

Three Proposed Charter Amendments

On behalf of the Charter Review Committee, established in the year 2020, the following three proposed charter amendments are to be submitted for a public hearing. Below are the relevant portions of the City of Kirtland's Charter and the proposed changes. The provisions proposed to be stricken are in red with a strikethrough such as this ~~example~~ while the provisions proposed to be added to the charter are highlighted such as this **example**.

1. RESIDENCY REQUIREMENTS

Shall Article II-A – Appointed Administrative Officers and Departments, Sections 2, 3, 4, and 5 of the Charter of the City of Kirtland, Ohio, be amended to eliminate Lake County residency for each Director?

ARTICLE II-A – APPOINTED ADMINISTRATIVE OFFICERS AND DEPARTMENTS

Section 2. Director of Public Safety.

No appointment of a chief of a department or Division of Police or Fire shall be effective unless and until the same receives the concurrence of two-thirds (2/3) of the members of Council. The Director of Public Safety shall perform such other duties; consistent with his/her office, as may be required by this Charter, by ordinance of the Council, or as directed by the Mayor. ~~The Director of Public Safety shall be a resident of Lake County, Ohio.~~

Section 3. Director of Public Service.

He/she shall perform such other duties, consistent with his/her office, as may be required by this Charter, by ordinance of the Council, or as directed by the Mayor. ~~The Director of Public Service shall be a resident of Lake County, Ohio.~~

Section 4. Director of Finance.

He/she shall not allow the amount set aside for any appropriation to be overdrawn or drawn for any other purpose. He/she shall examine and audit the accounts of all other officers, employees and departments. He/she shall require evidence that the amount of any claim presented to him/her is due. He/she shall be responsible for the preparation and submission of appropriation measures and shall assist the Mayor and Council in the preparation of estimates, budgets, and other financial matters, and at all times keep the Mayor and Council fully advised as to the financial condition and needs of the Municipality upon demand. He/she shall perform such other duties consistent with his/her office as the Mayor or the Council may direct. ~~The Director of Finance shall be a resident of Lake County, Ohio.~~

Section 5. Director of Law.

~~The Director of Law and his/her assistants, if any, must be residents of Lake County, Ohio.~~

No person shall act as Director of Law unless duly admitted to practice law in the State of Ohio for a period of not less than five (5) years and shall have and maintain an active license to practice law throughout his/her term as Director of Law. ~~The Director of Law must be a resident of Lake County, Ohio.~~

2. CHARTER AMENDMENTS

Shall Section 2 – Charter Review Committee – of Article VII – Charter Amendments of the Charter of the City of Kirtland, Ohio, be amended so that said section, as amended, shall provide and read as follows:

ARTICLE VII – CHARTER AMENDMENTS

Section 2. Charter Review Committee.

During the month of January, 1980, and every ten (10) years thereafter, the Mayor shall appoint a Charter Review Committee. The Mayor may also appoint a Charter Review Committee at any time during the period between ten (10) year committees. A Charter Review Committee, whenever appointed, is subject to confirmation by a majority vote of the members of Council. The Committee shall be composed of two (2) electors from each ward and one (1) elector at large from the Municipality.

3. REFERENDUM ZONING

Shall Article V – Initiative, Referendum and Recall be amended to strike Section 5 – Mandatory Zoning Referendum and shall Article I – The Council, Section 8 – Powers and Duties be amended so that said section, as amended, shall provide and read as follows:

ARTICLE V – INITIATIVE, REFERENDUM AND RECALL

~~Section 5. Mandatory Zoning Referendum.~~

~~Any ordinance or resolution enacted by the Council of the City of Kirtland which changes the zoning classification or zoning district from one land use to another land use shall be, after passage by Council, submitted to the electors for approval or disapproval at the next general or primary election which occurs at least ninety (90) days after the passage of said ordinance or resolution.~~

~~If the ordinance is approved by fifty five percent (55%) of those voting in the election, the ordinance shall become law on the first Monday after the results of the election are certified to the City by the Board of Elections of Lake County.~~

~~In the event the ordinance is disapproved by the electors, the ordinance or issue set forth therein shall not be submitted to the Planning and Zoning Commission for consideration or acted upon by Council until three hundred sixty five (365) days have elapsed since the date of the election in which the ordinance or regulation was disapproved.~~

ARTICLE I – THE COUNCIL

Section 8. Powers and Duties.

(h)

(7) No action of the Council authorizing any change in the boundaries of the City, or the surrender or joint exercise of any of its powers, or granting any franchise, or any zoning amendment or change in the zoning map, or contracting for the supply to the City or its inhabitants of the product or service of any utility, whether Municipally owned or not, shall be taken as an emergency measure.