

1 RESOLUTION NO. 2024-177

2

3 SPONSOR Executive Shapiro

4

5 DATE June 3, 2024

COMMITTEE Rules

6

7 **A Resolution submitting to the electors of the County of Summit at the November 5, 2024**
8 **general election a proposed charter amendment, as recommended by the 2023-2024**
9 **Charter Review Commission, to amend Article II, Section 2.03(8)(c) to require yearly**
10 **submissions of estimated revenues and proposed expenditures by each County department,**
11 **office, agency, authority, board and commission, for the County Charter Review**
12 **Commission, and declaring an emergency.**

13

14 WHEREAS, the voters of the County of Summit approved the adoption of the County
15 Charter on November 6, 1979; and

16

17 WHEREAS, Article X, Section 3 of the Ohio Constitution permits the people of any
18 county to amend a charter if approved by a majority of electors; and

19

20 WHEREAS, Article V, Section 5.05 of the County Charter provides for a nine member
21 Charter Review Commission to meet in September 2003 and every five years thereafter; and

22

23 WHEREAS, Article V, Section 5.06 of the County Charter provides that proposed
24 Charter amendments, upon a vote of two-thirds of the members of County Council or greater,
25 shall be submitted to the electors of the County; and

26

27 WHEREAS, on September 11, 2023, Council adopted motion M-042-2023 confirming
28 reappointments and replacement appointments for the Charter Review Commission, the nine
29 members being James Armstrong, Jeff Snell, Albert Bragg, Jr., Sarah Buccigross, Moriah
30 Cheatham Williams, Henry Johnson, Jr., Dan Rice, Karen Talbott and Mike Wheeler; and

31

32 WHEREAS, the Commission met periodically from October 19, 2023 through March 27,
33 2024, and produced a Final Report recommending two amendments to the Charter, including the
34 amendment that is proposed by this Resolution; and

35

36 WHEREAS, in its Final Report, submitted to this Council on May 30, 2024, the Charter
37 Review Commission recommends the amendment of Article II, Section 2.03(8)(c) to remove
38 "...on a quarterly or more frequent basis" and replacing it with "for such year;" and

39

40 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
41 that it is necessary and in the best interest of the County of Summit to adopt the Commission's
42 recommendation and that the citizens of the County should be permitted to decide at the
43 November 5, 2024 general election whether to amend the Charter to require submission of
44 estimated revenues and proposed expenditures on a yearly basis;

45

46 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
47 of Ohio, two-thirds or greater of all the members elected thereto concurring, that:

48

49

50

51

1 RESOLUTION NO. 2024-177

2 PAGE TWO

3

4 SECTION 1

5

6 The following question as to whether the Charter of the County of Summit shall be
7 amended, as set forth herein, shall be submitted to the electors of the County of Summit at the
8 general election to be held November 5, 2024.

9

10 SECTION 2

11

12 The ballot form for this question shall be as follows:

13

14

15

16

PROPOSED AMENDMENT TO SUMMIT COUNTY CHARTER

17

18

A majority affirmative vote is necessary for passage.

19

20

21

22

Shall the Charter of the County of Summit be amended to require submission of estimated
revenues and proposed expenditures by each County office, agency, authority, board and
commission on a yearly basis?

23

24

FOR THE AMENDMENT

25

26

AGAINST THE AMENDMENT

27

28

29

30

SECTION 3

31

32

33

If approved by the electors of the County of Summit, Article II, Section 2.03(8)(c),
entitled "Powers and Duties of the County Executive" is hereby amended as follows:

34

35

SECTION 2.03 POWERS AND DUTIES OF THE COUNTY EXECUTIVE.

36

37

38

39

40

The County Executive shall have all the powers and duties of an administrative nature
under this Charter and responsibility for the day-to-day running of the departments, offices and
agencies of County government under his or her jurisdiction and control. Such powers and duties
include, but are not limited to, the following:

41

42

43

44

45

46

(1) To appoint, suspend, discipline and remove all county personnel except those who,
as provided by general law, are under the jurisdiction of officers, boards, agencies, commissions
and authorities of a county other than the board of county commissioners, and except those who
are appointed by the County Council pursuant to Section 3.03(1) of this Charter.

47

48

49

50

51

(2) To appoint officers and members of boards, agencies, commissions and authorities
required by general law to be appointed by boards of county commissioners and of such
additional boards, commissions, agencies and authorities as may hereafter be created pursuant to
this Charter. No such appointment shall be effective until confirmed by the County Council, but
if the County Council shall fail to act on an appointment within sixty days, it shall become

1 RESOLUTION NO. 2024-177

2 PAGE THREE

3

4 SECTION 3 (Continued)

5

6 effective without such approval. The County Executive shall use good faith efforts to reflect the
7 diversity of the people of the County in appointing such officers and members.

8

9 (3) To approve or veto any ordinance or resolution as provided in Section 3.04 of this
10 Charter.

11

12 (4) To serve, in person or by his delegate, as a member of the County Board of
13 Revision.

14

15 (5) To execute contracts, conveyances and evidences of indebtedness on behalf of the
16 County.

17

18 (6) To attend meetings of the County Council and take part in the discussion of all
19 matters before County Council.

20

21 (7) To introduce ordinances and resolutions for consideration by the County Council
22 and otherwise to make recommendations for actions to be taken by the County.

23

24 (8) To submit to the County Council a proposed operating budget for each fiscal year
25 which shall contain at least the following:

26 (a) A statement of estimated revenues from all sources, including fund balances
27 from the preceding year;

28 (b) A statement of proposed expenditures, shown by department, office, agency,
29 authority, board and commission, and by activity, character and object and not exceeding
30 estimated revenues for such year;

31 (c) A schedule of estimated revenues and proposed expenditures for each County
32 department, office, agency, authority, board and commission, for such year ~~on a quarterly or~~
33 ~~more frequent basis;~~ and

34 (d) A summary of the contents of the proposed operating budget.

35

36 (9) To submit annually to the County Council a capital improvements program which
37 shall contain at least the following:

38 (a) The capital improvements scheduled for, or proposed to be undertaken within,
39 the current fiscal year, together with the estimated cost of each improvement and the proposed or
40 established method of financing;

41 (b) The capital improvements proposed for the five years next succeeding the
42 current fiscal year, together with the estimated cost of each improvement and the proposed or
43 established method of financing; and

44 (c) A summary of the detailed contents of the program.

45 (d) A five year debt management projection for capital improvements.

46

47 (10) To submit a written message to the County Council accompanying the proposed
48 operating budget and capital improvements program explaining the budget both in fiscal terms
49 and in terms of work to be done, outlining the proposed financial policies of the County for the
50 current fiscal year and describing the important features of the budget. The message shall include
51 any proposals for major changes in financial policies and in expenditures, appropriations and
52 revenues as compared with the preceding fiscal year and the reasons for such proposals, and an

1 RESOLUTION NO. 2024-177

2 PAGE FOUR

3

4 SECTION 3 (Continued)

5

6 itemization and explanation of each proposed capital improvement.

7

8 The operating budget and capital improvements program and accompanying message

9

10 shall be submitted to the County Council by February 15 of each year.

11 (11) To conduct collective bargaining regarding uniform wages and compensatory

12 benefits with any recognized employee bargaining unit and administer uniform personnel

13 procedures for all County employees of the County Fiscal Officer, Clerk of the Court of

14 Common Pleas, Medical Examiner, County Engineer, Prosecuting Attorney, Sheriff, County

15 Council and County Executive.

16

17 (12) To submit to the County Council annually a five year financial forecast for the

18 general operating funds of the County.

19

20 SECTION 4

21

22 The Clerk of Council shall certify the question set forth herein to the Summit County

23 Board of Elections no later than the ninetieth (90th) day prior to the General Election of

24 November 5, 2024.

25

26 SECTION 5

27

28 Notice of the proposed amendment set forth herein shall be given by the Clerk of Council

29 by publishing the full text of the proposed amendment once a week for at least two (2)

30 consecutive weeks in a newspaper published in the County as set forth in Section 307.70 of the

31 Ohio Revised Code.

32

33 SECTION 6

34

35 This Resolution is hereby declared an emergency in the interest of the health, safety and

36 welfare of the residents of the County of Summit, and for the further purpose to ensure that this

37 Resolution takes effect before the Board of Elections' deadline for submitting the proposed

38 Charter Amendment.

39

40 SECTION 7

41

42 Provided this Resolution receives the affirmative vote of two-thirds by council members,

43 it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it

44 shall take effect and be in force at the earliest time provided by law.

45

46 SECTION 8

47

48 It is found and determined that all formal actions of this Council concerning and relating

49 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all

50 deliberations of this Council and of any of its committees that resulted in such formal action,

51 were in meetings open to the public, in compliance with all legal requirements, including Section

52 121.22 of the Ohio Revised Code.

1 RESOLUTION NO. 2024-177

2 PAGE FIVE

3

4

5 INTRODUCED June 3, 2024

6

7

8 ADOPTED June 17, 2024

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

DocuSigned by:

Monique Willis

CLERK OF COUNCIL

DocuSigned by:

Rita J. Darrow

PRESIDENT OF COUNCIL

APPROVED June 17, 2024

DocuSigned by:

Jane Shapiro

EXECUTIVE

Voice Vote – YES: 10 – 0: Darrow, Dickinson,
Donofrio, Ford, McKenney, Rodgers, Schmidt,
Walters, Wiedie Higham, Wilhite
Absent: DeVitis

ENACTED EFFECTIVE June 18, 2024