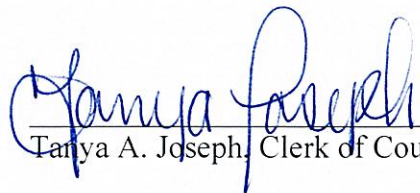


NOTICE OF SPECIAL COUNCIL MEETING

Pursuant to Section 7.08 of the Charter of the Village of Oakwood, notice is hereby given of the calling of a **Special Council Meeting** by Councilmembers Eloise Hardin, Paggie Matlock, and Mary Davis to be held on **September 6th, 2024, at 8:00 a.m.** in the Village Council Chambers, 24800 Broadway Avenue, Oakwood Village, Ohio 44146, to consider the following matter(s):

(See attached Agenda for further information)

In accordance with the provisions contained in the Village Charter no other matters will be considered by Village Council other than those listed herein.


Tanya A. Joseph, Clerk of Council

VILLAGE OF OAKWOOD
COUNCIL SPECIAL MEETING
SEPTEMBER 6TH, 2024
8:00 A. M.
AGENDA

Pursuant to Section 7.08 of the Charter of the Village of Oakwood, Councilmembers Eloise Hardin, Paggie Matlock, and Mary Davis are hereby calling a Special Meeting of Village Council to consider the following:

- 1. Call Meeting to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**

| | | | |
|----------------------|--|------------|-------------------|
| Council President | Erica Nikolic | Mayor | Gary Gottschalk |
| Council-At-Large | Johnnie A. Warren | Law | James Climer |
| Ward 1 Councilperson | Taunya Scruggs | Finance | Brian L. Thompson |
| Ward 2 Councilperson | Eloise Hardin | Service | Tom Haba |
| Ward 3 Councilperson | Paggie Matlock | Fire | Dave Tapp |
| Ward 4 Councilperson | Mary Davis | Police | Mark Garratt |
| Ward 5 Councilperson | Candace S. Hill (formerly Williams) | Building | Daniel Marinucci |
| | | Engineer | Ed Hren |
| | | Recreation | Carlean Perez |

4. Legislation

| | |
|------------------------------|--|
| 2024-52 | AN EMERGENCY ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF |
| Introduced by | OAKWOOD THE QUESTION OF AMENDING AND SUPPLEMENTING THE VILLAGE |
| Council as a | CHARTER TO PROVIDE FOR THE REPLACEMENT OF THE MAYOR IN THE EVENT OF HIS |
| Whole | OR HER DEATH, RESIGNATION, RECALL, OR REMOVAL AND REPEALING |
| 1 st read 9/06/24 | ORDINANCE NUMBER 2024-47 |

5. Adjournment

ORDINANCE NO 2024-52

INTRODUCED BY COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE TO SUBMIT TO THE ELECTORS OF THE VILLAGE OF OAKWOOD THE QUESTION OF AMENDING AND SUPPLEMENTING THE VILLAGE CHARTER TO PROVIDE FOR THE REPLACEMENT OF THE MAYOR IN THE EVENT OF HIS OR HER DEATH, RESIGNATION, RECALL OR REMOVAL AND REPEALING ORDINANCE NUMBER 2024-47.

WHEREAS, Council has considered the present procedure for the replacement of the Mayor in the event of his or her death, resignation, recall or removal and finds that said procedure should be altered to provide a more direct means of submitting that matter to the voters; and

WHEREAS, the office of Mayor in the Village of Oakwood is an elected position and it is in the best interest of the citizens of Oakwood to maintain their right to elect individuals to the office of Mayor; and

WHEREAS, Council desires to place before the electorate of the Village a Charter amendment providing a more direct means of submitting to the voters the replacement of the Mayor in the event of his or her death, resignation, recall or removal; and

WHEREAS, Section 12.01 of the Village Charter provides that the Council may, by affirmative vote of at least two-thirds of its members, submit any proposed amendment to the Charter to the electors; and

WHEREAS, on or about August 30, 2024 Council passed Ordinance No. 2024-47 to submit to the voters an amendment to Charter Section 8.03 to provide for a more direct means of submitting to the voters the replacement of the Mayor in the event of his or her death, resignation, recall or removal but has been informed by the Cuyahoga County Board of Elections that the time periods specified in the proposed amendments set forth in said Ordinance do not meet certain election deadlines;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. There shall be submitted to the electors of the Village of Oakwood, Ohio, at the general election to be held on November 5, 2024, the question of an amendment to the Charter of the Village of Oakwood and to provide therefor by amending Section 8.03 of the Village Charter which currently reads as follows:

Sec. 8.03. Vacancy.

During such period when the Mayor is absent from the Municipality, or is otherwise not accessible, or is temporarily unable for any cause to perform his or her duties, the order of

succession as Acting Mayor shall be as follows: President of Council and President Pro Tem of Council. In case of death, resignation, recall or removal of the Mayor, the President of Council shall become Mayor and his or her office as member of Council shall thereby become vacant. He or she shall serve for the remainder of the unexpired term, or until the beginning of the term of a successor duly elected for the unexpired term at the next regular municipal election if (a) such election shall occur two (2) years or more prior to the expiration of the unexpired term, and (b) the vacancy shall have occurred more than ninety (90) days prior to such election.

To be amended to read as follows:

Sec. 8.03. Vacancy.

During such period when the Mayor is absent from the Municipality, or is otherwise not accessible, or is temporarily unable for any cause to perform his or her duties, the order of succession as Acting Mayor shall be as follows: President of Council and President Pro Tem of Council. In case of death, resignation, recall or removal of the Mayor, the President of Council shall become Mayor until elected or replaced as provided hereinafter. Upon the death, resignation, recall or removal of the Mayor, there shall be conducted a special election, but no primary election, in which the candidate receiving the highest number of votes shall be elected to serve the remainder of the Mayor's term. Said election shall take place within 120 days of said vacancy in the office of Mayor unless a general or primary election is scheduled not less than 90 nor more than 120 days from the date of said vacancy in which case said election shall take place at the next general or primary election. A candidate for office under this section shall file with the Board of Elections, not less than 60 days before the election, a petition signed by not less than 75 registered voters of the Municipality and by not more than 150 registered voters. A candidate for the office of Mayor under this Section is ineligible if he or she holds a different elective office of the Village at the time of filing his or her nominating petition for said office and his or her office as member of Council shall thereby become vacant.

SECTION 2. 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 3. To pay the cost of publishing said notice, there be and hereby is appropriated from the General Fund such sums of money as may be required.

SECTION 4. The said Ordinance 2024-47 be and hereby is repealed.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the same provides for an orderly and prompt transition in the event of the death, resignation, recall or removal of the Mayor so as to ensure the performance of critical operations of the Village and the daily operation of municipal departments, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected

thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by

PASSED: _____

Erica Nikolic, Council President

Tanya Joseph, Clerk of Council

Present to the
Mayor: _____

Approved: _____

Mayor Gary V. Gottschalk

POSTING CERTIFICATE

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2024-52 was duly and regularly passed by this Council at the meeting held on the _____ day of _____, 2024.

Tanya Joseph, Clerk of Council

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2024-52 was duly posted on the _____ day of _____, 2024, and will remain posted in accordance with the Oakwood Village Charter.

Tanya Joseph, Clerk of Council