

SUBSTITUTE ORDINANCE NO. 1-99

By: Jeffrey L. McClelland

An Ordinance to provide for the submission of certain amendments to the City Charter to the electors at the primary election to be held on May 4, 1999, to authorize the Auditor to deliver a certified copy of this Ordinance to the Board of Elections of Franklin County, Ohio and to declare an emergency.

WHEREAS, the City Charter provides for the submission of proposed amendments to the City Charter by a two-thirds vote of Council; and

WHEREAS, Council appointed a committee to review the City Charter, and has received a report from the committee proposing the enactment of a new City Charter; and

WHEREAS, this Council, having reviewed the report of the committee, has determined to submit proposed amendments to the City Charter to the electors; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the amendments to the existing City Charter set forth in Exhibit A hereto and incorporated herein by this reference be submitted to the electors of the City at the primary election to be held on May 4, 1999.

Section 2. That the Auditor in his capacity as Clerk of Council is hereby authorized and directed to certify a copy of this Ordinance and deliver it to the Board of Elections of Franklin County, Ohio on or before 4:00 P.M. on Thursday, February 18, 1999.

Section 3. That this Ordinance is an emergency measure necessary for the immediate preservation of the public peace, health and safety, said emergency being the need to submit the proposed amendment to the Board of Elections by 4:00 P.M. on February 18, 1999 in order for it to be presented to voters at the election to be held on May 4, 1999, and shall go into effect upon its passage and approval by the Mayor.

Passed: February 15, 1999

  
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President of Council

Attest: Richard A. Lewin  
Clerk of Council

Approved: 2/15, 1999

David H. Madison  
David H. Madison, Mayor

Proposed Amendments to Bexley City Charter

1. That Article I be amended by the addition of a new Section 3 as follows:

SECTION 3. FORM OF GOVERNMENT. THE FORM OF MUNICIPAL GOVERNMENT ESTABLISHED BY THIS CHARTER SHALL BE THE CITY MANAGER PLAN.

2. That Article II be amended in its entirety as follows:

ARTICLE II - CITY MANAGER

SECTION 4. APPOINTMENT, QUALIFICATIONS, AND COMPENSATION. THE COUNCIL SHALL APPOINT, BY THE AFFIRMATIVE VOTE OF NO FEWER THAN FOUR MEMBERS, AN OFFICER OF THE CITY WHO SHALL HAVE THE TITLE OF CITY MANAGER AND WHO SHALL SERVE AT THE PLEASURE OF COUNCIL, PROVIDED THAT NOTHING HEREIN SHALL LIMIT THE POWER OF COUNCIL TO ENTER INTO AN EMPLOYMENT CONTRACT WITH SUCH OFFICER ON SUCH TERMS AND CONDITIONS AS IT SHALL DETERMINE. THE CITY MANAGER NEED NOT BE A RESIDENT OF THE CITY AT THE TIME OF APPOINTMENT, BUT SHALL BECOME A RESIDENT OF THE CITY WITHIN SIX MONTHS AFTER APPOINTMENT, UNLESS COUNCIL APPROVES A LONGER PERIOD OF TIME OF RESIDENCE OUTSIDE THE CITY. COUNCIL SHALL DETERMINE THE COMPENSATION OF THE CITY MANAGER.

SECTION 5. REMOVAL OF THE CITY MANAGER. THE CITY MANAGER MAY BE REMOVED, WITHOUT PREJUDICE TO THE CONTRACT RIGHTS, IF ANY, OF SUCH

OFFICER, BY THE COUNCIL AT ANY TIME BY A MAJORITY VOTE OF NOT LESS THAN FOUR MEMBERS, WITH OR WITHOUT CAUSE.

SECTION 6. ACTING CITY MANAGER; INTERIM CITY MANAGER. BY LETTER FILED ANNUALLY WITH THE CLERK OF COUNCIL BY JANUARY 31 OF EACH YEAR, THE CITY MANAGER SHALL DESIGNATE A CITY EMPLOYEE TO EXERCISE THE POWERS AND PERFORM THE DUTIES OF THE CITY MANAGER DURING THE CITY MANAGER'S ABSENCE OR DISABILITY. COUNCIL MAY REVOKE SUCH DESIGNATION AT ANY TIME AND APPOINT ANOTHER EMPLOYEE OF THE CITY TO SERVE AS ACTING CITY MANAGER. IN THE EVENT OF THE DEATH, RESIGNATION OR REMOVAL OF THE CITY MANAGER, COUNCIL MAY APPOINT AN INTERIM CITY MANAGER TO SERVE UNTIL A CITY MANAGER HAS BEEN APPOINTED.

SECTION 7. POWERS AND DUTIES OF THE CITY MANAGER. THE CITY MANAGER SHALL BE THE CHIEF EXECUTIVE AND ADMINISTRATIVE OFFICER OF THE CITY AND SHALL BE RESPONSIBLE TO COUNCIL FOR THE PROPER ADMINISTRATION OF ALL AFFAIRS OF THE CITY, SUBJECT TO THE PROVISIONS OF THIS CHARTER, ORDINANCES OF THE CITY AND THE LAWS OF THE STATE. WITHOUT LIMITATION OF THE FOREGOING, THE CITY MANAGER OR HIS OR HER DESIGNEE SHALL:

- (a) FAITHFULLY OBSERVE AND ENFORCE THE ORDINANCES OF THE CITY;
- (b) APPOINT, PROMOTE, SUSPEND, REMOVE OR OTHERWISE DISCIPLINE ALL OFFICERS OR EMPLOYEES OF THE CITY, IN A MANNER PROVIDED IN THIS CHARTER;

- (c) DIRECT THE ADMINISTRATION OF ALL DEPARTMENTS, DIVISIONS, OFFICES, BUREAUS, BOARDS, COMMISSIONS, AND COMMITTEE OF THE CITY, EXCEPT AS OTHERWISE PROVIDED BY THIS CHARTER;
- (d) ATTEND ALL REGULAR AND SPECIAL MEETINGS OF COUNCIL WITH THE RIGHT TO PARTICIPATE IN ALL DISCUSSIONS BUT NOT TO VOTE;
- (e) PREPARE AND SUBMIT APPROPRIATION AND CAPITAL IMPROVEMENT BUDGETS ANNUALLY TO COUNCIL;
- (f) SUBJECT TO THE APPROVAL OF COUNCIL AND EXCEPT AS PROVIDED IN THIS CHARTER, FORMULATE CONTRACTS, FRANCHISES, AND AGREEMENTS AND SIGN ON BEHALF OF THE CITY, LEASES, DEEDS, EASEMENTS, AND CONVEYANCES;
- (g) APPOINT AND DISSOLVE SUCH TEMPORARY ADVISORY COMMITTEES AS MAY BE DESIRABLE;
- (h) DELEGATE TO SUBORDINATE OFFICERS AND EMPLOYEES OF THE CITY ANY DUTIES CONFERRED BY THIS CHARTER OR BY ACTION OF COUNCIL, AND HOLD THEM RESPONSIBLE FOR THE FAITHFUL DISCHARGE OF SUCH DUTIES; AND
- (i) PERFORM SUCH OTHER DUTIES AS ARE CONFERRED OR REQUIRED BY THIS CHARTER OR BY COUNCIL.

3. That Article III, Sections 13 through 18, inclusive, be renumbered Sections 8 through 13, inclusive.

4. That Article IV, Section 19 be renumbered Section 14 and be further amended as follows:

Section 14. Council; Composition and Terms. ALL powers of the City, except as PROVIDED IN THIS CHARTER, the Constitution AND LAWS of the State shall be vested in a Council consisting of seven members elected at large. All members of Council shall serve for a term of four (4) years, or until their successors are elected and qualified. WITHOUT LIMITING THE FOREGOING, COUNCIL SHALL HAVE THE POWER TO:

- (a) ADOPT ORDINANCES AND RESOLUTIONS ON ANY SUBJECT WITHIN THE SCOPE OF ITS POWERS, AND TO PROVIDE PENALTIES FOR THE VIOLATION THEREOF;
- (b) AUTHORIZE THE NUMBER OF POSITIONS IN THE VARIOUS DEPARTMENTS, DIVISIONS, OFFICES, BUREAUS, BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY, ADOPT A WAGE, SALARY AND BENEFIT STRUCTURE FOR ALL POSITIONS WITHIN THE CLASSIFIED AND UNCLASSIFIED SERVICE, AND DETERMINE THEIR POWERS AND DUTIES;
- (c) CREATE, COMBINE, CHANGE, AND ABOLISH DEPARTMENTS, DIVISIONS, OFFICES, BUREAUS, BOARDS, COMMISSIONS, AND COMMITTEES NOT SPECIFICALLY CREATED BY THIS CHARTER;
- (d) PROVIDE FOR AN INDEPENDENT AUDIT OF THE ACCOUNTS AND RECORDS OF THE CITY, WHICH MAY BE IN ADDITION TO AUDITS BY STATE OFFICES AND AGENCIES AS MAY BE REQUIRED UNDER THE LAWS OF THE STATE OF OHIO; AND
- (e) CONDUCT INQUIRIES AND INVESTIGATIONS REGARDING THE AFFAIRS OF THE CITY AND THE CONDUCT OF ANY DEPARTMENT, DIVISION,

OFFICE, BUREAU, BOARD, COMMISSION, OR COMMITTEE OF THE CITY;  
AND FOR THIS PURPOSE SUBPOENA WITNESSES, ADMINISTER OATHS,  
TAKE TESTIMONY, AND REQUIRE THE PRODUCTION OF EVIDENCE; AND  
(f) ADOPT THE ANNUAL APPROPRIATION ORDINANCE, SUBMITTED BY THE  
CITY MANAGER, BASED ON THE ANNUAL BUDGET, AND DELEGATE ITS  
ENFORCEMENT TO THE CITY MANAGER.

ANY ACTION REQUIRED OR PERMITTED TO BE TAKEN BY COUNCIL SHALL,  
UNLESS OTHERWISE EXPRESSLY PROVIDED IN THIS CHARTER OR THE  
CONSTITUTION OR LAWS OF THE STATE, BE AUTHORIZED BY THE AFFIRMATIVE  
VOTE OF A MAJORITY OF THE MEMBERS OF COUNCIL ENTITLED TO VOTE  
THEREON, BUT IN NO CASE LESS THAN THREE MEMBERS.

5. That Article IV, Section 20 be renumbered Section 15.

6. That Article IV, Section 21 be renumbered Section 16 and be further amended as  
follows:

Section 16. Meetings; President of Council. At 7:00 p.m. on the first Monday in January  
following a regular Municipal election, or on the succeeding day if the first Monday is a legal  
holiday, Council shall meet at the usual place of holding its meetings, at which time the newly  
elected members of Council shall assume the duties of their office, and at said meeting Council  
shall elect one of its members AS MAYOR AND ONE OF ITS MEMBERS AS VICE MAYOR,  
EACH TO SERVE FOR A TWO YEAR TERM. Thereafter Council shall meet at such times as  
may be prescribed by ordinance or resolution, but shall meet at least twice each month, except  
that Council may designate one month in the summer season for vacation. The Mayor or any  
four members thereof, may call special meetings of Council upon written notice served

personally upon each member, or left at the member's usual place of residence at least six hours previous to the time fixed for such meeting. Any request for a special meeting and the notice calling the same shall state the subjects to be considered, and such meeting shall be limited to a consideration of such subjects.

7. That Article IV, Section 22 be renumbered Section 17.

8. That Article IV, Section 23 be renumbered Section 18 and be further amended as follows:

Section 18. Officers and Employees; Clerk of Council. Council shall choose such officers and employees of its own body as are necessary, INCLUDING a Clerk OF COUNCIL. The Clerk OF COUNCIL shall keep the records of Council, and perform such other duties as may be required by ordinance or resolution. All officers and employees chosen by Council shall serve during its pleasure, WITHOUT PREJUDICE TO THE CONTRACT RIGHTS, IF ANY, OF SUCH PERSONS.

9. That Article IV be amended by the addition of Sections 19, 20 and 21 as follows:

SECTION 19. MAYOR. THE MAYOR SHALL:

(a) PRESIDE AT ALL MEETINGS OF COUNCIL AND SHALL HAVE A VOTE ON ALL MATTERS WHICH COME BEFORE COUNCIL, BUT SHALL HAVE NO POWER OF VETO;

(b) EXERCISE CEREMONIAL DUTIES AS NECESSARY, BUT SHALL EXERCISE NO ADMINISTRATIVE AUTHORITY;



- (c) EXERCISE ALL JUDICIAL POWERS GRANTED TO MAYORS OF MUNICIPAL CORPORATIONS BY THE LAWS OF THE STATE OF OHIO AND APPLICABLE COURT RULES;
- (d) HAVE AUTHORITY, WITH THE APPROVAL OF COUNCIL, TO APPOINT A MAGISTRATE, TO HEAR AND DETERMINE PROSECUTIONS OF CRIMINAL CASES SUBJECT TO THE LAWS OF THE STATE OF OHIO;
- (e) EXERCISE MILITARY POWERS GRANTED TO MAYORS OF MUNICIPAL CORPORATIONS BY THE LAWS OF THE STATE OF OHIO OR THE LAWS OF THE UNITED STATES;
- (f) APPOINT AND REMOVE, WITH THE CONCURRENCE OF COUNCIL, MEMBERS OF ANY BOARD, COMMISSION OR OTHER BODY CREATED UNDER THIS CHARTER OR BY COUNCIL; AND
- (g) EXERCISE OTHER POWERS AND DUTIES AS PROVIDED BY THIS CHARTER AND THE COUNCIL RULES OF ORDER, TO THE EXTENT SUCH COUNCIL RULES OF ORDER ARE CONSISTENT WITH THIS CHARTER.

SECTION 20. VICE MAYOR: THE VICE MAYOR SHALL SERVE AS THE PRESIDENT PRO-TEMPORE OF COUNCIL. IN THE EVENT OF A VACANCY IN THE OFFICE OF MAYOR, THE VICE MAYOR SHALL SUCCEED TO THE OFFICE OF MAYOR TO SERVE FOR THE REMAINDER OF THE UNEXPIRED TERM, AND COUNCIL SHALL ELECT ANOTHER OF ITS MEMBERS TO THE OFFICE OF VICE MAYOR TO SERVE FOR THE UNEXPIRED TERM OF OFFICE. IN THE EVENT OF THE TEMPORARY ABSENCE OR DISABILITY OF THE MAYOR, THE VICE MAYOR SHALL EXERCISE ALL POWERS AND DUTIES OF THE MAYOR.

SECTION 21. ACTING MAYOR. IN THE EVENT OF THE TEMPORARY ABSENCE OF BOTH THE MAYOR AND VICE MAYOR, THE SENIOR COUNCIL MEMBER, BASED ON LENGTH OF CONTINUOUS ELECTED SERVICE WITH THE CITY, SHALL SERVE AS THE ACTING MAYOR. IF TWO OR MORE COUNCIL MEMBERS HAVE HELD THE SAME LENGTH OF CONTINUOUS ELECTED COUNCIL SERVICE WITH THE CITY, THEN AN ACTING MAYOR SHALL BE CHOSEN FROM AMONG THOSE TWO OR MORE COUNCIL MEMBERS BY A VOTE OF COUNCIL AT THE FIRST REGULAR MEETING OF COUNCIL IN EACH EVEN NUMBERED YEAR.

10. That Article IV, Section 24 be renumbered Section 22.

11. That Article IV, Section 25 be renumbered Section 23 and be further amended as follows:

Section 23. Enactment of Ordinances. Each proposed ordinance or resolution shall be introduced in written or printed form, and the adoption, revision or amendment, and signing thereof, shall be in the manner provided by the laws of the State of Ohio, except as otherwise in this Charter provided. Council may by general ordinance prescribe the manner of publication of ordinances and resolutions, but until so prescribed such publication shall be in the manner provided by statute.

12. That Article IV, Section 26 be renumbered Section 24 and be further amended as follows:

Section 24. Municipal Tax Levies and Appropriations. The fiscal year of the City shall begin on the first day of January. To assist Council in its preparation of an annual tax budget, the various City officers and departments shall file with the CITY MANAGER, at a time to be fixed

by the City Manager, an estimate of contemplated revenue and expenditures for the ensuing fiscal year in such form as may be prescribed by Council, or by the State Auditor; and the CITY MANAGER on or before the first day of June, or such other time as may be fixed by statute, shall present to Council such detailed information in the manner prescribed by Council, or by the State Auditor, and Council, after examining and revising the estimates so submitted by the CITY MANAGER, shall prepare and adopt the annual tax budget, on or before July first, or such other date as may be prescribed by statute. The budget shall contain, in such detail as Council may determine, all of the information required by general laws of the State to be embodied therein. In the levying of taxes and methods of budget procedure by the City, the general laws of the State not in conflict herewith shall govern.

13. That Article IV, Section 27 be renumbered Section 25.

14. That Article IV, Section 28 be renumbered Section 26 and be further amended as follows:

Section 26. Limitations on Expenditures. The CITY MANAGER shall supervise all departmental expenditures and shall keep such expenditures within the appropriation. Moneys appropriated as above provided shall not be used for other purposes than those designated in the appropriation ordinance, and all expenditures within the fiscal year shall be made within the appropriations hereinbefore provided for. Council may, however, at any time by resolution with the approval of the CITY MANAGER, transfer money so appropriated for the use of one department, division or purpose, to any other department, division or purpose; but no such transfer shall be made of money derived from the sale of bonds, or of revenue or earnings of any non-tax supported utility. Any accruing revenue of the City not appropriated as hereinbefore

provided may from time to time be appropriated by the Council to such authorized uses as it may by ordinance determine.

15. That Article IV, Section 29 be renumbered Section 27 and be further amended as follows:

Section 27. Transfers from a Designated Fund to General Fund. Notwithstanding the provisions of Section 26, Council may to the extent not prohibited by the general laws of the State applicable to cities, at any time by resolution and with the approval of the CITY MANAGER, transfer excess money not necessary for the operation of a fund created by Council from an issue of bonds, revenue or other sources from such fund to the General Fund.

16. That Article IV, Section 30 be renumbered Section 28 and be further amended as follows:

Section 28. Bonds of Officers and Employees. Council shall fix by ordinance the amount of bond to be given by each officer, clerk and employee in each department of the City government, if any be required, which bond shall be given by such officer, clerk or employee with corporate surety authorized to do business in the State to the approval of the CITY MANAGER; provided, however, that the bond of the CITY MANAGER shall be approved by Council. Premiums on such official bonds shall be paid by the City.

17. That Article IV, Sections 31 and 32 be renumbered Sections 29 and 30, respectively.

18. That Article V be amended by deleting Sections 33, 34, 35 and 36 and by inserting new Sections 31 and 32 as follows:

ARTICLE V - FINANCE DIRECTOR

SECTION 31. APPOINTMENT AND DUTIES. THE FINANCE DIRECTOR SHALL BE THE FISCAL OFFICER OF THE CITY AND SHALL PERFORM ALL THE DUTIES AND EXERCISE ALL POWERS CONFERRED UPON CITY TREASURERS AND CITY AUDITORS BY THE GENERAL LAWS OF THE STATE DEFINING THE DUTIES AND POWERS OF SUCH OFFICERS, NOT IN CONFLICT WITH THIS CHARTER AND ORDINANCES OF THE CITY, AND SUCH OTHER DUTIES AS SHALL BE PRESCRIBED BY COUNCIL OR THE CITY MANAGER. THE FINANCE DIRECTOR SHALL BE APPOINTED, AND MAY BE REMOVED, BY THE CITY MANAGER, WITH THE CONCURRENCE OF COUNCIL, WITHOUT PREJUDICE TO THE CONTRACTS RIGHTS, IF ANY, OF SUCH OFFICER.

SECTION 32. DEPOSITS. COUNCIL SHALL PROVIDE BY ORDINANCE FOR THE PROCEDURE FOR THE DEPOSIT OF ALL PUBLIC MONEYS COMING INTO THE HANDS OF THE FINANCE DIRECTOR. SUCH FUNDS SHALL BE DEPOSITED ONLY IN SUCH FINANCIAL INSTITUTIONS AND INVESTED ONLY IN SUCH SECURITIES AND OBLIGATIONS AS SET FORTH IN THE UNIFORM DEPOSITORY ACT, AS CONTAINED IN CHAPTER 135 OF THE OHIO REVISED CODE, AS AMENDED FROM TIME TO TIME, OR IN ANY SUCCESSOR PROVISIONS OF THE GENERAL LAWS OF THE STATE.

19. That Article VII, Section 42 be renumbered Section 33 and be further amended as follows:

## ARTICLE VII - CITY ATTORNEY

Section 33. Qualifications; Term; Compensation, Duties Generally. The City Attorney shall be an attorney-at-law admitted to practice in the State of Ohio, and shall be an elector of the City and shall have such assistants as the Council may authorize. The City Attorney shall be appointed by the CITY MANAGER and confirmed by Council for a term of one year, and compensation shall be fixed by Council. THE CITY ATTORNEY MAY BE REMOVED BY THE CITY MANAGER, WITH THE CONCURRENCE OF COUNCIL. The City Attorney shall be the legal advisor of and attorney and counsel for the City and for all officers and departments thereof in matters relating to their official duties. THE CITY ATTORNEY SHALL BE ENTITLED TO A SEAT IN COUNCIL AND MAY TAKE PART IN ALL DISCUSSIONS IN COUNCIL, BUT SHALL HAVE NO VOTE IN COUNCIL.

20. That Article VII, Section 43, Article VIII, Section 44 and Article IX, Sections 45 and 46 be renumbered Sections 34 through 37, inclusive.

21. That Article IX, Section 47 be renumbered Section 38 and be further amended as follows:

Section 38. Removal of Chief. The CITY MANAGER shall have the right to suspend the Chief of Police for incompetence, neglect of duty, immorality, substance abuse, failure to obey orders given by the proper authority, or for any other just and reasonable cause. The CITY MANAGER shall forthwith certify the fact of any such suspension, together with the cause thereof, to Council, and Council shall, within ten days from the receipt of such notice, proceed to

hear such charges and render judgment thereof, which judgment may be suspension, reduction in rank, or dismissal, and shall be final.

22. That Article X, Section 48 be renumbered Section 39 and be further amended as follows:

Section 39. Composition; Powers and Duties. The CITY MANAGER, the FINANCE DIRECTOR and Mayor shall constitute the Board of Control which shall have the powers and perform the duties imposed upon boards of control of cities by general law of the State and by ordinances of Council.

23. That Article XI, Section 49 be renumbered Section 40.

24. That Article XII, Section 50 be renumbered Section 41 and be further amended as follows:

#### ARTICLE XII - CIVIL SERVICE COMMISSION

Section 41. Composition; Terms; Compensation; Officers. The Mayor, with the concurrence of Council, shall appoint three electors of the City as civil service commissioners. The term of each member shall be for six years and until a successor is appointed and confirmed. They shall receive no compensation for their services. One of the members shall be chosen by the Commission as President.

25. That Article XII, Section 51 be renumbered Section 42 and be further amended as follows:

Section 42. Nonclassified Personnel. The following officers and employees of the City shall be exempt from the classified service:

- (a) All officers elected under this Charter;
- (b) All officers and members of boards or commissions whose appointment is subject to concurrence by Council or who are appointed by Council;
- (c) One secretary or clerk for the CITY MANAGER and one secretary, assistant or clerk for each elective officer and for each board or commission appointed hereunder;
- (d) The Chief of Police;
- (e) The heads of any departments or sub-departments, the supervisors or assistant supervisors of any functions, or such other supervisory or management personnel that may be created by Council under this Charter;
- (f) All employees whose service is temporary or part time;
- (g) All unskilled labor positions, including positions in the Service Department, designated as such by ordinance of Council.

26. That Article XII, Section 53 be renumbered Section 43 and further be amended as follows:

Section 43. Continuation of Positions. All persons whose positions were previously exempt from the provisions of former Section 42, paragraph (f), and whose positions are now within the provisions of Section 43, and who have been continually in the service of the Municipality since July 1, 1974, shall retain their positions until discharged, reduced, promoted, or transferred in accordance with the provisions of Sections 41 to 45, inclusive.

27. That Article XII, Sections 54 and 55, be renumbered Sections 44 and 45, respectively.

28. That Article XIII, Section 56 be renumbered Section 46 and be further amended as follows:



ARTICLE XIII - CITY PLANNING COMMISSION

Section 46. Composition; Terms. The City Planning Commission shall consist of FIVE ELECTORS of the City who shall serve without compensation and who, with the concurrence of Council, shall be appointed by the Mayor for terms of forty-eight months each commencing July 1.

29. That Article XIII, Section 57 be renumbered Section 47.

30. That Article IV, Section 58 be renumbered Section 48 and be further amended as follows:

ARTICLE XIV - BONDS AND EVIDENCES OF INDEBTEDNESS

Section 48. Signatures and Seal; Issuance and Sale. All bonds, notes and certificates of indebtedness issued by the City shall be signed by the CITY MANAGER and by the FINANCE DIRECTOR and shall be sealed with the corporate seal. They shall be issued and sold for the purposes and in the manner prescribed by general laws of the State governing the issuance and sale of bonds and notes of cities.

31. That Article XV, Section 59 be renumbered Section 49 and be further amended as follows:

ARTICLE XV - CONTRACTS

Section 49. Signatures; Bidding. All contracts of the City shall be signed by the CITY MANAGER and FINANCE DIRECTOR and shall be advertised, let, altered, and modified, subject to the limitations and restrictions, requirements of certification by the FINANCE

DIRECTOR and all other laws of the State not in conflict with this Charter dealing with or touching upon the contracts of cities.

32. That Article XV, Section 60, Article XVI, Section 61, Article XVII, Section 62, Article XVIII, Sections 63 and 64 be renumbered Sections 50 through 54, inclusive.

33. That Article XVIII, Section 65 is hereby amended as follows:

Section 55. Nominations. There shall be no primary election for City officers.

Nominations for Council shall be made by petitions signed by not less than 150 nor more than 300 qualified electors of the Municipality. All petitions shall be on the standard forms for the use of non-partisan candidates for such offices. Group petitions shall not be used. Petitions shall be filed with the Board of Elections at least ninety days before the day of election.

34. That Article XVIII, Sections 67 through 70, and Article XIX, Section 72, be renumbered Sections 56 through 60, inclusive.

35. That Article XIX, Section 73 be renumbered Section 61 and be further amended as follows:

Section 61. Oath of Office. Every officer of the City shall, before entering upon the duties of office, take and subscribe to an oath or affirmation, as required by the statutes of Ohio, which oath or affirmation shall be filed and kept in the office of the CLERK OF COUNCIL.

36. That Article XIX, Sections 74 through 77, inclusive, be renumbered Sections 62 through 65, inclusive.

37. That Article XIX, Section 78 be renumbered Section 66 and be further amended as follows:

Section 66. Effective Date. For the purpose of nominating and electing officers and all purposes connected therewith and incident thereto, and for the purpose of exercising such legislative powers as are necessary to be exercised by the present Council preliminary to the organization of departments, boards, and offices herein provided, this Charter shall take effect from the time of its approval by the electors of the City. For all other purposes it shall take effect on the first day of January, 1932. NOTWITHSTANDING THE FOREGOING, AMENDMENTS TO THIS CHARTER ADOPTED AT THE PRIMARY ELECTION ON MAY 4, 1999, WHICH CHANGE THE MUNICIPAL FORM OF GOVERNMENT TO THE CITY MANAGER PLAN SHALL BE EFFECTIVE ON THE FIRST DAY OF JANUARY, 2000, EXCEPT FOR THOSE AMENDMENTS WHICH ABOLISH THE OFFICE OF AUDITOR AND TRANSFER THE FISCAL DUTIES OF SUCH OFFICE TO THE DIRECTOR OF FINANCE WHICH SHALL TAKE EFFECT ON THE DATE SPECIFIED IN SECTION 69.

38. That Article XIX, Sections 79 and 80, be renumbered Sections 67 and 68.

39. That Article XIX be further amended as follows:

SECTION 69. TRANSFER OF AUDITOR'S FISCAL DUTIES. EFFECTIVE JANUARY 1, 2002, THE OFFICE OF AUDITOR SHALL BE ABOLISHED AND ALL FISCAL DUTIES PERFORMED BY SUCH OFFICER SHALL BE TRANSFERRED TO THE DIRECTOR OF FINANCE.