

New or amended language in BOLD *Italics*.
Language deletions appear as strikethroughs.

Proposed Charter Amendment City of Wooster:

This amendment, if passed would:

- a. Make the Charter easier to understand as to the Mayor's supervisory and procedural duties.
- b. Provides for a succession plan for the Director of Law and clarifies how the Director of Law and the Director of Finance are appointed.

A majority affirmative vote is necessary for passage

Shall Articles III and IV of the Charter of the City of Wooster be changed and amended as follows:

ARTICLE III
THE MAYOR

SECTION 3.02. ADMINISTRATIVE POWERS.

The Mayor shall exercise supervision and control over all of the Administrative Departments *of the City, as described in Section 4.04 of the Charter of the City of Wooster* ~~of the City~~. S/he shall be the chief conservator of the peace within the City and shall see that all laws, ordinances and resolutions are faithfully obeyed and enforced. S/he shall be the ceremonial head of the City.

S/he shall have the power:

- (1) To appoint, promote, transfer, reduce or remove any officer, employee, or appointee of the City in a manner consistent with the provisions of this Charter;
- (2) To initiate departmental reorganization in accordance with Section 4.07~~8~~;
- (3) To exercise those judicial powers granted to mayors under the general laws of Ohio;
- (4) To perform other powers and duties granted by ordinance or resolution.

SECTION 3.04. MAYOR'S VETO POWER.

Upon authentication, every ordinance and resolution shall be presented to the Mayor by the Clerk of Council. If the Mayor approves such ordinance or resolution, s/he shall sign and return it, but if s/he does not approve it, s/he shall return it *to the Clerk of Council* with a statement of his/her objections to the Council. This shall be recorded in its journal.

The Council may then reconsider the vote on the passage of such legislation, not later than at its next regular meeting. If, on reconsideration, it is approved by two-thirds of the members of Council, it shall become effective as stipulated in Article II, Section 2.15.

If any ordinance or resolution shall not be returned by the Mayor *to the Clerk of Council* within seven days after it was presented to him/her, it shall become effective in the same manner as if it had been signed on the last day of the seven day period.

The Mayor may exercise item veto over appropriation ordinances which shall be subject to the other veto provisions in this Charter.

SECTION 3.05. VACANCY.

(a) Temporary Absence From Office. In the event that the Mayor is temporarily absent or unable to perform the duties of office, *the Clerk of Council shall be notified* ~~s/he shall so notify the Clerk of Council of that fact,~~ and the President of Council shall then assume the duties of the office of Mayor during the temporary absence.

(b) Permanent Vacancy. In the event the Mayor, for a period of time in excess of ninety (90) consecutive days, is either absent from office or unable to perform his/her duties because of physical or mental illness or disability, Council may, after providing the Mayor with written notice and an opportunity for a hearing in accordance with Article VIII, Section 8.06(e) (1), upon the affirmative vote of five (5) members, declare the office of Mayor to be vacant.

(c) In the event of a permanent vacancy in the office of the Mayor due to his/her resignation, death or permanent disability, the President of Council shall assume the duties of the office of Mayor. Until a successor *to the office of President of Council* is elected and qualified, the office of President of Council shall become vacant and shall be filled as set forth in Article II, Section 2.06.

Within ten (10) days after the occurrence of a permanent vacancy in the office of Mayor the President of Council shall issue a proclamation to the Board of Elections declaring the existence of a vacancy in such office and the necessity of holding an election to fill the unexpired term thereof. Such election shall be held at the next primary or general election occurring thereafter; provided that if the unexpired term for such office ends within one year following the occurrence of the vacancy an election shall not be held, and the vacancy shall be filled as provided herein.

ARTICLE IV ADMINISTRATIVE OFFICERS, DEPARTMENTS AND COMMISSIONS

SECTION 4.02. DIRECTOR OF LAW.

The Director of Law shall be an attorney licensed to practice law in the State of Ohio, and s/he shall have been engaged in the active and full-time practice of law continuously for a period of not less than five (5) years preceding his/her appointment. S/He shall have charge of the Law Department of the City. In that capacity, s/he shall serve as the chief legal counsel to the Mayor, the City Council, City departments and divisions, the Hospital Board of Governors, and the various municipal boards and commissions. S/He will perform all duties and functions now or hereafter imposed upon the municipal directors of law by the general laws of Ohio; and s/he will perform such other duties as may be required by this Charter, by ordinance or resolution of Council, or as directed by the Mayor, except that s/he will not serve as counsel to the Wooster City Board of Education.

The Director of Law shall be appointed in accordance with section 4.04 of the Charter of the City of Wooster. The Mayor may also designate a Deputy Director of Law, who, during the absence or disability of, or during a vacancy in, the office of Director of Law, shall exercise the powers and discharge the duties and functions of the Director of Law under the title of Acting Director of Law. The Deputy Director of Law must be an attorney licensed to practice law in the State of Ohio.

SECTION 4.03. DIRECTOR OF FINANCE.

The Director of Finance shall be appointed on the basis of his/her competence as demonstrated by experience, education or both. ***The Director of Finance shall be appointed in accordance with section 4.04 of the Charter of the City of Wooster.*** The Mayor may also designate an officer or employee of the City, who, during the absence or disability of, or during a vacancy in, the office of Director of Finance, shall exercise the powers and discharge the duties and functions of the Director of Finance under the title of Acting Director of Finance.

The Director of Finance shall be the chief fiscal officer of the City. S/he shall, on behalf of the City, collect all taxes, assessments and moneys due; disburse funds as authorized; select depositories; invest funds when available for investment; maintain an efficient general accounting system and specify and supervise departmental accounting including invoicing, receiving and, where appropriate, cost accounting systems; and represent the City with other governmental fiscal agencies. The Director of Finance shall perform all duties and functions now or hereafter imposed on city auditors and treasurers by the laws of the State of Ohio which are not in conflict with the provisions of this Charter.

The Director of Finance shall, for the Council in a form Council may specify, report the current financial status of the City not less than quarterly; provide Council all supportive financial information requested for consideration of the annual appropriation ordinance; and make a yearly report covering all accounts and obligations of the previous fiscal year.

The Director of Finance shall serve as fiscal advisor to the Mayor and the Council and provide cost account data when feasible and desirable. S/he shall assist the Mayor in the preparation of the yearly budget, appropriation ordinances and statements of anticipated income, and accept any other duties assigned to him/her by the Mayor.