



**DOYLE H. WEBSTER**  
Mayor

**JOHN J. JONES**  
City Administrator

**KATHY McNEAR**  
Clerk of Council / Finance Director

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***Please note: There will be no changes to your taxes as a result of the proposed changes to the City's Charter.***

On the November 2, 2021, ballot, you will be asked to consider amendments to the City of Springdale Charter. The Charter is our City's constitution. It defines how the City of Springdale is organized and how it functions. The City's Charter can only be changed by a vote of Springdale citizens. The original Charter of the City of Springdale was adopted by electors on November 3, 1964, and revisions have been made throughout the years. The most recent amendments were adopted in 2016.

In early 2021, the Charter Revision Committee met in accordance with Article IX (A)(2) of the existing Charter. Following several meetings, the Committee unanimously recommended a number of amendments for Council's consideration. Two pieces of legislation containing the proposed amendments were presented to Council. A total of three readings were held, once at each of the following public meetings: June 2, 2021; June 16, 2021; and July 21, 2021. Following the third public reading on July 21, 2021, Council voted unanimously to adopt Ordinance 22-2021 and Ordinance 23-2021, approving the submission of the proposed Charter amendments to the electors on the November 2, 2021, general election ballot.

In accordance with Article XVIII Section 9 of the Ohio Constitution, the proposed changes are being mailed to all registered voters within the City of Springdale. The following pages include the amendments encompassed in Ordinance 22-2021 and Ordinance 23-2021. Full text of the ordinances and additional information regarding the proposed amendments can be found on the City's website at [www.springdale.org](http://www.springdale.org) or by contacting the City at 513-346-5700.

All City of Springdale citizens are encouraged to vote in the November 2, 2021, general election which will include these proposed amendments to the Charter.

## PROPOSED CHARTER AMENDMENTS - CITY OF SPRINGDALE, OHIO

A majority affirmative vote is necessary for passage.

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There are two proposed revisions to the City of Springdale's Charter:

1. This proposed amendment would eliminate the elected position of Clerk of Council/Finance Director and all references to this position in the City of Springdale Charter and create the appointed position of Clerk of Council. This change would not take effect until December 1, 2023, upon the expiration of the term of office for the current Clerk of Council/Finance Director. This amendment has been unanimously recommended by the City of Springdale Charter Revision Committee and the City Council.
2. This proposed amendment would make the following administrative revisions within the City of Springdale Charter:

### ARTICLE VI - COMMISSIONS AND BOARDS

#### A. Planning Commission

1. Members
2. Functions
  - a. Adoption of Zoning or Land Use Plan
  - b. Approval of Subdivisions and Regulations
  - c. Adoption of Thoroughfare Plan and Public Improvements
  - d. Adoption of 10-Year Program for Financing Improvements
  - e. Adoption of Storm and Sanitary Sewer Master Plan
  - f. Adoption of Utility Plans
  - g. Adoption of Parks and Playground Master Plans
  - ~~h. Adoption of Urban Redevelopment Plan~~
  - hi. Adoption of Flood Control Structures and System Plan
  - ij. The adoption of an annexation plan;
  - jk. The performance of such other functions as prescribed by Council.

### ARTICLE II - LEGISLATIVE

#### C. MEMBERS

1. Number - Council shall be composed of seven (7) non-partisan members, three (3) of whom shall be elected by the electors of the municipality at large and four (4) of whom shall be elected by districts.

### ARTICLE II - LEGISLATIVE

#### D. PROCEDURES

##### 1. Meetings

Except as provided herein for executive sessions, all official meetings, regular and special, of Council, and committees of Council, shall be open to the public at all times. Public bodies of the City of Springdale may meet in executive sessions after a majority of a quorum of the public body determines, by roll call vote, to hold an executive session at any regular or special meeting for the sole consideration of any of the matters provided by Ohio Revised Code §121.22(G), and as the same may be amended or recodified, and also for consideration of any matters Council provides by ordinance requires confidentiality, or matters involving the need to consult with counsel involving potential litigation, or any economic development issues or to permit the participation of Council members at seminars, retreats or training sessions without prior public notice. The manner by which executive sessions are called and conducted shall be as set out in the Codified Ordinances of the City of Springdale. Each journal and other records of the Council shall be open to the public at all reasonable times. (II.D.1. in its entirety approved by electors 11-05-96)

## ARTICLE II - LEGISLATIVE

### D. PROCEDURES

#### 3. Ordinances and Resolutions

##### g. Publication:

— 1. All ordinances shall be published by title, at least one time in a newspaper of general, ~~daily or weekly~~ circulation, ~~on the City's website, or in any other manner designated by Council of Council's selection within the municipality, paid or unpaid,~~ within fifteen (15) days after passage, provided, however, that in the event of the exercise of the veto power of the Mayor, then such publication shall appear in such newspaper within fifteen (15) days after the re-passage of the ordinance over the Mayor's veto.

## ARTICLE II - LEGISLATIVE

### E. INITIATIVE AND REFERENDUM.

2. Initiative - Ordinances providing for the exercise of any powers of government granted by the Constitution or delegated by the General Assembly to Charter municipalities, may be proposed by initiative petition. Such initiative petition must contain the signatures of not less than ~~fifteen~~ percent (~~15%10%~~) of the total number of electors who voted in the preceding ~~gubernatorial~~ general election. The form, content, verification of and other requirements for initiative petitions shall be those prescribed by the Constitution and the general laws of the State of Ohio relating to initiative petitions for the enactment of State laws. When a petition is filed with the Clerk of Council/Finance Director, signed by the required number of electors proposing an ordinance, such Clerk of Council/Finance Director shall certify the text of the proposed ordinance to the Council at its next regular meeting, which shall set the time for and hold a public hearing on the question of the proposed legislation at its next succeeding regular meeting. At said meeting, after said public hearing, Council shall either adopt the proposed ordinance or submit the question of its adoption to the electors at the next succeeding primary or general election. No ordinance proposed by initiative petition and approved by a majority of the electors voting upon the question shall be subject to the veto of the Mayor. All other matters relating to the exercise of the initiative powers of the electors shall be as determined by the Revised Code of the State of Ohio.

Referendum - Any ordinance, except such ordinances as, by this Charter, go into immediate effect, shall be subject to the referendum. When a petition, signed by ~~fifteen~~ percent (~~15%10%~~) of the total number of electors who voted in the preceding ~~gubernatorial~~ general election, is filed with the Clerk of Council/Finance Director within thirty (30) days after any ordinance subject to the referendum is adopted by the Council, or in case the Mayor has vetoed the ordinance and returned it to Council, within thirty (30) days after Council has passed the ordinance over his veto, ordering that such ordinance be submitted to the electors of the municipality for their approval or rejection, such Clerk of Council/Finance Director shall, after determining the validity of said petition, certify the content thereof to the Council at its next regular meeting. Thereupon, Council shall establish the time of and hold a public hearing on the question of the repeal of the ordinance as called for by the petition, at the next succeeding regular Council meeting. Upon said public hearing, the Council shall either repeal the ordinance which is the subject of the referendum petition or provide for its submission to the electors at the next succeeding primary or general election. All other matters relating to the question of the exercise of the powers of referendum shall be regulated by the provisions of the Revised Code of Ohio relating to referendum petitions. The ordinance which is the subject of the referendum petition shall not go into effect until the Board of Elections certifies that the ordinance has been approved by a majority of the electors, whereupon, the ordinance shall go into effect immediately.

## ARTICLE III - EXECUTIVE

### A. GENERAL

All executive power of the municipality shall be vested in a Mayor, City Administrator, Chief of Police, Fire Chief, ~~Director~~ ~~Superintendent~~ of Public Works, Chief Building Official, Clerk of Council/Finance Director, and such other departments or offices as are created by the Council. (Approved by electors 05-06-86; 11-04-86)

## ARTICLE III - EXECUTIVE

### G. CLERK OF COUNCIL/FINANCE DIRECTOR

6. Special requirements - In addition to all other duties and powers created by law, the Clerk of Council/Finance Director of the municipality shall:

- a. Keep all records of Council ~~in the Clerk of Council/Finance Director's office in the Municipal Building. (All other records shall be maintained in the responsible department);~~
- b. Keep all records up to date at all times;
- c. Pay all bills on or before due or discount dates;
- d. Prepare monthly financial report and properly distribute;
- e. With the Mayor and City Administrator, prepare the budget and annual supplemental appropriations ordinance;
- f. ~~Maintain~~Keep all public records available for examination ~~by any elector of Springdale at Municipal Building at any appointed time;~~
- g. Keep Council advised of availability of funds for projects, etc.;
- h. Prepare certificates of availability of funds within forty eight (48) hours of requisition by procurement agencies, if funds are available and the expenditure is proper;
- i. Invest any such funds as Council, by resolution, declares are not needed for any municipal purpose for more than ninety (90) days. In addition to such other investments as authorized by general law funds so declared by Council as being not needed for municipal purposes may be deposited in any financial institution which is chartered by the State of Ohio and which is also insured by an authorized agency of the State of Ohio;
- j. Be responsible for the conduct of an annual audit of all records maintained by the City in accordance with the Ohio Revised Code;
- k. Be responsible for the conduct of an annual audit of all financial data in accordance with the Ohio Revised Code including those of the Mayor's court, which funds are supervised by the Mayor and Chief of Police;
- l. On a schedule directed by Council, recommend to the Finance Committee financial institutions for the City's banking business and/or depositories for funds described in item i.↓ of this section.

## ARTICLE V - POLITICAL

### D. RECALL

1. Any elective officer of the municipality may be removed from office before the expiration of his term by the filing of a petition with the board of elections and the Clerk of Council, signed by fifteen percent (15%) of the total number of electors who voted in the preceding gubernatorial election. If the elective officer to be recalled is a member of council elected from a district, then the fifteen percent (15%) needed for the petition shall only be comprised of voters from that district. All other recall procedures shall be governed provided by Section 705.92 of the Ohio Revised Code.

## ARTICLE VI - COMMISSIONS AND BOARDS

### A. PLANNING COMMISSION

2. Functions – The functions of the Planning Commission shall be as follows:

- a. The adoption of a zoning or land use plan;
- b. The approval of subdivisions and the drafting of subdivision regulations, and amendments thereto for recommendation to the municipal Council, the subdivision of land, however, being hereby made specifically subject to the provision of the general law;
- c. The adoption of a plan for thoroughfares, roads and other public improvements;
- d. The adoption of a ten (10) year program for financing planned improvements;
- e. The adoption of storm and sanitary sewer master plans;
- f. The adoption of utility plans;
- g. The adoption of parks and playground master plans;
- ~~h. The adoption of an urban redevelopment plan;~~
- h.i. The adoption of flood control structures and system plan;
- ij. The adoption of an annexation plan;
- jk. The performance of such other functions as prescribed by Council.

(Approved by electors 05-06-86)

## ARTICLE VI - COMMISSIONS AND BOARDS

### E. BOARD OF HEALTH

~~Council shall~~If the municipality by ordinance of Council determines to establish a local Board of Health ~~which~~# shall be composed of five (5) members appointed by the Mayor and confirmed by the legislative authority. The term of office shall be two (2) years from the date of appointment. Compensation of members of the Board of Health shall be established by Council to the extent State law allows. The Board of Health and the City administration shall cooperate in a manner that is efficient and effective in handling the City's health needs consistent with the overall needs of the City. Cooperation, to the extent possible, shall exist in budgeting and appropriation of funds according to the manner and form established by Council as well as in the area of hiring, supervising, compensating and disciplining personnel. (Approved by electors 11-05-85; 11-04-86)

## ARTICLE VII - FINANCIAL

### F. CONTRACTS AND EXPENDITURES

All contracts or purchase orders involving the expenditure of funds in the amount for which advertising and bidding on public contracts is required in Ohio Revised Code Section 735.05, and as the same may be amended and/or recodified, may be entered only after ~~being advertised~~advertisement for bids has been made at least once in a newspaper of general circulation in the ~~City~~municipality, on the City's website, or by such other means as designated by City Council for a minimum of five (5) days at least ten (10) days and not more than twenty (20) days prior to the final day of receipt of such bids; shall bear the certification of the Clerk of Council/Finance Director as to the availability of funds; shall be in writing and executed by the Mayor and the Clerk of Council/Finance Director; and may be entered only after the necessary expenditures are authorized by ordinance of Council. All bids must be accompanied by a bond conditioned upon entering into a proper contract in accordance with the terms of the advertisement. Said bid bonds, or certified check in lieu thereof, shall be in the amount of ten percent (10%) of the consideration stated in the bid. The adequacy of the bid bond shall be determined by Council. Additionally, each contract for one (1) year or less shall be secured by a performance bond, the sufficiency of which shall be determined by the Mayor, in an amount equal to one hundred percent (100%) of the consideration of the contract. Each multi-year contract shall be secured by a performance bond, the sufficiency of which shall be determined by the Mayor, in an amount at least equal to one hundred percent (100%) of the consideration for the performance of the first year of the contract. This performance bond shall be renewed for subsequent years at least fifteen (15) days prior to the expiration of each year of the contract. The renewal shall be in an amount at least equal to one hundred percent (100%) of the consideration for the performance of the next year of the contract. The contract or purchase order may be entered only with the best bidder, as determined by Council in its absolute discretion. Contracts for professional or expert personal services should be excluded from the foregoing provisions for advertising and bonds, and shall be secured by Council upon such terms as it is able to negotiate. However, any contract for such services shall be in writing if the total consideration thereon is in the amount for which advertising and bidding on public contracts is required in Ohio Revised Code Section 735.05, and as the same may be amended and/or recodified. Such contracts may be in the form of an ordinance, setting forth the terms thereof, which shall be binding upon the municipality and other party either upon acceptance by the other party in writing or by the commencement of the services called for by such ordinance. (Approved by electors 11-02-82; 11-08-83; 11-04-86; 11-05-96; 11-07-00)