

ORDINANCE NO.: 2020 – 52

INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING AND SUPPLEMENTING THE VILLAGE CHARTER BY ENACTMENT OF SECTION 8.05 CONCERNING COMPENSATION OF THE MAYOR 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 enactment of Section 8.05 of the said Charter concerning compensation of the Mayor; and

WHEREAS, the Oakwood Charter Review Commission has declined to recommend said enactment of Section 8.05 of the Charter by failing to pass Charter Review Commission Resolution No. CRC 2020 – 08, 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 3rd day of November, 2020, the question of an amendment to the Charter of the Village of Oakwood and to provide therefor by amending and supplementing the Village Charter by the addition of a new Section 8.05 which upon the effective date of passage of the amended and supplemented new Section 8.05 shall read as follows:

SECTION 8.05. COMPENSATION.

The "Mayor's Base Pay" shall be defined as 105% of the salary of the Chief of Police as fixed by ordinance. Upon taking office, any person who has previously served the Village as Mayor for a minimum of two (2) years shall receive as a minimum salary the Mayor's Base Pay unless Council shall fix a greater sum by ordinance according to the procedures set forth in Sec. 7.16 of this Charter. Upon taking office, any person who has not previously served the Village as Mayor for at least two (2) years shall receive a salary fixed at 75% of the salary of the Chief of Police. No later than sixty (60) days after the Mayor has served the Village as Mayor for a cumulative total of two (2) years, Council shall determine by majority vote whether the Mayor shall receive 100% of the Mayor's Base Pay. Should Council fail to vote to determine said issue within the foregoing sixty (60) day period, the Mayor's salary shall increase to 100%

of the Mayor's Base Pay.

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

"Proposed Charter Amendment - a majority affirmative vote is necessary for passage"

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

"Shall The Charter of the Village of Oakwood be amended and supplemented by adding Section 8.05 to read as follows:

SECTION 8.05. COMPENSATION.

The "Mayor's Base Pay" shall be defined as 105% of the salary of the Chief of Police as fixed by ordinance. Upon taking office, any person who has previously served the Village as Mayor for a minimum of two (2) years shall receive as a minimum salary the Mayor's Base Pay unless Council shall fix a greater sum by ordinance according to the procedures set forth in Sec. 7.16 of this Charter. Upon taking office, any person who has not previously served the Village as Mayor for at least two (2) years shall receive a salary fixed at 75% of the salary of the Chief of Police. No later than sixty (60) days after the Mayor has served the Village as Mayor for a cumulative total of two (2) years, Council shall determine by majority vote whether the Mayor shall receive 100% of the Mayor's Base Pay. Should Council fail to vote to determine said issue within the foregoing sixty (60) day period, the Mayor's salary shall increase to 100% of the Mayor's Base Pay.

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 order to 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. 2020 – 52 was duly and regularly passed by this Council at the meeting held on the _____ day of _____ 2020.

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. 2020 - 52 was duly posted on the _____ day _____ of _____, 2020 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

Failed CRC
5.20.20

RESOLUTION NO. CRC 2020 - 08

INTRODUCED BY CHARTER REVIEW COMMISSION AS A WHOLE

A RESOLUTION REFERRING TO OAKWOOD VILLAGE COUNCIL RECOMMENDED ENACTMENT OF OAKWOOD CHARTER SECTION 8.05.

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 enact Section 8.05 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:

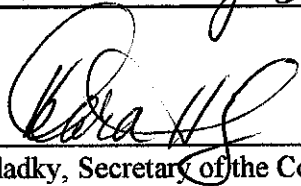
SECTION 1. Oakwood Village Charter Section 8.05 should be enacted and read as follows:

SECTION 8.05. COMPENSATION.

The "Mayor's Base Pay" shall be defined as 105% of the salary of the Chief of Police as fixed by ordinance. Upon taking office, any person who has previously served the Village as Mayor for a minimum of two (2) years shall receive as a minimum salary the Mayor's Base Pay unless Council shall fix a greater sum by ordinance according to the procedures set forth in Sec. 7.16 of this Charter. Upon taking office, any person who has not previously served the Village as Mayor for at least two (2) years shall receive a salary fixed at 75% of the salary of the Chief of Police. No later than sixty (60) days after the Mayor has served the Village as Mayor for a cumulative total of two (2) years, Council shall determine by majority vote whether the Mayor shall receive 100% of the Mayor's Base Pay. Should Council fail to vote to determine said issue within the foregoing sixty (60) day period, the Mayor's salary shall increase to 100% of the Mayor's Base Pay.

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.

PASSED: Tabled May 20, 20



Debra L. Hladky, Secretary of the Commission

Tabled May 6, 2020
DHH