

# RECORD OF RESOLUTIONS

Resolution No. 2023-R-14

June 12, 2023

## City of Bellbrook State of Ohio

### Resolution No. 2023-R-14

#### **CREATING A CHARTER ADVISORY COMMITTEE TO REVIEW THE CITY'S CHARTER AND MAKE RECOMMENDATIONS TO COUNCIL REGARDING ANY PROPOSED AMENDMENTS THERETO**

WHEREAS, a Charter for the City of Bellbrook was approved by the City's electorate on November 2, 1971, in accordance with Article XVIII, Section 7, of the Ohio Constitution; and

WHEREAS, Section 12.05 of the City's Charter provides that the City may amend its Charter pursuant to Section XVIII, Sections 8 and 9 of the Ohio Constitution; and

WHEREAS, Section 12.05 of the City's Charter further provides that Council shall appoint a Charter Review Commission (the "CRC") consisting of at least 15 qualified electors of the City at the first meeting of Council in December of 2002, and each 10 years thereafter, and the CRC shall submit a report and recommendations to Council on or before June 1<sup>st</sup> the following year setting forth any proposed Charter amendments it recommends; and

WHEREAS, the City made reasonable efforts to seek applicants to appoint 15 qualified electors of the City to the CRC in accordance with Section 12.05(b) of the City's Charter, but despite its efforts, only 4 qualified electors of the City applied for a position on the CRC; and

WHEREAS, City Council recognizes the importance of having its Charter thoroughly reviewed at least every 10 years by residents of the City for possible amendments and improvements; and

WHEREAS, since City Council has been unable to secure the requisite number of qualified electors to serve on a CRC, the City Manager recommends that Council authorize a Charter Advisory Committee (the "CAC"), which CAC shall consist of 7 qualified electors of the City appointed by City Council, to review the City's Charter and make a report and recommendations to City Council regarding any proposed amendments to the City's Charter; and

WHEREAS, upon City Council's receipt of the CAC's report and recommendations, City Council will review the report and recommendations and determine if any of the proposed Charter amendments should be presented to the City's electorate for consideration in accordance with Article XVIII, Sections 8 and 9 of the Ohio Constitution; and

WHEREAS, City Council intends to create a streamlined process, which process is set forth below, for Council members to appoint qualified electors of the City to serve on the City's CAC.

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## **NOW, THEREFORE, THE CITY OF BELLBROOK HEREBY RESOLVES:**

Section 1. City Council hereby creates a Charter Advisory Committee (the “CAC”) to review the City’s Charter and make a report and recommendations to Council as to any Charter amendments it proposes.

Section 2. The CAC shall be comprised of 7 qualified electors of the City of Bellbrook, who are not currently serving on Bellbrook City Council or any other boards and commissions of the City. Each Council member shall be responsible for nominating one qualified elector to serve on the CAC, subject to approval by a majority of City Council. No Council member shall unreasonably withhold his or her approval of a duly qualified elector nominated for appointment to the CAC. In the event that an elector nominated by a Council member declines the appointment or is otherwise unwilling or unable to serve on the CAC, the Council member who nominated that elector shall continue making nominations for the position until his or her nominee is approved by Council.

Section 3. After all appointments have been made by the CAC, the CAC shall conduct one or more meetings to review the City’s Charter and prepare its report and recommendations to Council regarding any proposed Charter amendments.

Section 4. After City Council receives the report and recommendations from the CAC, it may present the proposed Charter amendments to the City’s electorate for consideration in accordance with Article XVIII, Sections 8 and 9 of the Ohio Constitution

Section 5. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including, but not limited to Section 121.22 of the Ohio Revised Code.

Section 6. This Resolution shall take effect and be in full force from and after the date of its passage.

PASSED BY City Council this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_ Yeas; \_\_\_\_ Nays.

## **AUTHENTICATION:**

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Michael W. Schweller, Mayor

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Robert Schommer, Clerk of Council