

Dear Bill:

CT Consultants (CT) is pleased to submit this proposal for engineering services to provide support for Construction Observation Services on an as needed basis for the SR 63 at Lawton Ave construction project, which will include providing documentation of construction activities and review of quantities with contractor.

Based on the project construction activities and timeframes the following are estimated hours which may be needed for construction observation support:

Month of August - 16 hours per week
Month of September - 24 hours per week
Month of October - 24 hours per week
Month of November – 24 hours.

Actual hours of Construction Observation may vary week to week based on the need and request for observation services from the Director of Public Works.

Deliverables and Documentation

Construction observation reports will be completed and emailed to the City the following Monday after services completed.

Fee for Services

This work can be completed on a time and expense basis at an hourly rate of \$88.75 in accordance with our master agreement terms and conditions with the City.

Approval and Authorization to Proceed

If this proposal is acceptable and meets your approval, please sign and date below. Should you have any questions, please don't hesitate to contact me. We thank you for your continued trust in CT Consultants to provide Engineering services to the City.

Respectfully Submitted,

CT Consultants, Inc.



Jay Korros, PE, PTOE
Senior Traffic Engineer

ACCEPTED: CITY OF MONROE, OH

Signed

Name (Print)

Title (Print)

Date

EMERGENCY ORDINANCE NO. 2021-25

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO SECTION 4.01 OF THE CHARTER OF THE CITY OF MONROE, OHIO, ESTABLISHING TERM LIMITS FOR MEMBERS OF CITY COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, a Charter Review Commission was appointed in accordance with the Charter of the City of Monroe; and

WHEREAS, this Commission has met and reviewed the Charter proposing certain changes to the Charter; and

WHEREAS, these proposed changes have been reviewed and accepted by City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The question of certain amendments of the Charter of the City of Monroe be submitted to a vote of the qualified electors of the City at the general election to be held on November 2, 2021, at the regular places of voting within the City and during regular voting hours. Such ballot for said election shall, at the top thereof, be entitled “City Charter Amendment Ballot – Term Limits,” and the question to be submitted on said ballot shall be in words following: “Shall the proposed amendment to Section 4.01 of the Charter of the City of Monroe establishing term limits for Council Members be adopted?” or such ballot language as the Office of the Secretary of State of the State of Ohio shall adopt pursuant to the authority granted in Revised Code Section 3505.06. To the left of said wording in boxes with appropriate place for marking, shall appear the words “Yes” and “No” and each voter shall indicate their vote by marking in the place so provided.

SECTION 2: 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 of general circulation in the City.

SECTION 3: The Clerk of Council be and is hereby directed to publish the full text of the proposed Charter Amendments, as set forth in Exhibit “A” attached hereto and made a part hereof, once a week for not less than two consecutive weeks in the Journal-News, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all in accordance with Section 9 of Article XVIII, Ohio Constitution and Revised Code Section 731.211.

SECTION 4: To pay the costs related to the proposed Charter Amendments and submission thereof to the electors, there is hereby appropriated from the General Fund the sum of \$5,000, or so much thereof as may be needed.

SECTION 5: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and further for the reason that Council desires to cause the proposed amendments to the Charter of the City of Monroe to be submitted to the electors at the general election provided by law. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

Exhibit "A"

NOTICE TO VOTERS

In accordance with Section 12.05 of the Charter of Monroe, a Charter Review Commission was appointed. The following are the recommendations for changes in Section 4.01 of the Charter as submitted by the 2021 Charter Review Commission establishing term limits for Council Members. The proposed additions appear in italics and items to be omitted are stricken through. The proposed changes are as follows:

Current Charter Language

Section 4.01 - Composition and Terms.

The Council shall consist of seven members, elected at large for a term of four years beginning on the first day of January next following their election. Four members of the Council shall be elected at the regular Municipal election in 1975 and every fourth year thereafter, and three members of the Council shall be elected at the regular Municipal election in 1977 and every fourth year thereafter.

Proposed Language

Section 4.01 - Composition and Terms.

The Council shall consist of seven members, elected at large for a term of four years beginning on the first day of January next following their election. Four members of the Council shall be elected at the regular Municipal election in 1975 and every fourth year thereafter, and three members of the Council shall be elected at the regular Municipal election in 1977 and every fourth year thereafter. *No person shall hold the office of member of Council for a period longer than two consecutive four year terms of the Council unless a period of at least two years has intervened without such person serving on the Council. The provisions of this amendment shall apply commencing January 1, 2022.*

In determining the eligibility of an individual to hold the office of member of Council in accordance with this article, time spent in the office of member of Council in fulfillment of a term to which another person was first elected shall not be considered.

Each provision of this amendment shall be deemed severable from the others, and a finding that a provision is invalid shall not affect the other provisions.

EMERGENCY ORDINANCE NO. 2021-26

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO SECTION 4.02 OF THE CHARTER OF THE CITY OF MONROE, OHIO, TO ALLOW ANY ELIGIBLE COUNCIL MEMBER TO SUBMIT THEIR NAME FOR CONSIDERATION OF MAYOR AND/OR VICE MAYOR, AND DECLARING AN EMERGENCY.

WHEREAS, a Charter Review Commission was appointed in accordance with the Charter of the City of Monroe; and

WHEREAS, this Commission has met and reviewed the Charter proposing certain changes to the Charter; and

WHEREAS, these proposed changes have been reviewed and accepted by City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The question of certain amendments of the Charter of the City of Monroe be submitted to a vote of the qualified electors of the City at the general election to be held on November 2, 2021, at the regular places of voting within the City and during regular voting hours. Such ballot for said election shall, at the top thereof, be entitled “City Charter Amendment Ballot – Selection of Mayor and/or Vice Mayor,” and the question to be submitted on said ballot shall be in words following: “Shall the proposed amendment to Section 4.02 of the Charter of the City of Monroe to allow any eligible Council member to submit their name for consideration of Mayor and/or Vice Mayor be adopted?” or such ballot language as the Office of the Secretary of State of the State of Ohio shall adopt pursuant to the authority granted in Revised Code Section 3505.06. To the left of said wording in boxes with appropriate place for marking, shall appear the words “Yes” and “No” and each voter shall indicate their vote by marking in the place so provided.

SECTION 2: 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 of general circulation in the City.

SECTION 3: The Clerk of Council be and is hereby directed to publish the full text of the proposed Charter Amendments, as set forth in Exhibit “A” attached hereto and made a part hereof, once a week for not less than two consecutive weeks in the Journal-News, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all in accordance with Section 9 of Article XVIII, Ohio Constitution and Revised Code Section 731.211.

SECTION 4: To pay the costs related to the proposed Charter Amendments and submission thereof to the electors, there is hereby appropriated from the General Fund the sum of \$5,000, or so much thereof as may be needed.

SECTION 5: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and further for the reason that Council desires to cause the proposed amendments to the Charter of the City of Monroe to be submitted to the electors at the general election provided by law. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED:_____

ATTEST:

APPROVED:

Clerk of Council

Mayor

Exhibit “A”

NOTICE TO VOTERS

In accordance with Section 12.05 of the Charter of Monroe, a Charter Review Commission was appointed. The following are the recommendations for changes in Section 4.01 of the Charter as submitted by the 2021 Charter Review Commission establishing term limits for Council Members. The proposed additions appear in italics and items to be omitted are stricken through. The proposed changes are as follows:

Current Charter Language

Section 4.02 - Organization.

The Council shall meet and organize in January next, following each Council election. Council shall select, by majority vote from its own members, one to serve as Mayor and one to serve as Vice Mayor for a term of two years until their successors are chosen. In addition the Council shall select by a majority vote one Council member as a member of the Planning and Zoning Commission, to serve until a successor shall have been elected unless the person in the meantime shall cease to be a Council member.

Proposed Amendment

Section 4.02 - Organization.

The Council shall meet and organize in January next, following each Council election. Council shall select, by majority vote from its own members, one to serve as Mayor and one to serve as Vice Mayor for a term of two years until their successors are chosen. *At this meeting any eligible Council member may submit their name for consideration as Mayor and/or Vice Mayor. Submissions may also be made by nomination. Once submitted the Council may vote on all members in consideration. In the event of a tie a revote shall occur for only the candidates receiving the highest amount of votes.* In addition the Council shall select by a majority vote one Council member as a member of the Planning and Zoning Commission, to serve until a successor shall have been elected unless the person in the meantime shall cease to be a Council member.

EMERGENCY ORDINANCE NO. 2021-27

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO SECTION 4.06 OF THE CHARTER OF THE CITY OF MONROE, OHIO, TO REDUCE EXCUSED ABSENCES FROM FOUR TO THREE, REQUIRE THE ATTENDANCE OF 66% OF REGULARLY SCHEDULED MEETINGS IN A CALENDAR YEAR, AND DECLARING AN EMERGENCY.

WHEREAS, a Charter Review Commission was appointed in accordance with the Charter of the City of Monroe; and

WHEREAS, this Commission has met and reviewed the Charter proposing certain changes to the Charter; and

WHEREAS, these proposed changes have been reviewed and accepted by City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The question of certain amendments of the Charter of the City of Monroe be submitted to a vote of the qualified electors of the City at the general election to be held on November 2, 2021, at the regular places of voting within the City and during regular voting hours. Such ballot for said election shall, at the top thereof, be entitled "City Charter Amendment Ballot – Attendance," and the question to be submitted on said ballot shall be in words following: "Shall the proposed amendment to Section 4.06 of the Charter of the City of Monroe to reduce the excused absences from four to three and require the attendance of 66% of regularly scheduled meetings in a calendar year be adopted?" or such ballot language as the Office of the Secretary of State of the State of Ohio shall adopt pursuant to the authority granted in Revised Code Section 3505.06. To the left of said wording in boxes with appropriate place for marking, shall appear the words "Yes" and "No" and each voter shall indicate their vote by marking in the place so provided.

SECTION 2: 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 of general circulation in the City.

SECTION 3: The Clerk of Council be and is hereby directed to publish the full text of the proposed Charter Amendments, as set forth in Exhibit "A" attached hereto and made a part hereof, once a week for not less than two consecutive weeks in the Journal-News, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all in accordance with Section 9 of Article XVIII, Ohio Constitution and Revised Code Section 731.211.

SECTION 4: To pay the costs related to the proposed Charter Amendments and submission thereof to the electors, there is hereby appropriated from the General Fund the sum of \$5,000, or so much thereof as may be needed.

SECTION 5: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and further for the reason that Council desires to cause the proposed amendments to the Charter of the City of Monroe to be submitted to the electors at the general election provided by law. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED:_____

ATTEST:

APPROVED:

Clerk of Council

Mayor

Exhibit "A"

NOTICE TO VOTERS

In accordance with Section 12.05 of the Charter of Monroe, a Charter Review Commission was appointed. The following are the recommendations for changes in Section 4.01 of the Charter as submitted by the 2021 Charter Review Commission establishing term limits for Council Members. The proposed additions appear in italics and items to be omitted are stricken through. The proposed changes are as follows:

Current Charter Language

Section 4.06 - Removal.

The Council shall be the judge of the qualifications of its members. Council may, by two-thirds of its membership, expel or remove any member for failure to meet or maintain qualification of office, or for violation of his oath of office, or for the conviction of a felony or other crime involving moral turpitude, or for persistent failure to abide by the rules of Council. Prior to any such action by Council, the accused member shall be notified in writing of the charge against him at least fifteen days in advance of any hearing upon such charge, and he and counsel shall be given an opportunity to be heard, present evidence or examine under oath any witness in support of such charge. The accused member shall not vote on the question of his removal.

Proposed Amendment

Section 4.06 - Removal.

The Council shall be the judge of the qualifications of its members. Council may, by two-thirds of its membership, expel or remove any member for failure to meet or maintain qualification of office, or for violation of ~~his~~ *said Council member's* oath of office, or for the conviction of a felony or other crime involving moral turpitude, or for persistent failure to abide by the rules of Council. Prior to any such action by Council, the accused member shall be notified in writing of the charge ~~against him~~ at least fifteen days in advance of any hearing upon such charge, and ~~he~~ *the Council member* and counsel shall be given an opportunity to be heard, present evidence or examine under oath any witness in support of such charge. The accused member shall not vote on the question of ~~his~~ *their* removal.

A Council~~man~~ *member* who is absent, without being excused by the majority of the other members of Council, from ~~four~~ *three* consecutive regular meetings of Council, shall automatically vacate ~~his~~ *their* office on the Council.

Members of Council must attend 66% of the regularly scheduled meetings in a calendar year. Failure to meet this requirement such member shall vacate their office as Council member.

EMERGENCY ORDINANCE NO. 2021-28

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO THE CHARTER OF THE CITY OF MONROE, OHIO, TO PROVIDE FOR GENDER NEUTRAL REFERENCES; REQUIRE COUNCIL PROCEEDINGS ON PUBLIC MEDIA PLATFORMS; INCLUDE ADDITIONAL DUTIES OF THE CITY MANAGER; AMEND WHAT IS TO BE ADOPTED BY AN ORDINANCE; PERMIT LEGISLATION TO BE READ BY TITLE ONLY UNLESS OTHERWISE INDICATED; ALL RESOLUTIONS TO BECOME EFFECTIVE IMMEDIATELY; INCREASE THE TIME LIMIT FOR ZONING PUBLIC HEARINGS FROM 30 TO 60 DAYS; ADD OR ELIMINATE DEPARTMENTS; ELIMINATE THE REQUIREMENT FOR COUNCIL TO AUTHORIZE OBTAINING BIDS; AND DECLARING AN EMERGENCY.

WHEREAS, a Charter Review Commission was appointed in accordance with the Charter of the City of Monroe; and

WHEREAS, this Commission has met and reviewed the Charter proposing certain changes to the Charter; and

WHEREAS, these proposed changes have been reviewed and accepted by City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The question of certain amendments of the Charter of the City of Monroe be submitted to a vote of the qualified electors of the City at the general election to be held on November 2, 2021, at the regular places of voting within the City and during regular voting hours. Such ballot for said election shall, at the top thereof, be entitled "City Charter Amendment Ballot," and the question to be submitted on said ballot shall be in words following: "Shall the proposed amendments to the Charter of the City of Monroe to provide for gender neutral references; require Council proceedings on public media platforms; include additional duties of the City Manager; amend what is to be adopted by an ordinance; permit legislation to be read by title only unless otherwise indicated; allow resolutions to become effective immediately; increase the time limit for zoning public hearings from 30 to 60 days; add or eliminate departments; and eliminate the requirement for Council to authorize obtaining bids be adopted?" or such ballot language as the Office of the Secretary of State of the State of Ohio shall adopt pursuant to the authority granted in Revised Code Section 3505.06. To the left of said wording in boxes with appropriate place for marking, shall appear the words "Yes" and "No" and each voter shall indicate their vote by marking in the place so provided.

SECTION 2: 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 of general circulation in the City.

SECTION 3: The Clerk of Council be and is hereby directed to publish the full text of the proposed Charter Amendments, as set forth in Exhibit "A" attached hereto and made a part hereof, once a week for not less than two consecutive weeks in the Journal-News, with the first publication being at least fifteen (15) days prior to the election hereinbefore provided, all in accordance with Section 9 of Article XVIII, Ohio Constitution and Revised Code Section 731.211.

SECTION 4: To pay the costs related to the proposed Charter Amendments and submission thereof to the electors, there is hereby appropriated from the General Fund the sum of \$5,000, or so much thereof as may be needed.

SECTION 5: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare and further for the reason that Council desires to cause the proposed amendments to the Charter of the City of Monroe to be submitted to the electors at the general election provided by law. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED: _____

ATTEST:

APPROVED:

Clerk of Council

Mayor

Exhibit "A"

NOTICE TO VOTERS

In accordance with Section 12.05 of the Charter of Monroe, a Charter Review Commission was appointed. The following are the recommendations for changes in Section 4.01 of the Charter as submitted by the 2021 Charter Review Commission establishing term limits for Council Members. The proposed additions appear in italics and items to be omitted are stricken through. The proposed changes are as follows:

Current Charter Language

Section 3.01 - Duties and Responsibilities.

The term of office for the Mayor shall be as provided in Section 4.02 and he/she shall have the following authority:

- (A) Preside at Council meetings when present.
- (B) While presiding over special or regular meetings of the Council the Mayor may vote upon all matters coming before the Council, but in no event shall the Mayor, in the dual capacity as Council member and presiding officer of the Council, cast more than one vote on any action, nor shall he have power of veto.
- (C) To appoint committees of Council and coordinate such committees.
- (D) Act as the ceremonial head of the Municipality but shall have no administrative authority.

Proposed Amendment

Section 3.01 - Duties and Responsibilities.

The term of office for the Mayor shall be as provided in Section 4.02 and ~~he/she~~ shall have the following authority:

- (A) Preside at Council meetings when present.
- (B) While presiding over special or regular meetings of the Council the Mayor may vote upon all matters coming before the Council, but in no event shall the Mayor, in the dual capacity as Council member and presiding officer of the Council, cast more than one vote on any action, nor ~~shall he~~ have power of veto.
- (C) To appoint committees of Council and coordinate such committees.
- (D) Act as the ceremonial head of the Municipality but shall have no administrative authority.

Current Charter Language

The term of the office of Vice Mayor shall be as provided in Section 4.02 and he/she shall act as presiding officer of the Council in the absence or disability of the Mayor and shall exercise all the powers and duties granted the Mayor by this Charter during the absence or disability of the Mayor. While presiding over special or regular meetings of the Council the Vice Mayor may vote upon all matters coming before the Council, but in no event shall the Vice Mayor, in the dual capacity as Council member and presiding officer of Council, cast more than one vote on any action. In the event that the office of Mayor shall become vacant, the Vice Mayor shall become Mayor for the

unexpired term, and the Council shall elect a successor from among the membership of the Council to the office of Vice Mayor for that unexpired term.

Proposed Amendment

Section 3.03 - Vice Mayor.

The term of the office of Vice Mayor shall be as provided in Section 4.02 and ~~he/she~~ shall act as presiding officer of the Council in the absence or disability of the Mayor and shall exercise all the powers and duties granted the Mayor by this Charter during the absence or disability of the Mayor. While presiding over special or regular meetings of the Council the Vice Mayor may vote upon all matters coming before the Council, but in no event shall the Vice Mayor, in the dual capacity as Council member and presiding officer of Council, cast more than one vote on any action. In the event that the office of Mayor shall become vacant, the Vice Mayor shall become Mayor for the unexpired term, and the Council shall elect a successor from among the membership of the Council to the office of Vice Mayor for that unexpired term.

Current Charter Language

Section 4.011 - Qualifications.

Each Council member shall have been a resident and qualified elector of the Municipality for at least one year immediately prior to election or appointment and shall continue to be a resident and qualified elector of the Municipality throughout the term of office.

Except as provided by or under this Charter, members of Council shall not hold any other compensated office or position of employment with the Municipality, nor shall they hold any other compensated elected public office.

Any member of Council who shall cease to possess, or who violates, any of the qualifications herein enumerated may be removed from his office, but failure to maintain said qualifications shall not render void or ineffective any action of Council in which such member has participated.

Proposed Amendment

Section 4.011 - Qualifications.

Each Council member shall have been a resident and qualified elector of the Municipality for at least one year immediately prior to election or appointment and shall continue to be a resident and qualified elector of the Municipality throughout the term of office.

Except as provided by or under this Charter, members of Council shall not hold any other compensated office or position of employment with the Municipality, nor shall they hold any other compensated elected public office.

Any member of Council who shall cease to possess, or who violates, any of the qualifications herein enumerated may be removed from ~~his~~ office, but failure to maintain said qualifications shall not render void or ineffective any action of Council in which such member has participated.

Current Charter Language

Section 4.06 - Removal.

The Council shall be the judge of the qualifications of its members. Council may, by two-thirds of its membership, expel or remove any member for failure to meet or maintain qualification of office, or for violation of his oath of office, or for the conviction of a felony or other crime involving moral turpitude, or for persistent failure to abide by the rules of Council. Prior to any such action by Council, the accused member shall be notified in writing of the charge against him at least fifteen days in advance of any hearing upon such charge, and he and counsel shall be given an opportunity to be heard, present evidence or examine under oath any witness in support of such charge. The accused member shall not vote on the question of his removal.

Proposed Amendment

Section 4.06 - Removal.

The Council shall be the judge of the qualifications of its members. Council may, by two-thirds of its membership, expel or remove any member for failure to meet or maintain qualification of office, or for violation of ~~his~~ *said Council member's* oath of office, or for the conviction of a felony or other crime involving moral turpitude, or for persistent failure to abide by the rules of Council. Prior to any such action by Council, the accused member shall be notified in writing of the charge ~~against him~~ at least fifteen days in advance of any hearing upon such charge, and ~~he~~ *the Council member* and counsel shall be given an opportunity to be heard, present evidence or examine under oath any witness in support of such charge. The accused member shall not vote on the question of ~~his~~ *their* removal.

A Councilman ~~man~~ *member* who is absent, without being excused by the majority of the other members of Council, from four consecutive regular meetings of Council, shall automatically vacate ~~his~~ *their* office on the Council.

Current Charter Language

Section 4.09 - Rules and Journal.

Council shall adopt its own rules, regulations or by-laws in so far as they are not set forth in this Charter, and shall keep a Journal of all of its proceedings. The Journal shall be open for public inspection during the Municipal Building's regular office hours.

Proposed Amendment

Section 4.09 - Rules and Journal.

Council shall adopt its own rules, regulations or by-laws in so far as they are not set forth in this Charter, and shall keep a Journal of all of its proceedings. The Journal shall be open for public inspection during the Municipal Building's regular office hours. *In addition, the Journal and all written and digital record of Council's proceedings shall be available on the City website or other public media platform.*

ARTICLE VI. - MANAGER

Current Charter Language

Section 6.01 - Appointment; Qualifications.

Council shall appoint the Manager with the approval of a majority for confirmation. If a Manager has not been employed within 180 days after a vacancy occurs, the Mayor may appoint a Manager.

The Manager shall be appointed solely on the basis of his executive and administrative qualifications. He need not be a resident of the Municipality or the State at the time of his appointment, but within six months after this appointment, he shall reside within the Municipality unless such residence requirement is waived by ordinance.

Proposed Amendment

Section 6.01 - Appointment; Qualifications.

Council shall appoint the Manager with the approval of a majority for confirmation. If a Manager has not been employed within 180 days after a vacancy occurs, the Mayor may appoint a Manager.

The Manager shall be appointed solely on the basis of ~~his~~ executive and administrative qualifications. ~~He~~ *The Manager* need not be a resident of the Municipality or the State at the time of ~~his~~ appointment, but within six months after this appointment, ~~he~~ shall reside within the Municipality unless such residence requirement is waived by ordinance.

Current Charter Language

Section 6.02 - Removal.

The Manager may be removed from office by the following procedure:

- (A) A majority of Council may suspend the Manager for a period not to exceed forty-five days by informing the Manager in writing of its reasons for said suspension.
- (B) The Manager may file a written request for a public hearing on his suspension with the Council within seven days notice of suspension.
- (C) If the Manager does not file a written request for a public hearing with the Council his employment will be terminated after fourteen days from the date the Council's suspension letter was received by the Manager.
- (D) If the Manager does request a public hearing from the Council, this hearing shall be held at a Council meeting not earlier than fifteen days nor later than thirty days after the request is filed. If a majority of Council does not vote to overrule the suspension, the Manager's employment will be terminated at that time. If a majority does vote to overrule the suspension, the Manager will be reinstated with back pay.

Proposed Amendment

Section 6.02 - Removal.

The Manager may be removed from office by the following procedure:

- (A) A majority of Council may suspend the Manager for a period not to exceed forty-five days by informing the Manager in writing of its reasons for said suspension.
- (B) The Manager may file a written request for a public hearing on ~~his~~ *the* suspension with the Council within seven days notice of suspension.
- (C) If the Manager does not file a written request for a public hearing with the Council ~~his~~ *the Manager's* employment will be terminated after fourteen days from the date the Council's suspension letter was received by the Manager.
- (D) If the Manager does request a public hearing from the Council, this hearing shall be held at a Council meeting not earlier than fifteen days nor later than thirty days after the request is filed. If a majority of Council does not vote to overrule the suspension, the Manager's employment will be terminated at that time. If a majority does vote to overrule the suspension, the Manager will be reinstated with back pay.

Current Charter Language

Section 6.03 - Acting Manager.

By motion, Council may appoint a qualified administrative officer of the Municipality or other person suitably qualified to exercise the powers and duties of the Manager during his temporary absence, disability or suspension or when a vacancy occurs. After thirty days absence or disability of the Manager, the Council may declare the position vacant.

In the event of a vacancy in the office of Manager, the Council shall designate a person as Acting Manager, who shall exercise all of the powers, duties and functions of the Manager until a Manager is appointed.

Proposed Amendment

Section 6.03 - Acting Manager.

By motion, Council may appoint a qualified administrative officer of the Municipality or other person suitably qualified to exercise the powers and duties of the Manager during ~~his~~ *the Manager's* temporary absence, disability or suspension or when a vacancy occurs. After thirty days absence or disability of the Manager, the Council may declare the position vacant.

In the event of a vacancy in the office of Manager, the Council shall designate a person as Acting Manager, who shall exercise all of the powers, duties and functions of the Manager until a Manager is appointed.

Current Charter Language

The Manager shall: be responsible to the Council for the administration of all Municipal affairs placed in his charge by the Charter.

(A) He shall appoint, suspend or remove all Municipal employees and appointed administrative officers provided by law or personnel rules adopted pursuant to this Charter. He may authorize any administrative officer who is subject to his direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

(B) He shall direct and supervise the administration of all departments, offices and agencies of the Municipality, except as otherwise provided by this Charter.

(C) He shall attend Council meetings on request of Council.

(D) He shall see that all laws, provisions of this Charter and acts of Council, subject to enforcement by him or by officers subject to his direction and supervision, are faithfully executed.

(E) He shall formulate and arrange contracts, franchises and agreements, and sign all contracts, bonds and notes on behalf of the Municipality, provided proper Council approval has been given.

(F) He shall formulate job descriptions as deemed necessary for the Municipal employees.

(G) He shall perform such other duties as are specified in this Charter or may be required by the Council by ordinances.

(H) He shall make such other reports as the Council may require concerning the operations of Municipal departments, offices and agencies subject to his direction and supervision.

(I) He shall prepare and submit the annual budget, capital program and appropriation ordinance to the Council and be responsible for its administration upon adoption.

(J) He shall keep Council advised of the financial condition and future needs of the City and make recommendations as he may deem advisable.

Proposed Amendment

Section 6.04 - Powers and Duties.

The Manager shall: ~~be responsible to the Council for the administration of all Municipal affairs placed in his charge by the Charter.~~

(A) ~~He shall a~~Appoint, suspend or remove all Municipal employees and appointed administrative officers provided by law or personnel rules adopted pursuant to this Charter. ~~He m~~May authorize any administrative officer who is subject to ~~his the~~ *the Manager's* direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

(B) ~~He shall d~~Direct and supervise the administration of all departments, offices and agencies of the Municipality, except as otherwise provided by this Charter.

(C) ~~He shall a~~Attend Council meetings on request of Council.

(D) ~~He shall s~~See that all laws, provisions of this Charter and acts of Council, subject to ~~the~~ *the Manager's* enforcement ~~by him~~ or by officers subject to ~~his the Manager's~~ *the Manager's* direction and supervision, are faithfully executed.

(E) ~~He shall f~~Formulate and arrange contracts, franchises and agreements, and sign all contracts, bonds and notes on behalf of the Municipality, provided proper Council approval has been given.

- (F) ~~He shall~~ Formulate job descriptions as deemed necessary for the Municipal employees; *encourage and provide staff support for regional and intergovernmental cooperation; and promote partnerships among Council and staff.*
- (G) ~~He shall~~ Perform such other duties as are specified in this Charter or may be required by the Council by ordinances.
- (H) ~~He shall~~ Make such other reports as the Council may require concerning the operations of Municipal departments, offices and agencies subject to ~~his~~ *the Manager's* direction and supervision.
- (I) ~~He shall~~ Prepare and submit the annual budget, capital program and appropriation ordinance to the Council and be responsible for its administration upon adoption.
- (J) ~~He shall~~ Keep Council advised of the financial condition and future needs of the City, ~~and make recommendations as he may~~ *deemed advisable, and assist the City Council to develop long term goals for the City and strategies to implement these goals.*
- (K) *Submit to the City Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year; make such other reports as the City Council may require concerning operations; make recommendations to the City Council concerning the affairs of the City and facilitate the work of the City Council in developing policy.*

Current Charter Language

Section 7.01 - Action to be Taken.

Action of Council shall be by ordinance, resolution or motion.

(A) An ordinance is the formal written enactment of Council in the exercise of a governmental power vested by the Constitution or statutes in the Municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration. Every action of a general and permanent nature; or granting a franchise; or levying a tax; or appropriating money; or contracting an indebtedness, to be evidenced by the issuance of bonds or notes; or for the purchase, lease or transfer of public property; or establishing an offense and fixing the penalty therefor, shall be taken by ordinance.

Proposed Amendment

Section 7.01 - Action to be Taken.

Action of Council shall be by ordinance, resolution or motion.

(A) An ordinance is the formal written enactment of Council in the exercise of a governmental power vested by the Constitution or statutes in the Municipality for the regulation of the conduct of its citizens or others subject to its control, and intended to be of permanent duration. ~~Every action of a general and permanent nature; or granting a~~

~~franchise; or levying a tax; or appropriating money; or contracting an indebtedness, to be evidenced by the issuance of bonds or notes; or for the purchase, lease or transfer of public property; or establishing an offense and fixing the penalty therefor, shall be taken by ordinance.~~ *In addition to other acts required by law or by specific provision of this Charter to be done by ordinance, those acts of the City Council shall be by ordinance which:*

- 1. Adopt or amend an administrative code;*
- 2. Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;*
- 3. Levy taxes;*
- 4. Grant, renew, or extend a franchise;*
- 5. Regulate the rate charged for its services by a public utility;*
- 6. Authorize the borrowing of money;*
- 7. Convey or lease or authorize the conveyance or lease of any lands of the City;*
- 8. Regulate land use and development;*
- 9. Amend or repeal any ordinance previously adopted; or*
- 10. Adopt, with or without amendment, ordinances proposed under the initiative power.*

Current Charter Language

Section 7.05 – Reading.

Each ordinance or resolution shall be read fully and distinctly on two separate days. The Council may, by a vote of five members elected or appointed thereto, dispense with the requirement that an ordinance or resolution be read on two separate days, and authorize the adoption of an ordinance or resolution upon its first reading, and the Council may, by a majority vote of all members elected thereto, dispense with the requirement that an ordinance or resolution be read fully and distinctly for its first or second reading or for both its first and second readings, and authorize such reading or readings to be by title only. Motions to dispense with the requirement that an ordinance or resolution be read on two separate days and motions to dispense with the requirement that an ordinance or resolution be read fully and distinctly may be separately stated and a separate vote be taken on each such motion or they may be combined with a vote taken on one inclusive motion. When combined the motion shall require an affirmative vote of five members for passage.

Proposed Amendment

Section 7.05 - Reading.

Each ordinance ~~or resolution~~ shall be read ~~fully and distinctly~~ *by its title only* on two separate days. The Council may, by a vote of five members elected or appointed thereto, dispense with the requirement that an ordinance ~~or resolution~~ be read on two separate days, and authorize the

~~adoption of an ordinance or resolution upon its first reading. A resolution requires only one reading and shall be read by its title only. , and the Council may, by a majority vote of all members elected thereto, dispense with the requirement that an ordinance or resolution be read fully and distinctly for its first or second reading or for both its first and second readings, and authorize an ordinance or resolution be read fully and distinctly. such reading or readings to be by title only. Motions to dispense with the requirement that an ordinance or resolution be read on two separate days and motions to dispense with the requirement that authorize an ordinance or resolution be read fully and distinctly may be separately stated and a separate vote be taken on each such motion or they may be combined with a vote taken on one inclusive motion. When combined the motion shall require an affirmative vote of five members for passage.~~

Current Charter Language

The vote on the question of passage of each ordinance, resolution and motion shall be taken by yeas and nays and entered on the Journal, and no ordinance, resolution or motion relative to passage of ordinances, resolutions and motions shall be passed without concurrence of at least four members of the Council, except that each emergency ordinance or resolution shall require the affirmative vote of at least five members of the Council for its enactment; provided, however, that if such emergency ordinance or resolution shall fail to receive the required five affirmative votes, but receives the necessary majority for passage as a nonemergency ordinance or resolution, it shall be considered passed as a nonemergency ordinance or resolution and shall become effective as hereinafter provided by this Charter. A majority of the members present at any regular or special Council meeting may compel the attendance of absent members.

Proposed Amendment

Section 7.06 - Vote Requirement for Passage.

The vote on the question of passage of each ordinance, resolution and motion shall be taken by yeas and nays and entered on the Journal, and no ordinance, resolution or motion relative to passage of ordinances, resolutions and motions shall be passed without concurrence of at least four members of the Council, except that each emergency ordinance ~~or resolution~~ shall require the affirmative vote of at least five members of the Council for its enactment; provided, however, that if such emergency ordinance ~~or resolution~~ shall fail to receive the required five affirmative votes, but receives the necessary majority for passage as a nonemergency ordinance ~~or resolution~~, it shall be considered passed as a nonemergency ordinance ~~or resolution~~ and shall become effective as hereinafter provided by this Charter. A majority of the members present at any regular or special Council meeting may compel the attendance of absent members.

Current Charter Language

Section 7.07 - 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, safety or welfare, and shall contain a statement of the necessity for such emergency. 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 or the levying of a tax unless such tax 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 exigency, or the changing of salaries of members of Council.

Proposed Amendment

Section 7.07 - 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, safety or welfare, and shall contain a statement of the necessity for such emergency. 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 or the levying of a tax unless such tax 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 exigency, or the changing of salaries of members of Council.

Current Charter Language

Section 7.08 - Effective Date.

No ordinance or resolution shall go into effect until thirty days following its passage with the following exceptions:

(A) Any emergency ordinance or resolution shall take effect, unless a later time be specified therein, immediately upon its passage.

(B) Any ordinance or resolution providing for the following shall take effect, unless a later time be specified therein, immediately upon its passage:

- (1) Appropriation of money.
- (2) Annual tax levy for current expenses.
- (3) Improvements petitioned for by the owners of the requisite majority of the front footage or of the area of the property benefited and to be especially assessed therefor.
- (4) Submission of any question to the electorate or the determination to proceed with an election.
- (5) Providing for the approval of a revision, codification, recodification or rearrangement of ordinances and resolutions, or publication thereof in book form.

(C) Motions, except as otherwise provided by Council, shall take effect immediately upon passage.

Proposed Amendment

Section 7.08 - Effective Date.

No ordinance ~~or resolution~~ shall go into effect until thirty days following its passage with the following exceptions:

- (A) Any emergency ordinance ~~or resolution~~ shall take effect, unless a later time be specified therein, immediately upon its passage.
- (B) Any ordinance ~~or resolution~~ providing for the following shall take effect, unless a later time be specified therein, immediately upon its passage:
 - (1) Appropriation of money.
 - (2) Annual tax levy for current expenses.
 - (3) Improvements petitioned for by the owners of the requisite majority of the front footage or of the area of the property benefited and to be especially assessed therefor.
 - (4) Submission of any question to the electorate or the determination to proceed with an election.
 - (5) Providing for the approval of a revision, codification, recodification or rearrangement of ordinances and resolutions, or publication thereof in book form.
- (C) *Resolutions and M*otions, except as otherwise provided by Council, shall take effect immediately upon passage.

Current Charter Language

Section 7.13 - Public Hearing on Zoning Ordinance or Resolution.

Council shall set a date for a public hearing on each ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations, which hearing shall be within thirty days of receiving the recommendation provided in Section 7.12 within which the Planning Commission is required to return its written recommendations to the Clerk of Council. The Clerk of Council shall cause a notice of said public hearing to be published or delivered in accordance with the Codified Ordinances and Resolutions of the City of Monroe.

Proposed Amendment

Section 7.13 - Public Hearing on Zoning Ordinance or Resolution.

Council shall set a date for a public hearing on each ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations, which hearing shall be within ~~thirty~~ sixty days of receiving the recommendation provided in Section 7.12 within which the Planning Commission is required to return its written recommendations to the Clerk of Council. The Clerk of Council shall cause a notice of said public

hearing to be published or delivered in accordance with the Codified Ordinances and Resolutions of the City of Monroe.

Current Charter Language

Section 8.01 - Creation of Departments.

For the purpose of carrying on the administrative functions of the Municipality, the following departments are hereby established: Department of Finance, Department of Law, Department of Engineering and Inspection, Department of Fire, Department of Parks, Department of Police, Department of Streets and Department of Utilities. The work of the departments of the Municipality shall be distributed among such divisions and bureaus as provided in the Charter and as provided by ordinance. The Council may establish new departments and divisions of the Municipality, and define the powers and functions of each organizational unit. Where the administrative code is silent, the officers and employees of the Municipality shall have and may exercise all powers and duties provided for similar officers and employees by the State law.

Proposed Amendment

Section 8.01 - Creation of Departments.

For the purpose of carrying on the administrative functions of the Municipality, the following departments are hereby established: Department of Finance, Department of Law, *Department of Public Works*, ~~Department of Engineering and Inspection~~, Department of Fire, Department of Parks, Department of Police, *Department of Development*. ~~Department of Streets and Department of Utilities~~. The work of the departments of the Municipality shall be distributed among such divisions and bureaus as provided in the Charter and as provided by ordinance. The Council may establish new departments and divisions of the Municipality, and define the powers and functions of each organizational unit. Where the administrative code is silent, the officers and employees of the Municipality shall have and may exercise all powers and duties provided for similar officers and employees by the State law.

Current Charter Language

Section 8.04 - Law Department.

The Law Director shall be the head of the Department of Law. He shall be appointed by a majority vote of the Council and shall serve at the pleasure of the Council. The Law Director must be admitted to the practice of law in the State of Ohio. The Law Director shall be the legal advisor, attorney and counsel for the Municipality, and for all offices, departments, divisions, bureaus, boards, commissions and bodies of the Municipality in connection with Municipal affairs; and subject to the direction of the Council, shall represent the Municipality in all proceedings in Court or before any administrative board or body. He shall perform such other duties consistent with his office, as may be required by this Charter, by ordinance or resolution of the Council, or by the laws of the State of Ohio. The Law Director shall be the prosecuting attorney on behalf of the Municipality and shall prosecute cases brought before courts of competent jurisdiction; provided,

however, that the Law Director may, with the approval of Council, appoint qualified assistants to act on behalf of the Municipality in civil matters and to act as the prosecuting attorney.

Proposed Amendment

Section 8.04 - Law Department.

The Law Director shall be the head of the Department of Law. ~~He~~ *The Law Director* shall be appointed by a majority vote of the Council and shall serve at the pleasure of the Council. The Law Director must be admitted to the practice of law in the State of Ohio. The Law Director shall be the legal advisor, attorney and counsel for the Municipality, and for all offices, departments, divisions, bureaus, boards, commissions and bodies of the Municipality in connection with Municipal affairs; and subject to the direction of the Council, shall represent the Municipality in all proceedings in Court or before any administrative board or body. ~~He~~ *The Law Director* shall perform such other duties consistent with ~~his office~~ *office of the Law Director*, as may be required by this Charter, by ordinance or resolution of the Council, or by the laws of the State of Ohio. The Law Director shall be the prosecuting attorney on behalf of the Municipality and shall prosecute cases brought before courts of competent jurisdiction; provided, however, that the Law Director may, with the approval of Council, appoint qualified assistants to act on behalf of the Municipality in civil matters and to act as the prosecuting attorney.

ARTICLE X. - FINANCE

Current Charter Language

(C) When an expenditure or contract exceeds the amount specified by the laws of Ohio for which work may be accomplished only after advertisement and bidding, the Manager shall be authorized to advertise and seek bids by motion of Council. Said advertisement shall be once a week for at least two weeks in a newspaper of circulation in the Municipality. Following receipt of bids and when authorized and directed by ordinance or resolution passed by Council, the Manager shall make written contract with the lowest and/or best bidder. In those instances and circumstances where contracts and expenditures may be made without advertisement and bidding under the general laws of Ohio pertaining to municipalities, no advertising and bidding shall be required under the Charter, and the general laws of Ohio, if any, applicable in such instances and circumstances shall be followed.

Proposed Amendment

Section 10.04 - Contracting Procedures.

(C) When an expenditure or contract exceeds the amount specified by the laws of Ohio for which work may be accomplished only after advertisement and bidding, the Manager shall be authorized to advertise and seek bids ~~by motion of Council~~. Said advertisement shall be once a week for at least two weeks in a newspaper of circulation in the Municipality. Following

receipt of bids and when authorized and directed by ordinance or resolution passed by Council, the Manager shall make written contract with the lowest and/or best bidder. In those instances and circumstances where contracts and expenditures may be made without advertisement and bidding under the general laws of Ohio pertaining to municipalities, no advertising and bidding shall be required under the Charter, and the general laws of Ohio, if any, applicable in such instances and circumstances shall be followed.

Current Charter Language

Section 10.05 - Credit for Tax Paid to Another Municipality.

(A) Where a resident of the City of Monroe is subject to a municipal income tax in another municipality, he or she shall not pay a total municipal income tax on the same income greater than the tax imposed at the higher rate.

Proposed Amendment

Section 10.05 - Credit for Tax Paid to Another Municipality.

(A) Where a resident of the City of Monroe is subject to a municipal income tax in another municipality, ~~he or she~~ *said resident* shall not pay a total municipal income tax on the same income greater than the tax imposed at the higher rate.

ARTICLE XII. - GENERAL PROVISIONS

Current Charter Language

Every elected and appointed official of the Municipality shall take and subscribe an oath or affirmation to uphold the Constitution and laws of the United States [and] Ohio; to uphold the Charter, ordinances, resolutions and other laws of the Municipality; and to faithfully discharge the duties and responsibilities of his or her office.

Proposed Amendment

Section 12.01 - Oath of Office.

Every elected and appointed official of the Municipality shall take and subscribe an oath or affirmation to uphold the Constitution and laws of the United States [and] Ohio; to uphold the Charter, ordinances, resolutions and other laws of the Municipality; and to faithfully discharge the duties and responsibilities of ~~his or her~~ *their* office.

Current Charter Language

Section 13.04 - Abolishment of Statutory Offices and Election of First Officers Under Charter.

(B) The first election of officials, including the offices of Mayor, Auditor-Treasurer and seven members of the Council, under this Charter shall be held at a special election on the first Tuesday after the first Monday in November, 1974. The nomination and election for such offices at such special election shall be made in accordance with the provisions of this Charter, as far as provided for, and if not provided for in this Charter, as provided by the general laws of Ohio, and if not provided for in such general laws, as provided by ordinance passed by the legislative authority of the Village then serving under the general statutory form of government.

(1) The person who is elected Mayor at such special election shall take office January 1, 1975, and he, or his successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977.

(2) The person who is elected to the office of Auditor-Treasurer at such special election shall take office January 1, 1975, and he, or his successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977.

Proposed Amendment

Section 13.04 - Abolishment of Statutory Offices and Election of First Officers Under Charter.

(B) The first election of officials, including the offices of Mayor, Auditor-Treasurer and seven members of the Council, under this Charter shall be held at a special election on the first Tuesday after the first Monday in November, 1974. The nomination and election for such offices at such special election shall be made in accordance with the provisions of this Charter, as far as provided for, and if not provided for in this Charter, as provided by the general laws of Ohio, and if not provided for in such general laws, as provided by ordinance passed by the legislative authority of the Village then serving under the general statutory form of government.

(1) The person who is elected Mayor at such special election shall take office January 1, 1975, and ~~he~~ *the elected Mayor*, or ~~his~~ successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977.

(2) The person who is elected to the office of Auditor-Treasurer at such special election shall take office January 1, 1975, and ~~he~~ *the elected Auditor-Treasurer*, or ~~his~~ successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977.

Section 13.04 - Abolishment of Statutory Offices and Election of First Officers Under Charter.

(B) The first election of officials, including the offices of Mayor, Auditor-Treasurer and seven members of the Council, under this Charter shall be held at a special election on the first Tuesday after the first Monday in November, 1974. The nomination and election for such offices at such special election shall be made in accordance with the provisions of this Charter, as far as provided for, and if not provided for in this Charter, as provided by the general laws of Ohio, and if not provided for in such general laws, as provided by ordinance passed by the legislative authority of the Village then serving under the general statutory form of government.

(1) The person who is elected Mayor at such special election shall take office January 1, 1975, and ~~he~~ *the elected Mayor*, or ~~his~~ successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977.

(2) The person who is elected to the office of Auditor-Treasurer at such special election shall take office January 1, 1975, and ~~he~~ *the elected Auditor-Treasurer*, or ~~his~~ successor in office under this Charter, shall serve for a three-year term of office ending December 31, 1977