

**ORDINANCE NO. 2013-14**

**AN ORDINANCE  
PROVIDING FOR THE SUBMISSION TO THE ELECTORS  
OF THE VILLAGE OF WAITE HILL CERTAIN PROPOSED  
AMENDMENTS TO THE CHARTER OF THE VILLAGE,  
AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Article XIV, Section 14.2, of the Waite Hill Village Charter, the Waite Hill Charter Review Commission has recommended two changes to the Charter of the Village of Waite Hill; and

WHEREAS, pursuant to the terms of the Charter, the Waite Hill Village Council must forthwith submit to the electorate, without alteration, the recommended amendments to the Waite Hill Village Charter; and

WHEREAS, this Council chooses the date of November 5, 2013, for the election on the charter amendment proposals hereinafter set forth, which election is not less than sixty (60) days nor more than one hundred twenty (120) days from the date of passage of this ordinance.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, COUNTY OF LAKE, STATE OF OHIO, AT LEAST TWO-THIRDS (2/3) OF THE MEMBERS OF COUNCIL CONCURRING:**

SECTION 1. That this Council hereby authorizes and directs the submission to the electors of Waite Hill Village, at an election to be held at the usual places of voting in said Village, on Tuesday, November 5, 2013, of the following proposal to amend the Charter of the Village.

That existing Article IV, Clerk-Treasurer, be amended to read and provide, in its entirety, as follows:

**ARTICLE IV  
CLERK-TREASURER**

**SECTION 4.1 APPOINTMENT AND TERM.**

The Clerk-Treasurer shall be appointed by the Mayor with the approval of a majority of Council, ~~to serve four (4) year terms commencing April 1, 1988,~~ and shall serve until his successor is appointed and qualified.

**SECTION 4.2 VACANCIES.**

Vacancies in the office of the Clerk-Treasurer shall be filled ~~for the unexpired term~~ in the manner authorized for original appointment under this Charter.

**SECTION 4.3 DUTIES.**

The Clerk-Treasurer shall have notice of and attend all meetings of Council, keep a record of

its proceedings, and authenticate all ordinances, resolutions, records, documents and instruments requiring the same. The Clerk-Treasurer shall keep the books of the municipality and exhibit accurate statements of all funds received and of all taxes and assessments. The Clerk- Treasurer shall perform all other duties required by this Charter and by any ordinance or resolution of the Council or by the general laws of the State of Ohio not inconsistent with the provisions of this section. The Clerk-Treasurer shall examine and approve, if in proper form and an appropriation has been duly made, all payrolls, bills, and other claims and prepare and sign all warrants. The Clerk-Treasurer shall assist the Mayor in the preparation of estimates, budgets, and appropriations; the Clerk-Treasurer shall collect, keep, and preserve the monies of the municipality in such manner and in such place as the Council shall determine. The Clerk-Treasurer shall receive and disburse all other public funds coming into his hands in accordance with law. The Council may from time to time provide such assistants to the Clerk-Treasurer as it shall deem necessary and/or desirable.

**~~SECTION 4.4 REMOVAL.~~**

~~—The Clerk-Treasurer may be removed at any time by the Mayor subject to the concurrence of two-thirds (2/3) of the members of Council.”~~

Further, if this amendment is adopted, existing Article IV, Clerk-Treasurer, shall be repealed. A majority affirmative vote of those voting on the issue shall be necessary to adopt this amendment.

SECTION 2. That the form of ballot to be cast at the election for the proposed charter amendment contained in Section 1 shall read and provide as follows:

"PROPOSED CHARTER AMENDMENT  
A majority affirmative vote is necessary for passage

Shall the Charter of the Village of Waite Hill be amended so as to provide that the office of the Clerk-Treasurer shall not have a specific term of office and that the removal provision for that office shall be repealed so that the Clerk-Treasurer shall be subject to the same removal provisions as other Village employees?"

SECTION 3. That this Council hereby authorizes and directs the submission to the electors of Waite Hill Village, at an election to be held at the usual places of voting in said Village, on Tuesday, November 5, 2013, of the following proposal to amend the Charter of the Village.

That existing Article V.a., Department of Public Service, of the Charter of the Village of Waite Hill, shall be repealed in its entirety.

A majority affirmative vote of those voting on the issue shall be necessary to adopt this amendment.

SECTION 4. That the form of ballot to be cast at the election for the proposed charter amendment contained in Section 1 shall read and provide as follows:

<p style="text-align: center;"><b>"PROPOSED CHARTER AMENDMENT</b> A majority affirmative vote is necessary for passage</p> <p>Shall the Charter of the Village of Waite Hill be amended so that Article V.a., Department of Public Service, be repealed so that the Department of Public Service may be created, composed and organized pursuant to the legislative actions of Council?"</p>
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SECTION 5. That if such amendments, or any of them, are approved by a majority of the electors voting thereon at such election, such amendment as is or are approved shall become effective from and after January 1, 2014.

SECTION 6. That the Clerk-Treasurer is hereby authorized and directed to cause copies of said proposed charter amendments to be mailed at least thirty (30) days prior to said election, to each elector in this Village whose name appears upon the registration book of the last regular or general elections held in the Village; provided, however, that in lieu of such mailing and to the extent provided by law, the Clerk-Treasurer is hereby authorized to cause a copy of the proposed charter amendments to be published in such manner as may be authorized by law.

SECTION 7. That the Clerk-Treasurer be, and hereby is, authorized and directed to forward a certified copy of this ordinance to the Board of Elections of Lake County.

SECTION 8. That the Board of Elections of Lake County is hereby requested to cause appropriate notice of such election to be duly given in accordance with law.

SECTION 9. That there is hereby appropriated from the General Fund of the Village, an amount sufficient to pay the cost of carrying out the directions of this ordinance, including the cost of printing or otherwise preparing and mailing or publishing said copies of said proposed charter amendments and of publishing notice of such election.

SECTION 10. That this Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the

Village of Waite Hill and, further, for the reason that this ordinance must be immediately effective in order to permit necessary arrangements to be made in sufficient time for said election; wherefore, this ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: \_\_\_\_\_, 2013

\_\_\_\_\_  
Council President

Submitted to the Mayor  
for his approval on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2013

Approved by the Mayor

ATTEST:

\_\_\_\_\_, 2013

\_\_\_\_\_  
Clerk-Treasurer

\_\_\_\_\_  
Mayor