

ORDINANCE NO.: 2020 – 50

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING SECTION 7.16 OF THE VILLAGE CHARTER AS TO INCLUDE PROVISIONS RELATING TO THE SALARY OF MAYORS WHO HAVE SERVED THE VILLAGE FOR LESS THAN TWO YEARS, AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Oakwood Charter Commission, pursuant to the authority vested in it by Section 12.02 of the Oakwood Village Charter, has considered the amendment of Section 7.16 of the said Charter concerning compensation of the Mayor; and

WHEREAS, the Oakwood Charter Review Commission has declined to recommend said revision of Section 7.16 of the Charter by failing to pass Charter Review Commission Resolution No. CRC 2020 – 06, a copy of which is attached hereto and incorporated herein as Exhibit 1, and

WHEREAS, Section 12.01 of the Village Charter and the Ohio Constitution authorize Council to submit to the electors any proposed alterations, revisions or amendments to the Charter at the next regular election or at a special election on a date designated by Council after submission by Council of the proposed Charter Amendment;

NOW, THEREFORE, Be It Ordained by the Council of the Village of Oakwood, County of Cuyahoga, State of Ohio, that:

Section 1: There shall be submitted to the electors of the Village of Oakwood, Ohio, on the date of the regular election to be held on the 3<sup>rd</sup> day of November, 2020, the question of an amendment to the Charter of the Village of Oakwood and to provide therefor by amending the Village Charter by the amendment of Section 7.16, which currently reads as follows:

**Sec. 7.16. COMPENSATION OF OFFICERS AND EMPLOYEES.**

The salary or compensation of all officers, including members of boards and commissions, and employees of the Municipality, shall be fixed by ordinance. The Council may, however, establish by ordinance schedules of compensation of employees, or pay ranges, to be fixed by the appointing authority in accordance with ability, fitness and seniority, within limits set forth in the Council's salary or compensation schedules.

The compensation of elected officers for the terms, beginning on the next succeeding first day of January following a regular Municipal election, shall be fixed at least 30 days prior to the last day for filing nominating petitions by candidates for election for such terms and shall not thereafter be changed in respect of any such terms, or any part thereof. Such compensation for the terms beginning March 1, 1969, shall be fixed by the Council prior to November 26, 1968, and shall not thereafter be changed

in respect to such terms, or any part thereof.

In providing for the wages, terms and conditions of employment for all full-time employees and regular part-time employees with a minimum of two (02) years of prior service within the Village, Council shall adhere to the provisions set forth in Section 4117 of the Ohio Revised Code regarding Collective bargaining. The Village hereby waives any exemptions granted to municipalities of its type in Section 4117 of the Ohio Revised Code.

Notwithstanding any provisions of the Ohio Revised Code to the contrary, the Village of Oakwood agrees to abide by all provisions contained in Section 4117 of the Ohio Revised Code, and permit said employees:

- A. The right of form, join, or participate in any employee organization of their choosing.
- B. To bargain collectively with their public employers to determine wages, hours, terms and other conditions of employment, and to enter into collective bargaining agreements.
- C. To engage in other lawful concerted activities for the purpose of Collective Bargaining.

Should be amended to read as follows:

**Sec. 7.16. COMPENSATION OF OFFICERS AND EMPLOYEES.**

The salary or compensation of all officers, including members of boards and commissions, and employees of the Municipality, shall be fixed by ordinance except as may otherwise be provided in this Charter with respect to the Mayor. The Council may, however, establish by ordinance schedules of compensation of employees, or pay ranges, to be fixed by the appointing authority in accordance with ability, fitness and seniority, within limits set forth in the Council's salary or compensation schedules.

Except as otherwise provided in this Charter with respect to the Mayor, the compensation of elected officers for the terms, beginning on the next succeeding first day of January following a regular Municipal election, shall be fixed at least 30 days prior to the last day for filing nominating petitions by candidates for election for such terms and shall not thereafter be changed in respect of any such terms, or any part thereof. Such compensation for the terms beginning March 1, 1969, shall be fixed by the Council prior to November 26, 1968, and shall not thereafter be changed in respect to such terms, or any part thereof.

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Section 2: The ballot of said election shall at the top thereof be entitled:

"Proposed Charter Amendment regarding the compensation of mayors who have served the Village for less than two years"

and the question to be submitted on said ballot shall be in words as follows:

" Shall Section 7.16 of the Oakwood Village Charter, which presently reads as follows:

**Sec. 7.16. COMPENSATION OF OFFICERS AND EMPLOYEES.**

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Notwithstanding any provisions of the Ohio Revised Code to the

contrary, the Village of Oakwood agrees to abide by all provisions contained in Section 4117 of the Ohio Revised Code, and permit said employees:

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of Collective Bargaining.

YES - For Passage

NO - Against Passage"

Section 3: The Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County and cause notice of the foregoing proposed Charter amendment to be given in accordance with general law.

Section 4: To pay the cost of publishing said notice, there be and is hereby appropriated from the General Fund such sums of money as may be required.

Section 5: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of the Village of Oakwood for the reason that it is necessary to submit the proposed Charter Amendment to the Board of Elections for placement upon the ballot for the regular election to be held on November 3, 2020 in properly provide for Mayoral compensation for which time is of the essence and, therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_

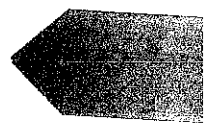
\_\_\_\_\_  
Johnnie A. Warren, President of Council

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

Presented to the  
Mayor: \_\_\_\_\_

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor, Gary V. Gottschalk



I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2019 - 50 was duly and regularly passed by this Council at the meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

**POSTING CERTIFICATE**

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2019 - 50 was duly posted on the \_\_\_\_\_ day \_\_\_\_\_ of \_\_\_\_\_, 2019 and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.

\_\_\_\_\_  
Debra L. Hladky, Clerk of Council

DATED: \_\_\_\_\_



EXHIBIT 1

*Filed 5-20-20  
CRC*

**RESOLUTION NO. CRC 2020 - 06**

**INTRODUCED BY CHARTER REVIEW COMMISSION AS A WHOLE**

**A RESOLUTION REFERRING TO OAKWOOD VILLAGE COUNCIL  
RECOMMENDED AMENDMENTS TO OAKWOOD CHARTER SECTION 7.16**

**WHEREAS**, Oakwood Charter Section 12.02 commits to the Oakwood Charter Commission the responsibility to review the Oakwood Village Charter and recommend to Oakwood Village Council any alterations, revisions and amendments to the Charter as may be deemed advisable within the judgment of the Commission; and

**WHEREAS**, the Commission has been duly appointed and it has met and reviewed the Charter; and

**WHEREAS**, the Commission deems it advisable to amend Section 7.16 of the Charter to include provisions relating to the salary of mayors who have served the Village for less than two years, as they possess less experience than more seasoned mayors.

**NOW THEREFORE, BE IT ORDAINED** that the Charter Review Commission of the Village of Oakwood, County of Cuyahoga, and State of Ohio recommends to the Oakwood Village Council that:

**SECTION 1.** Oakwood Village Charter Section 7.16 which presently reads as follows:

**Sec. 7.16. COMPENSATION OF OFFICERS AND EMPLOYEES.**

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A "redline" version showing the proposed amendments is attached hereto as Exhibit "A".

**SECTION 2.** The Secretary of the Commission is hereby authorized and directed to refer the proposed amendment to the Oakwood Village Council for its consideration as provided in Oakwood Village Charter Sections. 12.01 and 12.02.

*Failed*  
PASSED: May 20, 2020

*Tabled May 6, 2020*

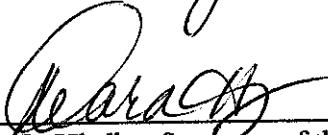
  
\_\_\_\_\_  
Debra L. Hladky, Secretary of the Commission

Exhibit "A"

**Sec. 7.16. COMPENSATION OF OFFICERS AND EMPLOYEES.**

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