

City of North Canton

NOTICE OF PUBLIC MEETING

Notice is hereby given that:

The Charter Advisory Board of the City of North Canton shall hold a Regular Meeting on Monday, April 11, 2022 at 5:00 PM at North Canton Civic Center 845 W Maple St. North Canton, OH 44720.

See attached agenda for matters to be discussed.

Meetings are open to the public or may be livestreamed on the City of North Canton's YouTube page.

BY THE ORDER OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

April 6, 2022
Date

Benjamin R. Young
Clerk

NORTH CANTON REGULAR MEETING
April 11, 2022, 5:00 PM
Agenda

1. Call to Order

2. Roll Call

3. Approval of Minutes

3.a Minutes from March 14, 2022 - 3rd Meeting

4. New Business

4.a Resolution No. 2022-01

A resolution recommending the adoption of amendments to Charter Sections 2.01 and 3.01 in order to alter the terms of elected officials of the City of North Canton and thereby establish four year alternating terms beginning on January 1.

4.b Resolution No. 2022-02

A resolution recommending the adoption of amendments to Charter Section 2.04 in order to simplify the notice requirements imposed on the Clerk of Council for special meetings of City Council.

4.c Resolution No. 2022-03

A resolution recommending the adoption of amendments to Charter Sections 2.05 and 3.01 in order to clarify the legislative process of the City of North Canton and establish distinct differences between ordinances and resolutions.

4.d Resolution No. 2022-04

A resolution recommending the adoption of amendments to Charter Section 2.05 in order to eliminate the requirement that Charter amendments be published in a newspaper.

4.e Resolution 2022-05

A resolution recommending the adoption of amendments to Charter Sections 3.01 and 3.05 in order to remove the budget deadlines of May 15 for revenue and June 15 for expenses.

4.f Resolution 2022-06

A resolution recommending the adoption of an amendment to Charter Section 5.06 to change standard for potential removal of elected officials from office from three (3) consecutive meetings to five (5) in a calendar year.

4.g Resolution 2022-07

A resolution recommending the adoption of an amendment to Charter Section 6.04 to allow Council to call Charter Review Commission more frequently than every 10 years.

4.h Resolution 2022-08

A resolution recommending the adoption of amendments to Charter Section 5.07 in order to specify that the residents of the City of North Canton may exercise any power of the Charter

through an elective petition.

5. Adjourn



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution No. 2022-01**

A resolution recommending the adoption of amendments to Charter Sections 2.01 and 3.01 in order to alter the terms of elected officials of the City of North Canton and thereby establish four year alternating terms beginning on January 1.

DESCRIPTION:

ATTACHMENTS:

[Res. 2022-01 4 Year Staggered Terms.docx](#)

[2022-01 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 01

A resolution recommending the adoption of amendments to Charter Sections 2.01 and 3.01 in order to alter the terms of elected officials of the City of North Canton and thereby establish four year alternating terms beginning on January 1.

WHEREAS, four year staggered terms would provide increased stability to both the elective and appointive offices of the City; and

WHEREAS, terms beginning January 1 would bring North Canton in line with similar communities, provide a larger timeframe to successfully facilitate a transition of power, and ensure elective terms match the City's fiscal year and the calendar year.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That paragraphs 3 and 4 of Section 2.01, Powers, Membership, Term, and Organization, of the Charter of the City of North Canton should be amended to read as follows:

The term of a council member shall be four years, beginning on the first day of January following the election, and shall hold office until a successor is elected and qualified. The four (4) council members elected from the respective wards at the next regular municipal election following the adoption of this section shall be elected for a term of two (2) years and thereafter to terms of four years so as to stagger the elections of Council members.

The Council shall have an organizational meeting on the first working Monday of January of each year. The Mayor, or one (1) appointed by the Mayor, shall call this meeting and preside as temporary chair only until the President of Council is elected.

Section 2. That paragraph 1 of Section 3.01, The Mayor, of the Charter of the City of North Canton should be amended to read as follows:

The Mayor shall be elected by the popular vote of the electors of the Municipality for a four-year term to begin on the first day of January next following the election.

Section 3. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____
Benjamin R. Young, Chairman

Section 2.01 Powers, Membership, Term, and Organization, paragraphs 3 and 4

I. Current Language:

All legislative power of the municipality under this Charter, together with all such powers conferred upon municipalities by the Constitution and laws of the State of Ohio, shall be vested in the Council.

Council shall be composed of seven (7) members. One (1) member shall be elected by the electors of each of the four (4) wards herein provided and three (3) members shall be elected by the electors of the municipality at large.

The term of a council member shall be two years, beginning on the first day of December following the election, and shall hold office until a successor is elected and qualified.

The Council shall have an organizational meeting within the first three (3) days of December of each year. The Mayor, or one (1) appointed by the Mayor, shall call this meeting and preside as temporary chair only until the President of Council is elected.

II. Proposed Language:

The term of a council member shall be four (4) ~~two~~ years, beginning on the first day of December-January following the election, and shall hold office until a successor is elected and qualified. The four (4) council members elected from the respective wards at the next regular municipal election following the adoption of this section shall be elected for a term of two (2) years and thereafter to terms of four (4) years so as to stagger the elections of Councilmembers.

The Council shall have an organizational meeting within the first three (3) days of December of each year on the first working Monday of January of each year. The Mayor, or one (1) individual appointed by the Mayor, shall call this meeting and preside as temporary chair only until the President of Council is elected.

Section 3.01 The Mayor, paragraph 1

I. Current Language:

The Mayor shall be elected by the popular vote of the electors of the Municipality for a two-year term to begin on the first day of December next following the election.

II. Proposed Language:

The Mayor shall be elected by the popular vote of the electors of the Municipality for a four~~two~~-year term to begin on the first day of December-January next following the election.



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution No. 2022-02**

A resolution recommending the adoption of amendments to Charter Section 2.04 in order to simplify the notice requirements imposed on the Clerk of Council for special meetings of City Council.

DESCRIPTION:

ATTACHMENTS:

[Res. 2022-02 Sp. Meeting Notice.docx](#)

[2022-02 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 02

A resolution recommending the adoption of amendments to Charter Section 2.04 in order to simplify the notice requirements imposed on the Clerk of Council for special meetings of City Council.

WHEREAS, modern technology has and will likely continue to advance such that specifying a specific means of communication by which the Clerk must provide notice of special meetings to elected officials is likely to create outdated processes and procedures.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That paragraphs 3 and 4 of Section 2.04, Meetings, of the Charter of the City of North Canton should be amended to read as follows:
Notice in writing of each such special meeting shall state the date, time, and subject or subjects to be considered, and no other subject or subjects shall be considered thereat. The Clerk of Council shall give written notice to all Council members and the Mayor not less than twenty-four (24) hours preceding the time for the meeting.
- Section 2. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____
Benjamin R. Young, Chairman

Section 2.04 Meetings, paragraphs 3, and 4

I. Current Language:

Notice in writing of each such special meeting called at the request of the Mayor, President of Council, or by three (3) members of Council, shall state the date and time, subject or subjects to be considered, and no other subject or subjects shall be considered thereat. The Clerk of Council shall cause the written notice to be served either personally or by leaving a copy thereof at the member's usual place of residence, not less than twenty-four (24) hours preceding the time for the meeting. In the event that a special meeting is called by a vote of Council taken at any regular meeting or special meeting from which any member of Council is absent, written notice of such special meeting shall be given such absentee in the manner and form hereinbefore provided.

Service of such notice may be waived by an instrument in writing signed prior to the hour of such meeting and the Mayor and any Council member shall be deemed conclusively to have waived such notice by attendance at any such meeting.

II. Proposed Language:

Notice in writing of each such special meeting ~~called at the request of the Mayor, President of Council, or by three (3) members of Council,~~ shall state the date and time, subject or subjects to be considered, and no other subject or subjects shall be considered thereat. The Clerk of Council shall ~~cause the give-~~ written notice to ~~be served either personally or by leaving a copy thereof at the member's usual place of residence,~~all Council members and the Mayor not less than twenty-four (24) hours preceding the time for the meeting. ~~In the event that a special meeting is called by a vote of Council taken at any regular meeting or special meeting from which any member of Council is absent, written notice of such special meeting shall be given such absentee in the manner and form hereinbefore provided.~~ ~~Service of such notice may be waived by an instrument in writing signed prior to the hour of such meeting and the Mayor and any Council member shall be deemed conclusively to have waived such notice by attendance at any such meeting.~~



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution No. 2022-03**

A resolution recommending the adoption of amendments to Charter Sections 2.05 and 3.01 in order to clarify the legislative process of the City of North Canton and establish distinct differences between ordinances and resolutions.

DESCRIPTION:

ATTACHMENTS:

[Res. 2022-03 Legislation Specification.docx](#)

[2022-03 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 03

A resolution recommending the adoption of amendments to Charter Sections 2.05 and 3.01 in order to clarify the legislative process of the City of North Canton and establish distinct differences between ordinances and resolutions.

WHEREAS, the legislative process of the City of North Canton is in its current form longer than that of peer municipalities; and

WHEREAS, the charter does not currently specify a difference between ordinances and resolutions; and

WHEREAS, there are times where it may be appropriate for Council to express its will through a written statement which should not be subject to a mayoral veto.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That paragraph 5 of Section 2.05, Legislative Procedure, of the Charter of the City of North Canton should be amended to read as follows:

Four (4) members of Council shall constitute a quorum to transact business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by resolution or ordinance.

Council shall adopt its own rules, regulations, or by-laws and shall keep a journal of all its proceedings. The journal shall be open for public inspection at all reasonable times. The voting upon any ordinance or resolution shall be by voice vote, and Clerk of Council shall record the vote of each Councilperson upon the journal.

All legislative action of Council shall be by ordinance or resolution introduced in written or printed form, each of which shall contain no more than one subject, which subject shall be clearly expressed in its title.

i. Ordinances

In addition to such acts of Council as are required by statute or by this Charter to be by ordinance, Council shall act by ordinance when (a) establishing a fine or other penalty; (b) providing for the expenditure of funds; (c) authorizing or otherwise providing for contracting of indebtedness; (d) granting a franchise; (e) buying, selling, or leasing real property; (f) creating, abolishing or reorganizing any department or office; (g) fixing the compensation or bonds of officer, employee, or elected officials of the City; or (h) establishing any permanent or general rule of conduct or government. Every ordinance, except emergency ordinances, shall be fully and distinctly read at two (2) different, Council meetings unless Council votes to suspend this rule. Such suspension of the rule shall require the affirmative vote of at least six (6) members of Council. If this rule is suspended in accordance with the foregoing provisions, then the ordinance shall be read at least once before passage.

Each emergency ordinance shall contain a statement of the necessity for such emergency action, and its enactment shall require the affirmative vote of at least six (6) members of Council.

No action of Council authorizing the surrender or joint exercise of any of its powers, or in granting a franchise, or in the enactment, amendment, or repeal of any zoning or building resolution or ordinance, or in the changing of any ward boundaries, or in authorizing any change in the boundaries of the municipality, shall be enacted as an emergency measure, or shall be enacted under a suspension of rules as provided in this section.

Each ordinance providing for the appropriation of money, or for an annual tax levy, or for improvements petitioned for by the owners of a majority of the adjacent property to be benefited and specially assessed therefor, and any emergency ordinance necessary for the immediate preservation of public peace, health or safety, shall take effect, unless a later date be specified therein, upon its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be. No other ordinance shall become effective until thirty (30) days after its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon passage after veto by the Mayor, as the case may be.

ii. Resolutions

When action by Council is not required to be by ordinance, Council may act by resolution or motion. Resolutions may be adopted by Council (a) to address specific matters of a temporary nature; (b) to authorize administrative acts; or (c) to express the position or opinion of Council; but may not establish permanent or General rules of conduct.

Every resolution shall be fully and distinctly read at one (1) Council meeting before passage.

Resolutions shall not be subject to the veto provisions of Article 3, Section 3.01 of this Charter and shall take effect upon its adoption by City Council.

iii. General Procedure

Ordinances and resolutions shall be deemed to have been read if (a) a written or printed copy of the ordinance or resolution shall have been furnished to each member of Council prior to its introduction and (b) if the title thereof is fully read, provided that such ordinance or resolution shall be read in full if so directed by motion approved by affirmative vote of at least a majority of the members of Council.

No resolution or ordinance shall be revised or amended unless the resolution or ordinance superseding it contains the entire resolution or ordinance so revised or amended, or the section or sections so revised or amended, and, having been revised or amended, the original resolution or ordinance, or section or sections thereof, shall be considered to be repealed.

An affirmative vote of at least four members of Council shall be required for the enactment of every resolution or ordinance, unless a larger number be required by the provisions of this Charter.

Section 2. That paragraph 4(2) of Section 3.01, The Mayor, of the Charter of the City of North Canton should be amended to read as follows:
Every ordinance of the Council shall be presented to the Mayor for consideration. The Mayor may approve or disapprove the whole of any ordinance, or any item of an ordinance appropriating money. Unless an ordinance is returned to the Clerk of Council either signed or with written notice of disapproval within ten (10) days after submission to the Mayor, it shall take effect as though the Mayor had signed it. When the Mayor has disapproved an ordinance or item of it, as herein provided, the Council may within thirty (30) days thereafter, reconsider it, and if such legislation shall be then approved by the affirmative vote of five (5) or more members of Council, it shall become effective notwithstanding the veto of the Mayor.

Section 3. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____
Benjamin R. Young, Chairman

Section 2.05 Legislative Procedure, paragraph 5

I. Current Language:

All legislative action of Council shall be by resolution or ordinance introduced in written or printed form, each of which shall contain no more than one subject, which subject shall be clearly expressed in its title.

No resolution or ordinance shall be revised or amended unless the resolution or ordinance superseding it contains the entire resolution or ordinance so revised or amended, or the section or sections so revised or amended, and, having been revised or amended, the original resolution or ordinance, or section or sections, shall be considered to be repealed.

An affirmative vote of at least four members of Council shall be required for the enactment of every resolution or ordinance, unless a larger number be required by the provisions of this Charter. Every resolution, except those of strictly ceremonial nature or authorizing the expenditure of funds specifically appropriated, and every ordinance, shall be fully and distinctly read at three (3) different, regular Council meetings unless Council votes to suspend this rule. Such suspension of the rule shall require the affirmative vote of at least six (6) members of Council. If this rule is suspended in accordance with the foregoing provisions, then the resolution or ordinance shall be read at least once before passage. Ordinances and resolutions shall be deemed to have been read if a written or printed copy of the ordinance or resolution shall have been furnished to each member of Council prior to its introduction and if the title thereof is fully read, provided that such ordinance or resolution shall be read in full if so directed by motion approved by affirmative vote of at least a majority of the members of Council.

Each emergency resolution and ordinance shall contain a statement of the necessity for such emergency action, and its enactment shall require the affirmative vote of at least six (6) members of Council.

No action of Council authorizing the surrender or joint exercise of any of its powers, or in granting a franchise, or in the enactment, amendment, or repeal of any zoning or building resolution or ordinance, or in the changing of any ward boundaries, or in authorizing any change in the boundaries of the municipality, shall be enacted as an emergency measure, or shall be enacted under a suspension of rules as provided in this section.

Each resolution and ordinance providing for the appropriation of money, or for an annual tax levy, or for improvements petitioned for by the owners of a majority of the adjacent property to be benefited and specially assessed therefor, and any emergency resolution or ordinance necessary for the immediate preservation of public peace, health or safety, shall take effect, unless a later date be specified therein, upon its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may be. No other resolution or ordinance shall become effective until thirty (30) days after its approval by the Mayor, or upon the

expiration of the time within which it may be vetoed by the Mayor, or upon passage after veto by the Mayor, as the case may be.

II. Proposed Language:

All legislative action of Council shall be by ~~resolution or ordinance~~ordinance or resolution introduced in written or printed form, each of which shall contain no more than one subject, which subject shall be clearly expressed in its title.

i. Ordinances

In addition to such acts of Council as are required by statute or by this Charter to be by ordinance, Council shall act by ordinance when (a) establishing a fine or other penalty; (b) providing for the expenditure of funds; (c) authorizing or otherwise providing for contracting of indebtedness; (d) granting a franchise; (e) buying, selling, or leasing real property; (f) creating, abolishing or reorganizing any department or office; (g) fixing the compensation or bonds or officer, employee, or elected officials of the City; or (h) establishing any permanent ofr general rule of conduct or government. Every ordinance, except emergency ordinances, shall be

shall be fully and distinctly read at ~~three-two (23)~~ (23) different, ~~regular~~ Council meetings unless Council votes to suspend this rule. Such suspension of the rule shall require the affirmative vote of at least six (6) members of Council. If this rule is suspended in accordance with the foregoing provisions, then the ~~resolution or~~ ordinance shall be read at least once before passage.

~~Ordinances and resolutions shall be deemed to have been read if a written or printed copy of the ordinance or resolution shall have been furnished to each member of Council prior to its introduction and if the title thereof is fully read, provided that such ordinance or resolution shall be read in full if so directed by motion approved by affirmative vote of at least a majority of the members of Council.~~

Each emergency ~~resolution and~~ ordinance shall contain a statement of the necessity for such emergency action, and its enactment shall require the affirmative vote of at least six (6) members of Council.

No action of Council authorizing the surrender or joint exercise of any of its powers, or in granting a franchise, or in the enactment, amendment, or repeal of any zoning or building resolution or ordinance, or in the changing of any ward boundaries, or in authorizing any change in the boundaries of the municipality, shall be enacted as an emergency measure, or shall be enacted under a suspension of rules as provided in this section.

Each ordinance providing for the appropriation of money, or for an annual tax levy, or for improvements petitioned for by the owners of a majority of the adjacent property to be benefited and specially assessed therefor, and any emergency ordinance necessary for the immediate preservation of public peace, health or safety, shall take effect, unless a later date be specified therein, upon its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon its passage after veto by the Mayor, as the case may

be. No other ~~resolution or~~ ordinance shall become effective until thirty (30) days after its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor, or upon passage after veto by the Mayor, as the case may be.

ii. Resolutions

When action by Council is not required to be by ordinance, Council may act by resolution or motion. Resolution may be adopted by Council (a) to address specific matters of a temporary nature; (b) to authorize administrative acts; or (c) to express the position or opinion of Council; but may not establish permanent or General rules of conduct.

Every resolution shall be fully and distinctly read at one (1) Council meeting before passage.

Each ~~r~~Resolutions shall not be subject to the veto provisions of Article 3, Section 3.01 of this Charter and shall take effect upon its adoption by City Council.

iii. General Procedure

Ordinances and resolutions shall be deemed to have been read if (a) a written or printed copy of the ordinance or resolution shall have been furnished to each member of Council prior to its introduction and (b) if the title thereof is fully read, provided that such ordinance or resolution shall be read in full if so directed by motion approved by affirmative vote of at least a majority of the members of Council.

No resolution or ordinance shall be revised or amended unless the resolution or ordinance superseding it contains the entire resolution or ordinance so revised or amended, or the section or sections so revised or amended, and, having been revised or amended, the original resolution or ordinance, or section or sections thereof, shall be considered to be repealed.

An affirmative vote of at least four members of Council shall be required for the enactment of every resolution or ordinance, unless a larger number be required by the provisions of this Charter.

Section 3.01 The Mayor, paragraph 4.2

I. Current Language:

The Mayor shall have the following legislative powers and duties:

- (1) The Mayor shall attend all meetings of Council with the right to introduce ordinances, resolutions and motions and participate in discussions, but without vote therein.
- (2) Every ordinance or resolution of the Council shall be presented to the Mayor for consideration. The Mayor may approve or disapprove the whole of any resolution or ordinance, or any item of an ordinance appropriating money. Unless an ordinance or resolution is returned to the Clerk of Council either signed or with

written notice of disapproval within ten (10) days after submission to the Mayor, it shall take effect as though the Mayor had signed it. When the Mayor has disapproved an ordinance or resolution or item of it, as herein provided, the Council may within thirty (30) days thereafter, reconsider it, and if such legislation shall be then approved by the affirmative vote of five (5) or more members of Council, it shall become effective notwithstanding the veto of the Mayor.

II. Proposed Language:

The Mayor shall have the following legislative powers and duties:

(1) The Mayor shall attend all meetings of Council with the right to introduce ordinances, resolutions and motions and participate in discussions, but without vote therein.

(2) Every ordinance ~~or resolution~~ of the Council shall be presented to the Mayor for consideration. The Mayor may approve or disapprove the whole of any ~~resolution or~~ ordinance, or any item of an ordinance appropriating money. Unless an ordinance ~~or resolution~~ is returned to the Clerk of Council either signed or with written notice of disapproval within ten (10) days after submission to the Mayor, it shall take effect as though the Mayor had signed it. When the Mayor has disapproved an ordinance ~~or resolution~~ or item of it, as herein provided, the Council may within thirty (30) days thereafter, reconsider it, and if such legislation shall be then approved by the affirmative vote of five (5) or more members of Council, it shall become effective notwithstanding the veto of the Mayor.



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution No. 2022-04**
A resolution recommending the adoption of amendments to Charter Section 2.05 in order to eliminate the requirement that Charter amendments be published in a newspaper.

DESCRIPTION:

ATTACHMENTS:

- [Res. 2022-04 Legislation Publication.docx](#)
- [2022-04 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 04

A resolution recommending the adoption of amendments to Charter Section 2.05 in order to eliminate the requirement that Charter amendments be published in a newspaper.

WHEREAS, the high costs incurred by the City in order to publish legislation in the newspaper is not a cost effect method of public communication to disseminate information about newly adopted legislation to the residents of the City of North Canton.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That paragraphs 8 and 9 of Section 2.05, Legislative Procedure, of the Charter of the City of North Canton should be amended to read as follows:

The full text of all ordinances and resolutions shall be published on the City's website within two working days of final action thereon and the titles of all ordinances or resolutions adopted shall be posted in North Canton City Hall and at Council Chambers for a minimum of two weeks after passage.

For any ordinance or resolution that affects specific individuals or properties whose addresses are ascertainable, in addition to the publication requirements above, a copy of the legislation and a succinct letter explaining the legislation shall be sent to the individual or the property owner of record as applicable by first class mail not more than seven (7) days after passage.

Council may, by majority vote, specify additional methods of public notice and public notice of all other statements, measures, orders, proclamations by Council may be given in a manner designated by a majority vote of Council.

No action of Council authorizing the surrender or joint exercise of any of its powers, or in granting any franchise, or in the enactment, amendment, or repeal of any zoning or building resolution or ordinance, or in the changing of any ward boundaries, or in authorizing any change in the boundaries of the municipality, shall be enacted, unless the full text of such legislation has been made publicly available on the City's website at least seven (7) days before final enactment by Council.

Section 2. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____
Benjamin R. Young, Chairman

Section 2.05 (Publication Provisions) Proposed Language

I. Current Language

All ordinances and resolutions shall be published once in a newspaper of general circulation within the municipality. The manner of publication shall be as follows:

(1) Those ordinances and resolutions of a temporary nature and enacted for purposes which authorize and direct particular officers to do certain things, as to purchase, sell and lease property, make contracts, and to do anything within the range of municipal competence where the execution of the given power is not elsewhere vested shall be published by title only, unless otherwise designated by a majority of Council.

(2) Ordinances which are revised, codified, rearranged, published in book form and certified as correct by the Clerk of Council and the Mayor shall be given public notice as prescribed by Section 731.23 of the OHIO REVISED CODE.

(3) Technical ordinances and codes shall be given public notice as prescribed by Section 731.231 of the OHIO REVISED CODE.

(4) Public notice of all other statements, measures, orders, proclamations by Council may be given public notice in a manner designated by a majority vote of Council.

No action of Council authorizing the surrender or joint exercise of any of its powers, or in granting any franchise, or in the enactment, amendment, or repeal of any zoning or building resolution or ordinance, or in the changing of any ward boundaries, or in authorizing any change in the boundaries of the municipality, shall be enacted, unless public notice has been fulfilled at least seven (7) days before final enactment by Council.

II. Proposed Lanaguage

The full text of all ordinances and resolutions shall be published on the City's website within forty-eight hours two working days of final action thereon and the titles of all ordinances or resolutions adopted shall be posted in North Canton City Hall and at Council Chambers for a minimum of two weeks after passage.

For any ordinance or resolution that affects specific individuals or properties whose addresses are ascertainable, in addition to the publication requirements above, a copy of the legislation and a succinct letter explaining the legislation shall be sent to the individual or the property owner of record as applicable by first class mail not more than seven (7) days after passage.

Council may, by majority vote, specify additional methods of public notice and public notice of all other statements, measures, orders, or proclamations by Council may be given in a manner designated by a majority vote of Council. ~~All ordinances and resolutions shall be published once in a newspaper of general circulation within the municipality. The manner of publication shall be as follows:~~

~~(1) Those ordinances and resolutions of a temporary nature and enacted for purposes which authorize and direct particular officers to do certain things, as to purchase, sell and lease property, make contracts, and to do anything within the range of municipal competence where the execution of the given power is not elsewhere vested shall be published by title only, unless otherwise designated by a majority of Council.~~

~~(2) Ordinances which are revised, codified, rearranged, published in book form and certified as correct by the Clerk of Council and the Mayor shall be given public notice as prescribed by Section 731.23 of the OHIO REVISED CODE.~~

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~~(3) Technical ordinances and codes shall be given public notice as prescribed by Section 731.231 of the OHIO REVISED CODE.~~

~~(4) Public notice of all other statements, measures, orders, proclamations by Council may be given public notice in a manner designated by a majority vote of Council.~~

No action of Council authorizing the surrender or joint exercise of any of its powers, or in granting any franchise, or in the enactment, amendment, or repeal of any zoning or building resolution or ordinance, or in the changing of any ward boundaries, or in authorizing any change in the boundaries of the municipality, shall be enacted, unless the full text of such legislation has been made publicly available on the City's website ~~public notice has been fulfilled~~ at least seven (7) days before final enactment by Council.



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution 2022-05**

A resolution recommending the adoption of amendments to Charter Sections 3.01 and 3.05 in order to remove the budget deadlines of May 15 for revenue and June 15 for expenses.

DESCRIPTION:

ATTACHMENTS:

[Res. 2022-05 Remove Budget Deadlines.docx](#)

[2022-05 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 05

A resolution recommending the adoption of amendments to Charter Sections 3.01 and 3.05 in order to remove the budget deadlines of May 15 for revenue and June 15 for expenses.

WHEREAS, the current budget deadlines are functionally unachievable due to the City's fiscal year being the calendar year; and

WHEREAS, under the current State law the City must adopt a budget to operate each year meaning that a budget will need to be introduced by approximately the end of October each year.

WHEREAS, the City will continue to follow the Ohio Revised Code Sections 705.17 and 705.18.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That paragraph 3 of Section 3.01, The Mayor, of the Charter of the City of North Canton should be amended to read as follows:
The Mayor shall be responsible for the proper execution of appropriation ordinances of Council.
- Section 2. That paragraph 3 of Section 3.05, The Director of Finance, of the Charter of the city of North Canton should be amended to read as follows:
Shall assist the Mayor in preparation of the budget.
- Section 3. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____
Benjamin R. Young, Chairman

Section 3.01(3) The Mayor and 3.05(3) The Director of Finance

I. Section 3.01(3)

~~The Mayor shall be responsible for preparation of a schedule of anticipated expenditures for the next succeeding fiscal year to be presented annually to Council by June 15. The Mayor shall be responsible for the proper execution of appropriation ordinances of Council.~~

II. Section 3.05(3)

- a. ~~Shall compile a schedule of anticipated income for the next succeeding fiscal year, and shall submit said schedule to the Mayor and Council by May 15 of each year~~ and shall assist the Mayor in preparation of the budget.



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution 2022-06**

A resolution recommending the adoption of an amendment to Charter Section 5.06 to change standard for potential removal of elected officials from office from three (3) consecutive meetings to five (5) in a calendar year.

DESCRIPTION:

ATTACHMENTS:

[Res. 2022-06 Removal Due to Absence Standard.docx](#)

[2022-06 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 06

A resolution recommending the adoption of an amendment to Charter Section 5.06 to change standard for potential removal of elected officials from office from three (3) consecutive meetings to five (5) in a calendar year.

WHEREAS, Council's current schedule of approximately fifty (50) meetings a year means that missing five (5) meetings would be missing ten percent (10%) of meetings in a given year.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That paragraph 3 of Section 5.06, Removal from Office, of the Charter of the City of North Canton should be amended to read as such:
In addition to the ground for removal provided above, Council may remove any of its members for persistent failure to abide by the rules of Council, or for absence without justifiable excuse from five (5) or more meetings in a calendar year.
- Section 2. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____
Benjamin R. Young, Chairman

Section 5.06 Removal from Office, paragraph 3

- I. In addition to the grounds for removal provided above, Council may remove any of its members for persistent failure to abide by the rules of Council, or for absence without justifiable excuse from ~~three (3) consecutive meetings~~ five (5) or more meetings in a calendar year.



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution 2022-07**

A resolution recommending the adoption of an amendment to Charter Section 6.04 to allow Council to call Charter Review Commission more frequently than every 10 years.

DESCRIPTION:

ATTACHMENTS:

[Res. 2022-07 Charter Review Frequency.docx](#)

[2022-07 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 07

A resolution recommending the adoption of an amendment to Charter Section 6.04 to allow Council to call Charter Review Commission more frequently than every 10 years.

WHEREAS, items of pressing concern may cause Council to desire to call a citizen review of the Charter of the City of North Canton more frequently than every ten years; and

WHEREAS, this will help facilitate changes as needed in order to protect the best interests of the residents of the City of North Canton.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That Section 6.04, Charter Review, of the Charter of the City of North Canton should be amended to read as follows:

In January, 1967, and in January of at a minimum each tenth year thereafter, the Council shall appoint a commission of fifteen (15) electors of the municipality who hold no other municipal elective or appointive office, except on advisory bodies of the municipality, as members of a Charter Review Commission. The commission shall appoint a chairperson, vice chairperson, and a secretary. Such commission shall review the Municipal Charter, and within five (5) calendar months after such appointment, recommend to Council such alterations, revisions, and amendments, if any, to this Charter, as in the judgement of the Charter Review Commission are desirable by the majority vote of the commission members. The council shall cause the recommendations of the Charter Review Commission to be published in a newspaper of general circulation within the municipality on two successive weeks, and Council shall hold a public hearing on such recommendations within one week after the second publication thereof. Meetings of the Charter Review Commission shall be public meetings.

Section 2. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____

Benjamin R. Young, Chairman

Section 6.04 Charter Review

- I. In January, 1967, and in January of at a minimum each tenth year thereafter, the Council shall appoint a commission of fifteen (15) electors of the municipality who hold no other municipal elective or appointive office, except on advisory bodies of the municipality, as members of a Charter Review Commission. The commission shall appoint a chairperson, vice chairperson, and a secretary. Such commission shall review the Municipal Charter, and within five (5) calendar months after such appointment, recommend to Council such alterations, revisions, and amendments, if any, to this Charter, as in the judgment of the Charter Review Commission are desirable by the majority vote of the Commission members. The Council shall cause the recommendations of the Charter Review Commission to be published in a newspaper of general circulation within the municipality on two successive weeks, and Council shall hold a public hearing on such recommendations within one week after the second publication thereof. Meetings of the Charter Review Commission shall be public meetings.



Item Cover Page

CHARTER ADVISORY BOARD AGENDA ITEM REPORT

DATE: April 11, 2022

SUBMITTED BY: Benjamin Young, Council's Office

ITEM TYPE: Resolution

AGENDA SECTION: New Business

SUBJECT: **Resolution 2022-08**

A resolution recommending the adoption of amendments to Charter Section 5.07 in order to specify that the residents of the City of North Canton may exercise any power of the Charter through an elective petition.

DESCRIPTION:

ATTACHMENTS:

[Res. 2022-08 Initiative Issue.docx](#)

[2022-08 Redline.docx](#)

North Canton Charter Advisory Board

RESOLUTION 2022 - 08

A resolution recommending the adoption of amendments to Charter Section 5.07 in order to specify that the residents of the City of North Canton may exercise any power of the Charter through an elective petition.

WHEREAS, the powers granted within the Charter are granted by consent of the residents of the City of North Canton and therefore the residents should have the ability exercise those same powers through the ballot box.

NOW, THEREFORE, BE IT RESOLVED BY THE CHARTER ADVISORY BOARD OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That paragraph 1 of Section 5.07, Initiative, Referendum, and Recall, of the Charter of the City of North Canton should be amended to read as follows:
INITIATIVE. The electors of the municipality shall have the power to propose ordinances and other measures covering any power enumerated in this Charter or granted the municipality by State law by initiative petition in accordance with the provisions of the Constitution and laws of the State of Ohio now or hereafter in effect.

Section 2. That this resolution shall take effect and be in full force from and after its adoption by the Charter Advisory Board.

Adopted by the Board this _____ day of _____, 2022.

Attest: _____
Benjamin R. Young, Chairman

Section 5.07(2) Initiative, Referendum, and Recall

- I. INITIATIVE. The electors of the municipality shall have the power to propose ordinances and other measures covering any power enumerated in this Charter or granted the municipality by State law -by initiative petition in accordance with the provisions of the Constitution and laws of Ohio now or hereafter in effect.