

RESOLUTION NO. 50-2020

Offered by All of Council

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE VILLAGE OF RICHFIELD A PROPOSAL TO AMEND SECTION 10.01 OF THE CHARTER OF THE VILLAGE OF RICHFIELD TO CHANGE THE COMPOSITION OF THE BOARD OF ZONING APPEALS AND TO AUTHORIZE THE MAYOR TO APPOINT TWO ALTERNATE MEMBERS TO THE BOARD OF ZONING APPEALS TO TERMS OF FIVE YEARS, AND DECLARING AN EMERGENCY

WHEREAS, the Village of Richfield's Charter requires a review of the Charter's provisions every ten (10) years; and

WHEREAS, Mayor Wheeler pursuant to the terms of the Charter, appointed a Charter Review Commission to review the Charter and recommend amendments; and

WHEREAS, the Charter permits the Council of the Village of Richfield to submit the proposed amendments to the electors of the Village of Richfield at the next general election if the proposed amendment is approved by a two-thirds (2/3) vote of the members of Council; and

WHEREAS, the Charter Review Commission unanimously recommended that the Council of the Village of Richfield submit to the electors of the Village of Richfield a proposal to amend Section 10.01 of the Charter of the Village of Richfield to change the composition of the Board of Zoning Appeals and authorized the Mayor to appoint two (2) alternate members to the Board of Zoning Appeals to terms of five (5) years; and

WHEREAS, the Village of Richfield Council determines that the proposed amendments to Section 10.01 of the Charter of the Village of Richfield should be submitted to the electors of the Village of Richfield on November 3, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Richfield, Summit County, State of Ohio that:

SECTION 1. The Charter Review Commission has recommended that the electors of the Village of Richfield consider a proposal that Section 10.01 of the Charter of the Village of Richfield be amended to read as follows:

SECTION 10.01 ORGANIZATION.

There shall be a Board of Zoning Appeals which shall consist of five (5) **regular members and two (2) alternate members who shall be** electors of the Municipality not holding other municipal office or employment, to be appointed for terms of five (5) years, or removed by the Mayor subject to confirmation by the affirmative vote of a majority of the members elected or appointed to Council. The terms of the members of the Board of Zoning Appeals shall be staggered so that the term for one (1) member shall expire annually on each December 31st. Thereafter,

a member shall be appointed to a new five (5) year term to begin on January 1st. A vacancy occurring during the term of any member shall be filled for the unexpired term in the manner authorized for an original appointment.

Alternate members of the Board of Zoning Appeals shall be in addition to the regular members and may substitute for regular members who are unable to attend a meeting or hearing of the Board. Alternative members shall only be entitled to participate and vote as members when they substitute for regular members who are unable to attend a meeting or hearing of the Board.

All members of the Board shall serve without compensation unless otherwise provided by ordinance of Council

SECTION 2. The proposed amendments to Section 10.01 of the Charter of the Village of Richfield shall be placed before the qualified electors of the Village of Richfield for their approval on the ballot of the November 3, 2020 election.

SECTION 3. The Council of the Village of Richfield requests the following ballot language:

“Shall Section 10.01 of the Charter of the Village of Richfield be amended to change the composition of the Board of Zoning Appeals and authorize the Mayor to appoint two (2) alternate members to terms of five (5) years?”

YES _____

NO _____

SECTION 4. The Clerk of Council of the Village of Richfield shall certify a copy of this Resolution to the Board of Elections of Summit County, along with a copy of the proposed ballot language by no later than September 4, 2020, as required by law.

SECTION 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.


SECTION 6. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare and for the further reason that it is immediately necessary to meet the deadline to have the proposed amendments presented to the Village electors; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

As Amended, July 31, 2020


PASSED: 8-18-2020



President of Council




Mayor

ATTEST:


Clerk of Council

Dated: August 19, 2020

JEFF GORMAN Clerk of Council of the Village
of Richfield, Ohio, hereby certify that the foregoing
is a true and correct copy of Res. 50-2020
adopted by the Council on 8-18-2020


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