

Memo

To: Council Members
From: James A. Climer, Law Director
Date: June 29, 2020
Re: Village of Oakwood Re: General Matters 2020, OAKW/200002
Topic: Ordinance 2020-56, Recommended Revisions to Charter Section 10.02

Dear Council Members:

Pursuant to our discussions at the Council meeting of June 23, 2020, I have looked into the issue of how two different versions of the recommended revisions to Oakwood Charter Section 10.02 appeared on the June 23 Council Agenda (Ordinance 2020-56) and the work session agenda (2020-WS-01). In short, the version appearing on the work session agenda appears to contain the same heading as proposed legislation I sent to Ms. Hladky by email on June 17. However, I have been unable to determine the source of the version which appears on the 6/23 Council Agenda.

That said, following the defeat of the recommended revisions to Charter Section 10.02 at the June 9, 2020 Council meeting (Ordinance 2020-53), I understood that Ms. Harden and, possibly, other members of Council wanted to reconsider the matter and potentially adopt the deadlines that were proposed to be shortened from 60 days to 30 days. In addition, it would be my recommendation to explicitly permit zoning issues and other matter subject to the Charter Section to be passed by suspension of the rules upon a $\frac{3}{4}$ affirmative vote of Council. This would match a recommended revision to Charter Section 7.13 that was adopted on June 9 (CO Ordinance 2020-48) and avoid conflicts in the Charter.

In further reviewing the matter, it became apparent that shortening the deadline for Planning Commission action to 30 days as well as permitting Council to dispense with three readings by a $\frac{3}{4}$ vote would be possible. However, it is also apparent that it will not be possible to shorten from 60 to 30 days the deadline for Council to place the matter on for first reading. This is because recommended revisions to Charter Section 10.04 contained in Ordinance 2020-54 were defeated at the June 9 Council meeting. The present version of Charter Section 10.04, which will continue in place after the defeat of the proposed amendment, requires Council to give 30 days' notice of a public hearing to consider a Planning Commission zoning change recommendation before placing the matter on first reading. This would require publication of the notice on the same day as the Planning Commission recommendation is received. Any delay caused by work absences, etc. would render the deadline impossible to meet.

You will find attached the present recommendation for revisions to Charter Section 10.02. Should anyone have any questions, please feel free to contact me.