



**2021**

**Charter Review Commission  
Presentation to Village Council**

June 8, 2021

**Reminderville Charter Review Commission:**

Mark Salapski, Chairman

Vincent Montague, Vice Chairman

Ritu Chakkarwar

Beth Pajemola

Michael Roney

**Article XX. Charter Review Commission**

**Section 20.01 Composition and Term**

In January, 2015 and each five (5) years thereafter the Mayor shall, subject to confirmation by Council, appoint a Commission of five (5) qualified electors of the Municipality holding no other office or appointment in this Municipality as members of a Charter Review Commission to serve until their duties as provided in Section 20.02 of this Charter are completed. The members shall serve without compensation.

**Section 20.02 Duties**

The Charter Review Commission shall, in meetings open to the public, review the Municipal Charter, and, no later than August 1 of the same year, recommend to Council such amendments, if any, to this Charter as in its judgment are conducive to the public interest.

**Section 20.03 Submission to the Electors**

Council may submit to the electors any such proposed amendments to this Charter, which submission, in each instance, shall be in accordance with the provisions of the Constitution of Ohio.

### **The Commission's Report:**

The Charter states that every five years starting from 2015, there shall be a Charter Review. Due to the COVID-19 Pandemic in 2020, the Charter Review did not start until March of 2021. The Charter Review Commission held its first meeting on March 31, 2021. Subsequent meetings were held on April 14, April 21, April 28, May 12, May 19, and May 26, 2021. The meetings were held via Zoom and were open to the public. Agendas and minutes were maintained on the Reminderville.com website. The Commission was supported by Stacey Task, Clerk of Council. In addition, Mayor Alonso was available to give insight into how the Village functions and answered questions provided by the Commission. Council Vice President Mark Kondik, Councilman Tom DiCarlo, and Councilwoman Becki Kovach were also present to answer questions. After a complete review of each article of the Charter, the Commission has determined a recommendation to put to the Reminderville Council for its consideration to be placed on the ballot at the November election.

**Recommendation:**  
(Changes are in red)

**ARTICLE IV. COUNCIL**

**Section 4.02      Composition and Term**

Council shall be composed of six (6) members. One member shall be elected by the electors of each of the three (3) voting districts herein provided, and three (3) members (Members) shall be elected by the electors of the Municipality at large.

The term of a council person shall be four (4) years, beginning January 1 next following his/her election unless otherwise provided by this charter. An elected council person shall hold office until a successor is elected and qualified.

**Section 4.03      Councilmanic Districts**

Three Voting Districts, each to be represented by a council person, shall be established by a commission appointed by Council within three months of the 2020 Census figures becoming available. Districts shall be as nearly equal in population as is practicable and shall be composed of contiguous and compact territory. The boundaries of these three districts may be changed from time to time by ordinance using the same requirements, but Council may not change the number of districts.

Voting District elections will first occur at the regular election in November of 2021. One council person for each of the three districts, and one at-large council person will be elected at this time and every four years thereafter. The two at-large council positions elected in 2019 will remain as at-large positions in 2023, and every four years thereafter. Currently elected Council-at-large members who choose to run for their respective Voting District Council positions in the regular municipal election in November 2021 may do so without relinquishing their at-large council seat should they lose the Voting District election. Up to two (2) Council-at-large seats vacant after the Voting District election must be filled by Council to bring the total Council membership to six (6). See Vacancies section under Council in this Charter.

**Section 4.04      Qualifications**

Each council person elected at-large shall have been a resident and qualified elector for at least one full year prior to the date of election or appointment and shall continue to be a resident of the Municipality throughout their term of office.

Each council person elected to represent a voting district shall have been a resident of their respective voting district and a qualified elector for at least one full year prior to the date of election or appointment and shall continue to be a resident of their voting district throughout their term of office.

A council person shall hold no other elective public office or be employed by or hold any other office in this Municipality except that of a notary public or service in state militia or armed forces of the United States, unless otherwise provided by this charter.

Council persons shall be administered the oath of office not later than the first day of January next following their election

**Section 4.11      Legislative Procedure**

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 (4) members of Council shall be required for the enactment of every resolution or ordinance, or to confirm and appoint, unless a larger number be required by the provisions of this charter, or by general law.

No ordinance or resolution shall be passed until it has been read, by title only and at three (3) different, regular Council meetings, unless Council votes to suspend this rule. Such suspension of this rule shall require the affirmative vote of at least five (5) members 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 changing of any district boundaries**, or in authorizing any change in the boundaries of the Municipality, shall be enacted under a suspension of this rule.

### **Section 4.13 Effective Date of Resolutions and Ordinances**

Each resolution and ordinance providing for the appropriation of money, or for an annual tax levy, or for improvements petitioned for by a majority of the front footage of property to be benefitted and specially assessed therefor, and any measure that is to become immediately effective as necessary for the immediate preservation of the public peace, health, or safety, shall take effect upon the expiration of the time within which it may be vetoed by the Mayor without having been vetoed, or upon its passage after veto by the Mayor, as the case may be.

Each resolution that is to take immediate effect as provided in this section shall contain a statement of the necessity for such immediate effectiveness, and its enactment shall require the affirmative vote of at least five (5) members of Council if all members are present, or the affirmative of at least four (4) members if one or more members are absent or if one or more vacancies exist in the membership of the Council.

No action of Council authorizing the surrender or joint exercise of any of the powers of the Municipality, 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 voting district boundaries**, or in authorizing any change in the boundaries of the Municipality shall be enacted to become immediately effective.

No other resolution or ordinance shall become effective until thirty (30) days after the date of its approval by the Mayor, or upon the expiration of the time within which it may be vetoed by the Mayor without being vetoed, or its passage after veto by the Mayor.

### **Section 4.15 Vacancies**

Whenever the office of a council person shall become vacant for any reason, the vacancy shall be filled by the majority vote of all remaining members of Council. **If the vacancy is in an office of a council person representing a voting district, such vacancy must be filled from that voting district.** If the vacancy occurs in the office of an at-large council person Such vacancy can be filled from any voting district within the Municipality.

A vacancy in the office of President of Council or Vice-President of Council shall be filled by a majority vote of the remaining members of Council.

In the event Council should fail to fill a vacancy in the office of a Council person or in the office of President of Council or Vice-President of Council within thirty (30) days from the date of occurrence of vacancy, then the power of Council to do so shall lapse and the Mayor shall fill it by appointment.

The person elected or appointed to fill a vacancy shall have the qualifications for the particular office specified in Section 4.04 of this Charter and shall hold office for the unexpired term and until a successor is elected and qualified.

## ARTICLE XVIII. INITIATIVE, REFERENDUM, AND RECALL

### **Section 18.03 Recall**

The electors may remove from office by a recall election any elected officer of the Municipality. If an elected officer shall have served six months or more in office, a petition demanding removal may be filed with the Clerk of Council, who shall note thereon the name and address of the person filing the petition and the date of such filing, and shall deliver to said person a receipt therefor and attach a copy thereof to said petition. Such petition may be circulated in separate parts, but the separate parts shall be bound together and filed as one instrument. Each part shall contain the name and office of the person whose removal is sought and a statement in not more than 200 words of the grounds for removal. Except as otherwise provided herein, such petition shall be signed by at least fifty percent (50%) of the number of electors voting at the preceding November election; **provided, however, that in the case of a council person elected from a voting district, such signatures must be obtained from the voting district electing such council person and shall be signed by at least fifty percent (50%) of the number of electors voting in said council person's voting district in the preceding November election.**

Within ten (10) days after the day on which such petition shall have been filed, the Clerk of Council shall determine whether or not it meets the requirements hereof. If the Clerk of Council shall find the petition insufficient, the Clerk of Council shall promptly certify the particulars in which the petition is defective, shall deliver a certified copy to the person who filed the petition, and make a record of such delivery. Such person shall be allowed a period of twenty (20) days after the day on which such delivery was made in which to make the petition sufficient.

If the Clerk of Council shall find the petition sufficient, the Clerk of Council shall promptly so certify to the Council, shall deliver a copy of such certificate to the officer whose removal is sought and shall make a record of such delivery. If such officer shall not resign within five (5) days after the day on which such delivery shall have been made, the Council shall thereupon fix a day for holding a recall election, not less than sixty (60) days, nor more than seventy-five (75) days after the date of such delivery. At such recall election this question shall be placed upon the ballot: "Shall (naming the officer) be allowed to continue as (naming the office)?" with provision being made on the ballot for voting affirmatively or negatively on such question. If a majority of the votes cast at such election shall be voted affirmatively, such officer shall remain in office. If a majority of the votes cast shall be voted negatively, such officer shall be considered as removed and said office shall be declared vacant, and such vacancy shall be filled as provided in this Charter. The officer removed by such recall election shall not be eligible for appointment to the vacancy created thereby.

**Rationale:**

The proposed amendments to Charter Article IV. Council, Sections 4.02, 4.03, 4.04, 4.11, 4.13, and Article XVIII. Initiative, Referendum, and Recall, Section 18.03 pertain to Councilmanic Districts. Councilmanic Districts were included in the original writing of the Charter which was submitted to the electors of the Village of Reminderville on November 3, 2009. The electors passed to adopt the Charter with 691 Yes to 204 No.

The voting district elections were to first occur at the regular election in November 2013. In the November 2012 election, Council submitted to the electors of the Village of Reminderville, a ballot to repeal/abolish Section 4.03 Councilmanic Districts. The electors passed to repeal/abolish with 759 Yes to 749 No.

In 2012, there were approximately 3,612 people living in the Village. The final results from the 2020 Census will not be released until August-September 2021 but using a percentage of growth, it could be at 4,400. Per Ohio Revised Code, precincts cannot exceed 1,400 electors. There has been considerable growth in the Village so the precinct boundaries may have to be redetermined. Precincts are made for voting location purposes. Districts are made to have specific representation. A district can be made up of multiple precincts. The current precinct maps were approved in 2013.

The proposed amendment of Section 4.02 Composition and Term would be three district council members and three at-large council members. The increase in population could potentially lead to more residents running for a council seat which would lead to better representation throughout the Village rather than a majority of members residing in the same development. The electors in 2012 passed the repeal by only ten votes. This proposed amendment would put it back in front of the electors to decide how they want the community to be represented in the important decision-making role of a council member.

The Charter Review Commission voted on presenting this proposal to Council and it passed 5-0. The Charter Review Commission recommends referring to the electors the adoption of the proposed amendments.

In closing, the members of the Charter Review Commission give thanks to Mayor Alonso for appointing them and for giving them the opportunity to serve their community.

We, the undersigned, submit this proposal to the Village of Reminderville Council on this 8h day of June, 2021.

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Mark Salapski, Chairman

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Vincent Montague, Vice Chairman

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Ritu Chakkarwar, Member

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Beth Pajemola, Member

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Michael Roney, Member