

LEGAL NOTICE

Notice is hereby given that the proposed amendments to the Charter of the City of Trenton, Ohio, will be submitted to a vote of the electors of the municipality at the general election to be held on the 8th day of November, 2022. The proposed amendments are to read as follows, with new language in **bold**, *italicized*, and underlined, and deletions in **bold** and ~~strikethrough~~:

Section 2.03 – Powers and Duties of Council.

All legislative powers of this City shall be vested in the Council except as expressly limited by this Charter and the Constitution of the State of Ohio. Without limitation the Council shall:

- a. Originate, introduce and pass ordinances and adopt resolutions.
- b. Fix the number and salary ranges of all officers and employees of the municipality whether elected or appointed.
- c. Require and fix bond for the faithful discharge of the duties of office by officers and employees. The premium of any bond required by Council may be ordered by the Council to be paid by the Municipality.
- d. Adopt an annual appropriation ordinance based upon the annual budget.
- e. Conduct a financial audit at such times as required by State law deemed necessary, but at least biennially, by the State or a private concern. The reports of all examinations and audits will be made available to all members of Council, and be recorded in the journal of Council.
- f. Appoint and remove the City Manager, establish his salary and appoint an acting City Manager when necessary.
- g. Have the power to make investigations into the affairs of the City and the conduct of any City department, office or agency and for this purpose subpoena witnesses, administer oaths, take testimony and require production of evidence. Any person or persons who fail or refuse to obey a lawful order issued in exercise of these powers by the Council shall be punished by a fine of not more than \$500.00, or by imprisonment for not more than six months, or both.
- h. Have the power to levy taxes and incur debts subject to the limitations imposed thereon by this Charter.
- i. Have the power to adopt and to provide for the enforcement of local police, sanitary and other similar regulations as are not in conflict with general laws.
- j. Have the power to provide for the exercise of all powers of local self-government granted to the City by the Constitution of the State of Ohio in a manner not inconsistent with this Charter or the Constitution of the State of Ohio.
- k. Exercise all other powers granted to the Council by this Charter and by the Constitution and laws of the State of Ohio.

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Section 2.051 – Special Meetings.

Special meetings may be called by a vote of the Council taken at any regular or special meetings thereof, or shall be called by the Clerk of Council upon the written request of the City Manager, Mayor or any three members of Council. Any such request shall state the subject or subjects to be considered at the meeting, and no other subjects shall be considered. Notice in writing of such special meeting called at the request of the City Manager, Mayor, or members of Council shall be given to each member of Council and the City Manager, ~~by serving on each of them personally or by leaving a copy thereof at his usual place of residence, not less than twelve (12) hours preceding the hour of such meeting.~~

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Section 2.09 – Vacancies.

- (A) The office of a member of Council shall become vacant upon the death, resignation, judicially determined mental incompetence existing for more than sixty (60) days, or removal from office in the manner authorized by this Charter of the person holding such office.
- (B) When a seat of Council becomes vacant, the vacancy shall be filled with a qualified person for the unexpired term by a majority vote of the remaining members of Council. ~~If the vacancy be not so filled within thirty (30) days, the Mayor shall fill it by appointment; such appointment by the Mayor does not then require approval by Council.~~

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Section 3.02 – Enactment of Ordinances and Resolutions.

- (A) Ordinances and resolutions may be introduced, in written form, by any member of Council at a regular or special meeting. Each ordinance and resolution shall contain only one subject which shall be expressed in its title; provided that ordinances and resolutions appropriating money may contain the various subjects, accounts and amounts for which moneys are appropriated, and ordinances and resolutions which are codified or recodified are not subject to the limitation of one subject.
- (B) The enacting clause of each ordinance shall read: 'Be it ordained by the Council of the City of Trenton, Ohio:' and the enacting clause of each resolution shall read: 'Be it resolved by the Council of the City of Trenton, Ohio. The action to be taken or the regulation imposed shall be set forth in the body of the ordinance or resolution.'
- (C) Each ordinance and resolution shall be read in full unless a motion is passed by a majority vote of the members of Council providing that it be read by title only. Each ordinance or resolution shall be read on three two separate days, provided that the Council may, by a vote of at least two-thirds of its members, dispense with the requirement that an ordinance or resolution be read on three two separate days, and authorize the adoption of an ordinance or resolution upon its first ~~or second~~ reading.
- (D) No ordinance, resolution, or motion shall be passed without concurrence of a majority of all members of the Council, except that each emergency ordinance or resolution shall require the affirmative vote of at least two-thirds of the members of Council for its enactment, provided that if such emergency ordinance or resolution shall fail to receive the required two-thirds affirmative vote, but receives the necessary majority for passage as a non-emergency ordinance or resolution it shall be considered passed as a non-emergency ordinance or resolution and shall become effective as hereinafter provided by this Charter. A majority of the members present at any regular or special Council meeting may compel the attendance of absent members as provided in Section 2.06 of this Charter.
- (E) Each ordinance or resolution shall be authenticated by the signature of the Mayor and the Clerk of Council; however, the failure or refusal of such officers to sign such ordinances or resolutions shall not invalidate an ordinance or resolution.
- (F) Each ordinance or resolution shall be recorded in a book, or other record prescribed by the Council, established and maintained for that purpose, and shall be open for public inspection during regular building hours. The Clerk of Council or a duly authorized deputy to said Clerk, shall upon the request of any person and upon the payment of a fee, as established by the Council, certify true copies of any ordinance or resolution, which certified copies shall be admissible as evidence in any court.
- (G) No ordinance or resolution or any section thereof, shall be revised or amended unless the new ordinance or resolution contains the entire ordinance, resolution or section or sub-section as revised or amended, and the ordinance, resolution or section or subsection so amended shall be repealed. This requirement shall not prevent the amendment of an ordinance or resolution by the addition of a new section, sections, sub-section or sub-sections and in such case the full text of the former ordinance or resolution need not be set forth; nor shall this section prevent repeals by implication. Except in the case of a codification or recodification of ordinances and resolutions, a separate vote shall be taken on each ordinance or resolution proposed to be amended. Ordinances and resolutions that have been introduced and have received their first reading; or their first and second reading; ~~or their first, second and third reading;~~ but have not been voted on as to passage, may be amended or revised upon approval by a majority vote of the members of Council and such amended or revised ordinance or resolution need not receive additional readings.

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Section 3.04 – Publication of Ordinances.

All ordinances and resolutions of a general nature shall be posted on the City web site, and copies displayed available at Civic Hall ~~and the Public Library~~. Such summary shall consist of a brief statement of the effect of the ordinance or resolution. After passage, ordinances, and resolutions, shall be posted ~~in at least two places in the City, one of which shall be the Municipal Building~~, not less than ten (10) days prior to the taking effect thereof. An emergency ordinance or resolution shall also be published and posted as aforesaid, but said requirement shall not postpone the immediate taking effect thereof. A failure to post or to publish, omission, delay or error in said posting or publication on the part of the City or a newspaper, their officers, employees or agents, shall not cause such ordinance or resolution to be declared invalid, or otherwise affect the validity of such ordinance or resolution, and in such events the Clerk of Council shall authorize posting or publication at a later date.

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Section 3.07 – Codification of Ordinances and Resolutions.

By a majority vote of the members of Council, the Council may cause the ordinances and resolutions of the City to be revised, codified, recodified, rearranged, or published in book form. Such revisions, codification, recodification, rearrangement or publication of ordinances and resolutions in book form shall be immediately effective upon approval of a majority vote of the members of Council, and may contain new matter therein. The Clerk of Council shall cause a notice of such proposed revision, codification, recodification, rearrangement or publication of ordinances ~~in book form~~ to be posted on the City web site, and copies displayed available at Civic Hall ~~and the Public Library~~ within the City at least seven days prior to the final approval thereof by the Council, and no further publication shall be necessary. A current service supplementing such revision, codification, recodification, rearrangement or publication of ordinances and resolutions in book form shall be maintained in the manner prescribed by the Council.

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Section 4.05 – Relations with Council.

As the chief administrative officer for the City, the Manager shall have the sole authority to appoint, suspend or removal City employees and appointive administrative officers provided for under this Charter. Council may participate in the appointment, suspension or removal of City employees and appointive administrative officers provided for under this Charter. Except for the purpose of inquiry or investigation, any member of Council shall deal with the administrative

employees of the Municipality solely through the Manager. No member of the Council shall interfere in the appointment or removal of officers or employees subordinate to the Manager unless the Manager brings such decision to Council. In the event any member of Council is found by Council to have violated this section, Council shall declare his seat vacant. As a body, Council may require the Manager to explain his reason for any appointments or dismissals.

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Section 5.06 – Department of Finance.

The Department of Finance shall perform those functions customarily performed by the auditor and the treasurer under the general laws of Ohio. The director of the Department of Finance shall ~~be assigned the title of Treasurer~~ be known as the Finance Director and be assigned the duties of Treasurer.

The Treasurer shall be appointed by Council for an indefinite term of office.

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Section 5.061 – Duties of Treasurer.

The Treasurer Finance Director is the fiscal officer of the Municipality. Specifically his duties are:

- a. To demand and receive from the County Treasurer taxes, levies, and assessments made and certified to the County Auditor by the Council, and placed on the tax list by such Auditor for collection. He shall also demand and receive monies from persons authorized to collect or required to pay them from judgments, fines, penalties, forfeitures, licenses, court costs, and debts due the Municipality.
- b. To disburse the funds of the Municipality on the order of the Council.
- c. To keep an accurate account of all monies received by him, showing the amount thereof, the date received, from whom, and for what account received.
- d. To keep an accurate account of all disbursements made by him, showing the amount thereof, the date made, to whom and from what account paid.
- e. To so arrange his books that the amounts received and paid on accounts of separate funds or specified apportionments shall be exhibited in separate accounts.
- f. At a regular meeting of the Council in January in each year, the Treasurer Finance Director shall report to the Council the condition of the finances of the Municipality, the amount received by him, the sources of such receipts, the disbursements made by him and of what account, during the year preceding. Such report shall exhibit the balance of each fund at the end of the year.
- g. The records of said office shall be kept at the Municipal Building at all times.
- h. To perform such other duties as are required by Council of the Municipality consistent with his office.
- i. To appoint, suspend or remove employees to or from positions in the Department of Finance.

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Section 6.021 – Alternate Members.

Each board, commission, agency, and authority created by this Charter or otherwise authorized by Council shall have the authority to create their own rules and procedures for designating alternate members to serve in the absence of permanent members who may not be able to attend any given meeting.

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Section 6.061 – Merit System.

All compensated positions in the service of the City shall be in the classified service and shall be appointed pursuant to competitive examination, so far as practicable, except the following, which shall comprise the unclassified service of the City:

1. All officers elected by the people.
2. The Clerk of Council.
3. The City Manager.
4. Secretary to the Manager.
5. The directors of departments.
6. Members of boards, commissions, agencies and authorities appointed by Council and by this Charter.
7. Unskilled labor as defined by the Personnel Board.
8. Employees of exceptional professional or scientific qualification engaged as consultants.
9. Seasonal and part-time employees as defined by the Personnel Board.
10. Volunteer personnel in the Division of Fire and Auxiliary Police within the Division of Police.
11. Secretary of each board and commission established by this Charter or Council, provided that if such secretary holds other employment within the classified service of the City, this section shall not exempt such person from the requirement of competitive examination to hold other such employment.

Additional positions created by Council shall be under the classified service unless the ordinance or resolution creating the position states otherwise.

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Section 8.03 – Initiative and Referendum.

- (A) Ordinances and resolutions may be proposed by initiative petition and adopted by election, and ordinances and resolutions adopted by the Council shall be subject to referendum, as provide by the Constitution and the laws of Ohio, provided ordinances and resolutions calling elections under this Charter and ordinances and resolutions which become effective immediately upon their passage by Council pursuant to Section 3.03 of this Charter shall not be subject to referendum, in the manner provided by the Constitution and the laws of the State of Ohio, except:
 - (1) Initiative petitions shall be filed with the Clerk of Council, and
 - (2) Ordinances and resolutions initiated by petition shall be submitted to the electors for approval or rejection at the next general or primary election occurring subsequent to ninety days after certification of the text of the proposed ordinance or resolution to the Board of Elections.
- (B) Petitions for initiative and referendum shall be provided by the election authorities pursuant to general law; but if the election authorities shall fail or refuse to provide for the petitions, the City's Director of Law shall provide for the petitions. Ordinances and resolutions adopted by Council shall be subject to referendum to the extent and in the manner provided by the Constitution and the laws of the State of Ohio, except:
 - (1) Referendum petitions shall be filed with the Clerk of Council, and
 - (2) Ordinances and resolutions subjected to referendum shall be submitted to the electors for approval or rejection at the next general or primary election occurring subsequent to ninety days after certification of the text of the ordinance or resolution to the Board of Elections.
- (C) Actions required to be taken by ordinance under Section 5, Article XVIII, of the Ohio Constitution, may be subjected to referendum in the manner provided by Section 5, Article XVIII of the Ohio Constitution, and subparagraphs (B)(1) and (B)(2) of this section shall not apply.

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Section 9.05 – Charter Review Commission.

- (A) Charter Review Commission. Not later than the last day of March in 1977, and every five years thereafter, the Council shall appoint, by a majority vote of its members, a Charter Review Commission consisting of not less than five electors of the City. Such Commission shall review the Charter of the City and, within the time designated by the Council at the time the members are appointed, or within any extension thereof granted by the Council, recommend to Council such alterations, revisions and amendments if any, to this Charter, as in its judgment are desirable. After consideration of the recommendations of the Charter Review Commission, the Council may submit any or all of such proposed alterations, revisions, or amendments to this Charter to the electors of the City in the manner provided by Article XVIII, Section 9, of the Constitution of Ohio. The terms of the members of the Commission shall terminate at the end of the period designated at the time of their appointment, or any extension thereof, by the Council. The Council may also appoint by written motion a Special Charter Review Commission at any time to study and report recommendations to the Council with respect to specific matters. Special Charter Review Commissions shall be composed of not less than five nor more than nine members. The Council may accept or reject the recommendations of Regular Charter Review Commissions and Special Charter Review Commissions, and may submit amendments recommended by the Regular Charter Review Commission or Special Charter Review Commissions to the electors in their original or revised form.
- (B) Charter Amendment by Council. City Council may submit a proposed Charter Amendment to the electors without a Regular or Special Charter Review Commission if said amendment is to address an issue in the Charter that has been determined to be immediately hindering the City or City related operations. This amendment must not change the intent of the Charter section at issue, only adjust it. The proposed amendment to the Charter shall be read at two (2) separate Council meetings, on of which shall have a public hearing. The proposed Charter amendment would require a super majority of six (6) Council members voting in favor of the measure for passage.
- (C) If the Council desires to submit amendments recommended by a Regular Charter Review Commission or a Special Charter Review Commission under Paragraph A of this Section or amendments under Paragraph B of this Section to the electors, the Council shall pass an ordinance approving the proposed Charter amendments. The City Clerk shall file the amendments with the Butler County Board of Elections for the next available election so the proposed amendments may be voted on by the electors of the City of Trenton. The City Clerk shall advertise that the proposals are available for public viewing and will provide the public with avenues to inspect the proposals.