

RESOLUTION NO.: 2008-R29 (Amended July 8, 2008)
(Amended August 12, 2008)

SPONSOR: MAYOR NORTON
INTRODUCED: MAY 27, 2008

RULES & PERSONNEL

ASSIGNED TO: _____

A RESOLUTION TO AMEND SECTION 7.3(B) OF THE CHARTER OF THE CITY OF GREEN REGARDING THE POWERS AND DUTIES OF THE CIVIL SERVICE COMMISSION, AND DECLARING AN EMERGENCY.

WHEREAS, Section 9.1 of the City of Green's Charter allows the Charter to be amended in accordance with the terms and provisions of the Constitution of the State of Ohio; and

WHEREAS, Mayor Norton and the Human Resources Manager have received recommendations from the Law Director and outside counsel, Clemans Nelson, for changes to the powers and duties granted by the Charter to the Civil Service Commission; and

WHEREAS, AN AMENDMENT TO THE CHARTER WILL ALLOW THE CITY TO EXERCISE ITS RIGHT OF LOCAL SELF-GOVERNMENT GRANTED BY THE OHIO CONSTITUTION TO ALLOW CITY COUNCIL TO IMPROVE AND INCREASE THE STANDARDS FOR APPOINTMENTS AND PROMOTIONS TO THE CLASSIFIED SERVICES IN THE CITY OF GREEN; AND

WHEREAS, ALLOWING CITY COUNCIL TO ESTABLISH STANDARDS FOR APPOINTMENT AND PROMOTION TO THE CLASSIFIED SERVICE WILL ENABLE THE CITY TO INCREASE THE QUALIFICATIONS OF NEW EMPLOYEES, RESULTING IN HIRING OF MORE QUALIFIED, WELL-TRAINED EMPLOYEES; AND

WHEREAS, Article XVIII Section 9 of the Ohio Constitution permits City Council to place an amendment to the Charter on the ballot as long as the amendment is approved by two-thirds of the members of City Council; and

WHEREAS, Green City Council determines that the amendment proposed in this Resolution should be presented to the electors of the City of Green at the general election on November 4, 2008.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Section 7.3(B) of the Charter shall be amended to read as follows:

B. Powers and Duties

~~The Civil Service Commission shall provide by written rule for the ascertainment of merit and fitness as the basis for appointment and promotion in the service of the City,~~

~~and for appeals from actions of transfer, reduction, or removal of classified personnel under the civil service provisions.~~

Except as provided in collective bargaining agreements with the City, which agreements shall govern in event of conflict with the Civil Service Commission rules and regulations, the municipal Civil Service Commission shall prescribe, amend and enforce rules and regulations for the classification of positions, removals, transfers, layoffs, suspensions, reductions and reinstatements, and for standardizing efficiency in the Civil Service of the City of Green. The Civil Service Commission shall provide for examinations and resignations and for appointments, and promotions within the classified civil service. The Civil Service Commission may adopt rules and regulations that establish standards, examination rules and credits, and procedures for appointments and promotions within the classified civil service that differ from those established by the Ohio Revised Code as long as such rules and regulations are reviewed and approved **LEGISLATED** by City Council.

SECTION TWO:

The amendment to Section 7.3(B) of the Charter of the City of Green, Ohio, shall be placed before the qualified electors of the City of Green for their approval on the ballot of the November 4, 2008 election.

SECTION THREE:

Green City Council requests the following ballot language:

~~“Shall Section 7.3(B) of the Charter of the City of Green be amended to expand the powers and the duties of the Civil Service Commission to allow the Civil Service Commission to adopt rules and regulations, **APPROVED LEGISLATED BY CITY COUNCIL**, which establish standards, examinations, rules and credits, and procedures for appointments and promotions within the classified civil service that differ from those established by the Ohio Revised Code as long as such rules and regulations are reviewed and approved by City Council?”~~

YES

NO

SECTION FOUR:

The Clerk of Council of the City of Green shall certify a copy of this Resolution to the Board of Elections of Summit County along with a copy of the proposed ballot language no later than September 3, 2008, as required by law.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SIX:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: 8/12/08

Molly Stevens
Molly Stevens, Clerk

Christine Croce
Christine Croce, Council President

APPROVED: Aug 12, 2008

Richard G. Norton
Richard G. Norton, Mayor

COPIED B.O.E.
SVCE ZONE PARK ROAD ENG
~~LAW~~ ~~FIN~~ ~~MAY~~ PLAN FIRE

ENACTED EFFECTIVE: Aug 12, 2008

ON ROLL CALL: Colopy-yea Croce-yea France-yea Manwaring-yea
Reed-yea Ridgeway-yea Smole-yea Adopted 7-0

Suburbanite publication on Aug 17 and Aug 24, 2008

Molly Stevens
Molly Stevens, Clerk