

**CITY OF TWINSBURG
PROPOSED CHARTER AMENDMENTS**

ELECTION NOTICE

NOTICE is given that pursuant to Ordinance 77-2023 adopted by the Council of the City of Twinsburg, Ohio on July 11, 2023, the following proposed Charter Amendments will be submitted to the electors of said City at the election to be held on Tuesday, November 7, 2023, at the regular places of voting in the City during the regular hours of voting on such date as described by general law and shall appear as the following Ballot Issues.

The full text of the Charter provisions if they are amended by the passage of said Ballot Issues will read as follows (proposed additions are underlined and proposed deletions are stricken with a line through them).

BALLOT ISSUE #31

Shall the proposed revisions to Article III, Section 3.02, of the Charter of Twinsburg related to drawing Council ward boundaries based on U.S. Census population data in order to reflect equal population across Council wards, as recommended by the 2023 Twinsburg Charter Review Commission, be adopted?

“SECTION 3.02 WARDS – DISTRICTING COMMISSION.

- E. Wards. The City shall, by this Charter, be divided into five (5) wards, and one (1) Councilmember shall be elected from each ward, and two (2) Councilmembers elected from the City at large. **Based upon a change due to annexation or a change in population, Ward boundaries shall be redrawn by the Districting Commission in accordance with U.S. Census data revised each decade to reflect approximately equal population across the wards. The Districting Commission shall convene and make its report to Council within one (1) year of receipt by the City of final census data.**
- B. Districting Commission. The Council shall appoint five (5) qualified voters, one from each ward of the City, determined from the registration from the last general election, who shall comprise the Districting Commission. The voters chosen shall not be employed by the City in any other capacity.

The Districting Commission shall file with the Clerk of Council a report containing a recommended plan for adjustment of the Council ward boundaries to comply with the specifications within this Section.

- ~~C. Report/Specifications. By the tenth (10th) day of January at least every five (5) years from the date of the report of the last preceding Districting Commission, or as often as necessary to comply with the statutes of the State of Ohio, said Commission shall file with the Clerk of Council a report containing a recommended plan for adjustment of the Council ward boundaries to comply with these specifications:~~

~~E. Each ward shall be formed of compact, contiguous territory.~~

~~2. Each ward shall contain as nearly as possible the same number of qualified voters, determined from the registration for the last statewide general election, but wards shall not differ in size by more than ten percent (10%) of the voters in the smallest ward created.~~

~~This report shall include a map and description of the wards recommended and shall be drafted as a proposed ordinance. Once filed with the Clerk, the report shall be treated as an ordinance introduced by a Councilmember, but shall be subject to amendment or deletion in whole or in part by a majority vote of Councilmembers so long as the above specifications are complied with. The Council may, by ordinance, provide for the creation of a Districting Commission to convene and report at such earlier dates as it deems advisable.~~

DC. Procedure. The procedure for the Council's consideration of the report shall be the same as for other ordinances. It must include both the map and description of the recommended wards. **Council may amend or delete the report so submitted, in whole or in part, by a majority vote of Councilmembers so long as the above specifications are complied with.**

~~E. Failure to enact ordinances. The Council shall adopt the ordinance as recommended or amended at least one hundred eighty (180) days before the next regular municipal election. If the Council fails to do so by such date, all Councilmembers to be elected at such election shall be elected at large and shall serve as Councilmembers at Large until their terms of office expire. After such an election at large, the Districting Commission shall convene and adjust the ward boundaries in accordance with the specifications, requirements and procedure earlier provided in this section, except that the ordinance shall be enacted at least one hundred eighty (180) days before the next regular municipal election following such election at large.~~

DF. Effect of enactment. **The Council shall adopt the ordinance as recommended or amended at least one hundred and eighty (180) days before the next regular municipal election.** The new Council wards and boundaries, as of the date of enactment, shall supersede previous Council wards and boundaries, for all purposes of the next election. The new wards and boundaries shall supersede previous wards and boundaries for all other purposes as of the date on which all Councilmembers elected at that regular election take office.

BALLOT ISSUE #32

Shall the proposed revisions to Article IV, Section 4.04, of the Charter of Twinsburg related to the manner in which a mid-term vacancy in the office of Mayor is filled, as recommended by the 2023 Twinsburg Charter Review Commission, be adopted?

SECTION 4.04 VACANCY IN OFFICE OF MAYOR.

A. When the Mayor is temporarily unable for any cause or reason to perform the Mayor's duties, the President of Council shall become the Acting Mayor, but shall not thereby cease to be Councilmember.

- B. In the event the Office of Mayor shall become vacant for any reason, the President of Council shall thereupon become the Acting Mayor and serve for the unexpired term if such term is not in excess of **twenty four (24) months**, ~~six (6) months~~, or shall serve until the filling of such vacancy by the electorate of the City as set forth in Section D below ~~and~~ but shall not thereby cease to be a Councilmember. **If the unexpired term is less than twelve (12) months, then the President of Council shall not cease to be a Councilmember while serving as Acting Mayor. If the unexpired term is in excess of twenty four (24) months, then the President of Council shall serve as Acting Mayor until the filling of such vacancy by the electorate of the City as set forth in Section D below but shall not cease to be a Councilmember during their term as Acting Mayor.**

If the President of Council is unable or unwilling to serve as Acting Mayor, the Vice President of Council shall thereupon become Acting Mayor and serve for the unexpired term if such term is not in excess of ~~six (6) months~~ **twenty four (24) months**, or shall serve until the filling of such vacancy by the electorate of the City as set forth in Section D below, but ~~and~~ shall not cease to be a Councilmember. **If the unexpired term is less than twelve (12) months, then the Vice President of Council shall not cease to be a Councilmember while serving as Acting Mayor. If the unexpired term is in excess of twenty four (24) months, then the Vice President of Council shall serve until the filling of such vacancy by the electorate of the City as set forth in Section D below but shall not cease to be a Councilmember during their term as Acting Mayor.**

- C. When neither the President or Vice President of Council is available or willing for any reason to perform the duties as Acting Mayor, then Council, by a vote of the majority of all members of Council, shall elect one of their members to serve as Acting Mayor and such member shall serve for the unexpired term if such term is not in excess of ~~six (6) months~~ **twenty four (24) months**, or shall serve until the filling of such vacancy by the electorate of the City as set forth in Section D below, but ~~and~~ shall not cease to be a Councilmember. **If the unexpired term is less than twelve (12) months, then the member elected by Council to serve as Acting Mayor shall not cease to be a Councilmember while serving as Acting Mayor. If the unexpired term is in excess of twenty four (24) months, then the member of Council shall serve until the filling of such vacancy by the electorate of the City as set forth in Section D below but shall not cease to be a Councilmember during their term as Acting Mayor.**

- D. In the event of a vacancy in the office of Mayor, and the unexpired term of the Mayor is in excess of ~~six (6) months~~ **twenty four (24) months**, the office of Mayor shall be filled by the electorate of the City at an election. The election to fill the vacancy in the office of the Mayor for the remainder of the unexpired term shall be held at either the next Primary Election or the next General Election, whichever comes first, after the expiration of ninety (90) days after the vacancy occurs.

BALLOT ISSUE #33

Shall the proposed revision to Article VI, Section 6.03 of the Charter of Twinsburg related to permitting the City to advertise electronically for contract bids as well as permitting the City to enter into contracts without advertising for bids for professional services contracts or for contracts made through either another political subdivision's contract or a joint purchasing program, as recommended by the 2023 Twinsburg Charter Review Commission, be adopted?

SECTION 6.03 CONTRACTS AND PURCHASING.

The Mayor may, within the amounts and items appropriated by the Council, make purchases and enter into contracts on behalf of the City involving total project expenditures not in excess of that amount authorized to be spent by the limitations of general State Law, except as may otherwise be provided by ordinance of the Council. No purchase or contract involving an expenditure or more than the limitations of general Ohio State law shall be made except with the lowest and best bidder as determined by Council after advertising for bids for a period of at least two (2) weeks ~~in a newspaper of general circulation within the City~~ **in the electronic manner provided for in Section 12.04 of this Charter**; provided, however, that the Council may authorize contracts for personal **and professional** services without advertising for bids and the Council may authorize purchases or enter into contracts involving a total project expenditure of more than the limitation of general State law without advertising for bids if it determines and declares by an affirmative vote of five (5) members that an emergency exists and sets forth the nature of the emergency in its minutes.

The Council may also authorize a purchase or a contract involving an expenditure of more than the limitations of general Ohio State law without advertising for bids if the purchase or contract is made through another political subdivision's contract for purchases or a joint or cooperative purchasing program, as such methods of purchasing and contracting are authorized by state law.

BALLOT ISSUE #34

Shall the proposed amendments to Article VII, Sections 7.01, 7.04, and 7.04A of the Charter of Twinsburg related to dividing the Department of Public Works into a Department of Service and Department of Wastewater Treatment as well as amending the length of time in which vacancies for mid-term appointments to the Charter Review Commission or Districting Commission are publicly noticed, as recommended by the Twinsburg Charter Review Commission, be adopted?

SECTION 7.01 GENERAL PROVISIONS.

The City shall have a Department of Law, Department of Finance, Department of **Service** ~~Public Works~~, **Department of Wastewater Treatment**, Department of Public Safety, Department of Parks and Recreation and Department of Community Planning and **Economic** Development

and Council shall provide by ordinance for the organization and duties thereof not provided in this Charter.

The City shall have the following Commissions, Boards and Commissions:

1. Civil Service Commission.
2. City Planning Commission.
3. Board of Zoning and Building Code Appeals.
4. Parks and Recreation Commission.
5. Capital Improvement Board.
6. Architectural Review Board ~~and Historic Preservation Commission.~~
7. Districting Commission.
8. Environmental Commission.
9. Charter Review Commission.

The Council may by ordinance establish additional departments, and commissions or divisions thereof, and provide for such boards, officers and employees as it may deem necessary. All boards and commissions of the City of Twinsburg shall make provision in all public meeting agendas for public participation and such participation shall take place prior to the voting on issues.

The Council may, by affirmative vote of five (5) members combine or abolish any department, division, board, commission, non-elective office or job classification created by Council, but may not combine or abolish any department, division, board, commission non-elective office or job classification created by this Charter.

The City shall invite eligible persons to apply for available **full term** appointments to boards and commissions by publishing notice of the terms of and qualifications for such appointments in a newspaper of general circulation within the City. Such notices shall appear once 60 days prior to the expiration date and once 30 days prior to the expiration date of the term of each such appointment. Advertising notices for other than full term appointments shall appear at least 30 days prior to the making of such appointment. **Advertising notices for other than full term appointments to the Districting Commission or Charter Review Commission shall appear at least 7 days prior to the making of such appointment.**

SECTION 7.04 DEPARTMENT OF PUBLIC WORKS ~~SERVICE.~~

The Department of ~~Public Works~~**Service** shall consist of ~~the Division of Public~~ **a Director of Service and Wastewater Treatment Division**, for which Council shall provide, and of such other divisions and staffing as Council may provide.

The Director of ~~Public Works~~**Service** shall:

- A. Manage and administer when established, the municipal utility undertakings of the City; promulgate such bylaws and regulations as (s)he deems necessary for the safe, economical and efficient management and protection of such utilities, which bylaws and regulations, when approved by Council, shall be enforced as ordinances if not in conflict with other ordinances or this Charter or the Constitution of the State of Ohio, ~~and otherwise perform the functions and duties of the Board of Public Affairs of the City except as may be provided otherwise by the Charter.~~
- B. Supervise the improvements, maintenance and repair of City streets, alleys, lanes, sidewalks, culverts, sewers, ditches, drains and bridges and water courses, the removal and disposal of rubbish and garbage, and the lighting and cleaning of streets and other public places.
- C. Supervise the construction and maintenance of public buildings and other property of the City.

SECTION 7.04A DEPARTMENT OF WASTEWATER TREATMENT

The Department of Wastewater Treatment shall consist of a Director of Wastewater Treatment and of such other divisions and staffing as Council may provide. The Director of Wastewater Treatment shall be responsible for the operation and general maintenance of a wastewater treatment and disposal system.

BALLOT ISSUE #35

Shall the proposed revisions to Article VII, Section 7.05 of the Charter of Twinsburg related to amending Civil Service Commission Member term length to three (3) years, updating the list of City employees identified as members of the unclassified civil service, and creating a non-competitive, classified service group of police officers, firefighter/paramedics, and dispatchers with previous public safety experience, as recommended by the 2023 Twinsburg Charter Review Commission, be adopted?

SECTION 7.05 CIVIL SERVICE COMMISSION.

The Civil Service Commission shall consist of three (3) electors of the City not holding other municipal office ~~excepting there from membership in the Twinsburg Development Foundation~~ to be appointed by the Council to serve for terms of six years, except that the first appointment shall be for six (6), four (4), and two (2) years respectively. **Beginning with appointments made on or after April 1, 2024, terms for members of the Civil Service Commission shall be for three (3) years.** A vacancy occurring during the term of any member of the Commission shall be filled for the unexpired term in the manner authorized for an original appointment.

The Civil Service of the City is hereby divided into the Unclassified and Classified Service.

A. The Unclassified Service shall include:

1. All officers elected by the people and those persons appointed to fill positions pending an election.
2. All Directors of Departments to include, but not limited to:
 - a. Chief of Fire
 - b. Chief of Police
 - c. Director of Finance
 - d. Director of Parks and Recreation.
 - e. Director of Human Resources
 - f. Director of Information Technology
 - g. Director of ~~Public Works~~**Service**
 - h. Golf Course Manager
 - i. Golf Course Superintendent
 - j. Building Commissioner
 - k. Municipal Engineer
 - l. Law Director
 - m. ~~City Planner~~**Director of Planning and Community Development**
 - n. **Director of Planning and Economic Development**
 - o. **Director of Wastewater Treatment**
3. Clerk of Council.
4. The members of all boards and commissions.
5. Any temporary, seasonal, or part-time position.
6. Secretary to the Civil Service Commission.
7. Volunteer Fire Fighters.
8. One Clerk, Secretary or Administrator appointed to any board or commission.
9. One Executive Assistant Secretary to the Mayor.
10. An Executive Assistant Secretary to the Fire Chief Department and an

- Executive Assistant Secretary to the Police Chief Department.
11. All persons who work without compensation.

B. The Classified Service shall comprise all positions not specifically included by this Charter in the Unclassified Service. There shall be in the Classified Service, two groups to be known as the Competitive and the Non-Competitive group.

The Competitive Group shall include:

1. **Entry Level** Police Dispatchers, and all **Entry Level** Police Officers and all **Entry Level** Firefighter/Paramedic positions except those defined as Unclassified positions. **For purposes of this Section, "Entry Level" shall mean positions within the aforementioned services that do not require prior service as a Police Officer, Firefighter/Paramedic, or Police Dispatcher in the State of Ohio.**

The Non-Competitive group shall include:

1. All positions that require a license issued by an agent of the State or Federal Government.
2. All skilled and unskilled labor.
3. Clerical Staff.
4. **Non-Entry Level, Laterally Hired Police Dispatchers, Police Officers, and Firefighter/Paramedics. For purposes of this Section, "Non-Entry Level, Laterally Hired" shall mean positions within the aforementioned services that require previous employment as a Police Dispatcher, Police Officer, or Firefighter/Paramedic in the State of Ohio.**

BALLOT ISSUE #36

Shall the proposed revision to Article XII, Section 12.04 of the Charter of Twinsburg related to permitting the City to advertise either electronically on the City website or other electronic mediums in lieu of posting notification in a newspaper of general circulation, as recommended by the 2023 Twinsburg Charter Review Commission, be adopted?

SECTION 12.04 USE OF ELECTRONIC NOTIFICATION.

For any provision of this Charter **or the Codified Ordinances of the City of Twinsburg** that requires notification to be posted in a "newspaper of general circulation" said requirement shall be satisfied by posting or electronically advertising such information on the recognized City website and/or any other electronic medium generally recognized as an industry source for such information."

BALLOT ISSUE #37

Shall the proposed amendments to Sections 7.07, 7.08, 7.09, 7.10, 7.11 and 7A.04 of the Charter of Twinsburg, as recommended by the 2023 Twinsburg Charter Review Commission, be adopted?

SECTION 7.07 PLANNING COMMISSION.

The Planning Commission shall consist of five (5) qualified electors of the City, one (1) member from each of the five wards, not holding another City office or appointment, ~~excepting membership on the Twinsburg Development Foundation~~, all of whom shall be appointed by Council **and the Mayor** and one (1) of whom shall serve as Chairperson of the Commission. In addition, the Mayor or the Mayor's delegated representative shall be an ex-officio non-voting member.

~~Those persons appointed by Council~~ **Members** shall be appointed for a term of three (3) years. A vacancy occurring during the term of any member of the Planning Commission shall be filled for the unexpired term in the manner authorized for an original appointment.
(Amended November 7, 1989)

SECTION 7.08 POWERS.

The Planning Commission shall have all powers to consider the following matters:

1. Land use and other zoning regulations;
2. Location, or vacation of public buildings, thoroughfares, public ways and **publicly owned** open spaces;
3. Public and private utilities; planning of developments and sub-division of land;
4. Comprehensive and Master Planning;
5. Such other powers as are now or may hereafter be conferred upon it by Council.

All matters before Council pertaining to zoning or land use shall be referred to the Planning Commission for report and recommendation. No matter so referred which receives a negative report and/or recommendation shall be enacted by Council unless it shall receive votes of five (5) members of Council. Any matter so referred which does not receive a recommendation or report within sixty (60) days shall be deemed to have received an affirmative recommendation.

Any action by the Planning Commission may be nullified by vote of five (5) Councilmembers taken within thirty (30) days of such action by the Commission.
(Amended November 7, 1989)

SECTION 7.09 BOARD OF ZONING AND BUILDING CODE APPEALS.

There shall be a Board of Zoning and Building Code Appeals composed of five (5) electors, one (1) member from each of the five (5) wards, to be appointed by the Council **and the Mayor**. The appointments to the Board shall be for a term of three (3) years and shall be staggered as established heretofore. A vacancy occurring during the term of any member of the Board shall be filled for the unexpired term in the manner authorized in an original appointment. No member shall hold any other City office.
(Amended November 4, 1980)

SECTION 7.10 POWERS AND DUTIES.

All meetings of the Board of Zoning and Building Code Appeals shall be public. The Board shall have power to hear and determine appeals from refusal of building and sign permits and to permit exceptions to and variations from the building code regulations in individual cases as may be required to afford justice and avoid **either a practical difficulty or** unreasonable hardships to property owners in accordance with standards established by Ordinances of Council.

Any action by the Board of Zoning and Building Code Appeals regarding exceptions or variances may be nullified by vote of five (5) members of Council taken within thirty (30) days following such action by the Board.
(Amended November 7, 1989)

**SECTION 7.11 DEPARTMENT OF COMMUNITY PLANNING AND
ECONOMIC DEVELOPMENT.**

The Department of Community Planning and **Economic** Development shall consist of a Director of Community Planning and **Economic** Development, the City Planner, ~~the Building Commissioner, the City Engineer, the City Architect~~ and other personnel as determined appropriate by Council. The Department of Community Planning and Development shall administer the Comprehensive Plan, Zoning Code, ~~Building Code~~ and Subdivision Regulations. The Director shall be appointed by the Mayor and shall review and coordinate all planning and development activities in all divisions and departments of the City. The Director shall report and make recommendations to the Mayor and Council on all planning and development issues, and shall provide staff support for the Planning Commission, the Board of Zoning Appeals, the Architectural Review Board and the Environmental ~~and Historic Preservation~~ Commission.

SECTION 7A.04 PUBLICLY OWNED LANDS.

Notwithstanding the provisions of this Article, lands acquired by the City of Twinsburg, the Twinsburg Board of Education, **the Summit Metro Parks, land conservancies**, or the Board of Trustees of the Twinsburg Public Library shall, upon application of the acquiring entity, be zoned public facilities districts by majority vote of Council following receipt of a report and recommendation from the Planning Commission and shall be governed by the regulations of the Zoning Code pertaining to Public Facilities Districts. Approval of the electorate of the City of Twinsburg shall not be required for such zoning change.

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Shannon Collins, Clerk of Council
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