

**Issue 73:**

EXPLANATION: this is merely a clerical correction within the Charter. The administration and council no longer meet in the "Village Hall", but rather in the "Civic Center". Therefore, this is merely a name change to be consistent with village use and understanding among the citizens.

**Issue 74:**

SECTION 6. SALARIES, BONDS AND COMPENSATION.

The Council shall have the power to fix all compensation paid by the Municipality and the salary of its own members except as otherwise provided in this Charter. Any person may be required by the Council, from time-to-time, to furnish a bond for the faithful performance of that person's duties and the Council shall provide that the premium for such bond be paid by the Municipality. Per the recommendations of the Charter Review Commission of 2015, and as approved by the Voters, the compensation beginning on January 1, 2016, shall be as follows: Mayor: \$26,000 per annum; Council President \$11,000 per annum; Council Members: \$10,000 per annum. The Council shall not increase the compensation for itself or the Mayor from and after the effective date of this ~~section~~ amendment unless such increase in compensation has been enacted by ordinance and submitted to the electorate for approval by a majority vote thereof. Such compensation, when so fixed, shall become effective on the first day of January of the following year and shall remain in effect unless and until increased in accordance with this section. Council may decrease compensation for itself and the Mayor at its sole discretion. Each member of Council shall be compensated equally, both newly elected members and those serving the balance of a term, except the President of Council who shall receive 10% more.

**Issue 75:**

Article III

SECTION 10. EFFECTIVE DATE OF ORDINANCES AND RESOLUTIONS.

Each ordinance or resolution providing for (a) the appropriation of money, (b) an annual tax levy, (c) improvements petitioned for by the owners of a majority of the foot frontage of the property benefited and to be specially assessed therefore, and (d) any emergency ordinance or resolution necessary for the immediate preservation of the public peace, health or safety, shall take effect, unless a later time be specified therein, upon its signature by the Mayor approving the same, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after it has been vetoed by the Mayor, as the case may be. Except as otherwise provided in this Charter, all other ordinances and resolutions shall take effect and be operative in the manner provided by the general laws of the State of Ohio.

Each emergency measure shall contain a statement of the necessity for such emergency action, and shall require the affirmative vote of two-thirds of the members of Council for its enactment. No ordinance or resolution (a) relating to any change in the boundaries of the Municipality, (b) providing for the surrender or joint exercise of any of its powers, (c) enacting, amending or repealing any zoning ordinance or other matter described in Sections 11 and 12 of this Article III, (d) granting any franchise, ~~or~~ (e) contracting for the supply to the Municipality or its inhabitants of the product or service of any utility, whether municipally owned or not, or (f) granting a "Use" variance in any non-residential zoning district pursuant to Article V, 12(A), shall be enacted as an emergency measure.

SECTION 12. PUBLIC NOTICE AND HEARING ON CERTAIN ORDINANCES.

Before any ordinance or resolution may be enacted by the Council amending or repealing any: (a) platting ordinance, (b) the zoning map of the Municipality, (c) zoning or use classification or district, (d) restrictions on height of buildings and other structures, (e) the size of parcels in any zoning or use classification, or (f) the percentage of lot occupancy of buildings and other structures; the Council shall (i) refer such ordinance or resolution to the Planning and Zoning Commission for report and recommendation as required by Section 11 of this Article III; (ii) read the same in full or by title at two successive Council meetings, (iii) thereafter hold a public hearing thereon (which public hearing shall be held at least thirty days after the second reading and prior to the third reading thereof), and (iv) shall give thirty days notice

of the time and place of such public hearing in a newspaper of general circulation in the Municipality. No such ordinance or resolution shall be enacted or adopted unless passed or approved after the third reading thereof by not less than a majority of the members of Council, and, if such ordinance or resolution has been disapproved by the Planning and Zoning Commission, by not less than two-thirds of the members of Council. Thereafter, any such ordinance which has been approved by the Council shall be submitted to a vote of the electors of the Municipality, and shall become effective only upon approval thereof by such electors in accordance with the provisions of Section 13 of this Article III . However, the approval of a "Use" variance pursuant to Article V, Section 12(A) will not require approval of the Electors.

Article V:

## SECTION 12. BOARD OF APPEALS

### (A) Creation, Powers and Duties.

The Council shall provide by ordinance for a Board of Appeals to hear appeals for exceptions to, and variances in, the application of resolutions, ordinances, regulations, building codes, measures and orders of administrative officials or agencies governing zoning and building in the Municipality. Such Board shall have such other powers and duties, and shall follow such procedures as may be prescribed by ordinances of Council; provided, however, that the Board of Appeals shall have no power or authority to grant any change of or variance in any ~~land use or classification or residential~~ district from the existing zoning ordinances or the zoning map of the Municipality, or to permit any land use to become nonconforming therewith. The BZA shall have the authority to grant "Use" variances in non-residential districts, providing that same is approved by Council pursuant to Article III, Sections 10, 11, and 12 of this Charter. All decisions of the Board of Appeals shall be appealable by any interested person or entity to the Village Council. Council may review the minutes or records, or have a rehearing, at its discretion, and may affirm, modify, or reverse any decision of the Board of Appeals by a two-thirds vote of all members elected.

### Issue 76:

ART. V

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Section 6. Civil Service Commission

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### (B) Classification of Service

The Civil Service of the Municipality is hereby divided into the unclassified and the classified service. The Civil Service Commission shall determine which employees of the Municipality shall be within the classified service and which shall be within the unclassified service, subject to the following provisions.

(1) All regular full-time members of the Police Department, including the Chief of Police but excluding those not having statutory misdemeanor arrest powers shall be in the classified section. (Amended 11-3-81.)

(2) All regular full-time members of the Fire Department including the Fire Chief shall be in the classified service. (Amended 11-8-05.)

(3) The Clerk of Council, all department heads and Commissioners except as set forth in Section(B)(1) and (2) above, secretaries to department Heads and elected officials and administrative assistants to department heads and elected officials, whether they be full-time or part-time employees, shall be in the unclassified service.

(4) Except as otherwise provided in this Charter or the general laws of Ohio, all other regular full-time employees of the Municipality, other than those serving a probationary period of employment, shall be in the classified service.

(5) Except as otherwise provided in this Charter, all regular full-time employees of the Municipality, other than those serving a probationary period of employment, who have been continuously employed in the service of the Municipality

in the same or similar position, for at least eight months prior to the date such position is placed in the classified service, shall be retained in the same or similar position in the classified service without examination until discharged, reduced, disciplined, promoted or transferred in accordance with this Charter or the rules and regulations of the Commission. (Amended 11-8-05.)

**Issue 77:**

ARTICLE V

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SECTION 6. CIVIL SERVICE COMMISSION

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(E) Promotions.

The position of Chief of Police and Chief of Fire, when a vacancy occurs, shall be filled by promotion from among persons holding positions in the rank below, providing that there are two or more persons in such next lower rank who are willing to take the examination and are qualified pursuant to standards as determined by the Civil Service Commission . In the event there are not two persons willing to compete for such examination from the next lower supervisory rank, then the Commission has the authority to permit competition for such appointment from the next lower rank, as well as to include competition from qualified individuals outside the Department as determined by the Civil Service Commission. The intent being to provide promotions from supervisory ranks, and to provide flexibility to go outside the department once supervisory ranks are no longer capable of providing 2 qualified and willing candidates.

No positions except the Chiefs of each Department, above the rank of patrol officer in the Police Department or firefighter in the Fire Department shall be filled by original appointment. Vacancies in positions above the rank of patrol officer or firefighter shall be filled by promotion from among persons holding positions in a rank lower than the position to be filled in the respective department. Promotion shall be by successive ranks so far as practicable. No person in either the Police Department or the Fire Department shall be eligible to take an examination for promotion to a position in a higher rank unless the person has served at least twenty-four (24) months in the next lower rank, provided in those cases where there are less than two persons in such next lower rank who have served twenty-four (24) months, therein and are willing to take the examination, the twenty-four (24) month service requirement shall not apply. If the non-application of the twenty-four (24) month service requirement to persons in the next lower rank does not produce two (2) persons eligible and willing to compete, then the same method shall be followed by going to successively lower ranks until two (2) or more persons are eligible and willing to compete in an examination for the vacancy. In the event two (2) persons are unwilling to compete for such examination, then the one (1) person who is willing to compete shall be appointed to fill the vacancy after passing a qualifying examination.

~~For purposes of this paragraph (E) only, part-time firefighters in the Fire Department shall be deemed to be within the classified service, and shall be eligible for promotion, and receive credits on their examinations for seniority and efficiency, in the same manner as provided by the general laws of the state applicable to members of the Fire Department who are within the classified service, provided that this provision shall apply only: (i) at such times as the Fire Department has less than two (2) regular full-time members holding the rank of firefighter; or (ii) in the event there shall be less than two (2) full-time regular members of the Fire Department who are eligible and willing to take a promotional exam for promotion to fill a vacancy.~~

Except as otherwise provided in this paragraph (E) of Article V, Section 6, of this Charter, all promotions of employees within the classified service shall be made in accordance with the general laws.

**Issue 78:**

ARTICLE XII

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SECTION 9. DISTRIBUTION OF REVISED CHARTER COPIES.

Whenever the Charter of the Municipality is amended pursuant to recommendations made and submitted to the electorate by a duly elected Charter Review Commission, the Mayor and Council shall cause revised copies of the Charter to be printed ~~and distributed to every residence within the Municipality. Additional~~ and copies of the revised Charter shall be kept at the Village Hall and be made available upon request of any resident. If the Charter is amended by the Council or by initiative petition then the Mayor and Council shall have printed and kept on file at the Village Hall copies of such amendments to be made available to any resident upon request.