

**ORDINANCE 2021-29
INTRODUCED BY: GRUBE**

4319

**AN ORDINANCE
PROVIDING FOR THE SUBMISSION TO THE
ELECTORS OF THE VILLAGE OF CHAGRIN FALLS A
PROPOSED AMENDMENT TO THE VILLAGE
CHARTER TO PROVIDE THAT THE TERM OF THE
OFFICE OF COUNCIL MEMBER IS INCREASED FROM
TWO (2) YEARS TO FOUR (4) YEARS AND TO STAGGER
THE TERMS AND TO PROVIDE AT THE GENERAL
ELECTION IN CALENDAR YEAR 2023 THREE (3)
COUNCIL MEMBERS ARE ELECTED TO A TERM OF
FOUR (4) YEARS AND FOUR (4) COUNCIL MEMBERS
ARE ELECTED TO A TERM OF TWO (2) YEARS AND TO
ADD NUMERICAL REFERENCES**

WHEREAS, the Mayor, in accordance with Article XI, Section 2 of the Charter of the Village of Chagrin Falls, appointed five (5) electors of the Village to serve as members of the Charter Review Commission; and

WHEREAS, Article XI, Section 2 of the Charter requires the Charter Review Commission to review the Charter and recommend any desirable Charter amendments to Council; and

WHEREAS, the Charter Review Commission, in a report dated May 10, 2021, submitted its recommendations to this Council; and

WHEREAS, Article IV, Section 1 of the Charter provides that the Council shall consist of seven (7) members elected at large for terms of two (2) years;

WHEREAS, the Charter Review Commission recommends amending Article IV, Section 1 to provide that the Council shall consist of seven (7) Council members elected at large for a term of four (4) years and providing for staggered terms by electing three (3) members of Council to a term of four (4) years and four (4) members of Council for a term of two (2) years at the general election in calendar year 2023 and, thereafter, all Council terms shall be for a period of four (4) years; and

WHEREAS, this Council finds that such recommendation is appropriate and will provide better continuity, eliminate inefficiencies in the conduct of municipal government, and

ORDINANCE 2021-29
INTRODUCED BY: GRUBE

attract more qualified candidates, by providing for four (4) year terms, and to stagger the terms so that Council members are not all elected in the same year; and

WHEREAS, pursuant to Article XVIII, Section 9 of the Constitution of the State of Ohio and the Charter of the Village of Chagrin Falls, this Council has the right, by a two-thirds (2/3) majority affirmative vote, to submit to the Voters of the Village of Chagrin Falls proposed amendments to the Charter of the Village of Chagrin Falls; and

WHEREAS, this Council finds and determines that it is in the Village's best interest to submit to the electors of the Village of Chagrin Falls a proposed amendment to the Charter which would provide for staggered four (4) year terms for Council members; and

WHEREAS, this Council chooses the date of November 2, 2021 for the election on the Charter amendment proposals hereinafter set forth, which election is not less than sixty (60) nor more than one hundred twenty (120) days from date of passage from this Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO THAT AT LEAST TWO-THIRDS (2/3) MEMBERS OF COUNCIL CONCURRING:

Section 1. This Council hereby authorizes and directs the submission to the electors of the Village of Chagrin Falls, in an election to be held at the usual places of voting in said Village, on Tuesday, November 2, 2021, of the following proposal to amend the Charter of the Village as further provided below.

That existing Article IV, Section 1 of the Charter of the Village of Chagrin Falls be amended, to read and provide, in its entirety, as follows:

ARTICLE IV
COUNCIL

SECTION IV-1. NUMBER AND TERM.

Council shall consist of seven (7) Council members elected at large for terms of four (4) years, except as herein provided, commencing on the first day of January next following their elections and to serve until their successors are chosen and qualified. At the general election in calendar year 2023, three (3) members of Council shall be elected to a term of four (4) years and four (4) members of Council shall be elected to a term of two (2) years. Thereafter, all Council terms shall be for a period of four (4) years, with four (4) members of Council being first elected in calendar year 2025 to four (4) year terms.

Further, if this amendment is adopted, existing Article IV, Section 1 shall be repealed.

The majority affirmative vote of the those voting on the issue shall be necessary to adopt this amendment.

ORDINANCE 2021-29
INTRODUCED BY: GRUBE

Section 2. That the form of the ballot to be cast at the election for the proposed Charter amendments contained in Section 1 shall read and provide as follows:

<p>“PROPOSED CHARTER AMENDMENT</p> <p>A majority affirmative vote is necessary for passage</p> <hr/>
<p>Shall Article IV, Section 1, Number and Term, of the Charter of the Village of Chagrin Falls be amended to provide that all Council members are elected for a term of four (4) years and to stagger the terms so that not all members are elected in the same year?”</p>

Section 3. That if such amendments are approved by a majority of the electors voting thereon at such election, such amendment so approved shall become effective from and after January 1, 2022.

Section 4. That the Clerk of Council is hereby authorized and directed to cause copies of the proposed Charter Amendment to be published in such manner as may be authorized by law, and as required by Article XVIII, Section 9 of the Ohio Constitution.

Section 5. That the Clerk of Council be and hereby is, authorized and directed to forward certified copy of this Ordinance to the Board of Election of Cuyahoga County.

Section 6. That the Board of Elections of Cuyahoga County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

Section 7. That there is hereby appropriated from the general fund of the Village, an amount sufficient to pay the cost of carrying out the directions of this Ordinance, including the cost of publishing notice of such election.

Section 8. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 9. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 10. That this Ordinance shall take effect and be in force after the earliest period allowed by law.

ORDINANCE 2021-29
INTRODUCED BY: GRUBE

PASSED: July 26, 2021

Erinn W Grube

Erinn Grube, Council President

Submitted to the Mayor for
his approval on this

28th day of July, 2021

Approved by the Mayor

07/28/2021, 2021

William A. Tomko

Mayor William Tomko

I hereby certify that Ordinance No. 2021-29 was duly enacted on the 26th day of July, 2021, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

David B. Bloom

David Bloom, Clerk of Council