

RECORD OF ORDINANCES

P.F. Pettibone & Co.

Ordinance No. _____

Passed _____, 20____

ORDINANCE NO. A-3136**AN ORDINANCE TO PROVIDE FOR AN ELECTION ON THE ADOPTION
OF PROPOSED CHARTER AMENDMENTS TO THE SIDNEY CHARTER
AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the City of Sidney is desirous of submitting certain proposed amendments to the Charter of the City of Sidney, which proposed amendments are attached hereto and made a part hereof, to the electors of the City of Sidney.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF SIDNEY, OHIO, TWO-THIRDS OF ALL MEMBERS
CONCURRING:**

SECTION 1. That the question of the adoption of the proposed charter amendments for the City of Sidney, as determined by the Council, be submitted to a vote of the qualified electors of said City at the general election to be held on the Tuesday, November 7, 2023, at the regular places of voting in said City.

SECTION 2. That the proposed amendment, as shown by the copies attached hereto, marked Exhibit "A" shall appear on the ballot.

SECTION 3. That the ballots for said election shall at the top thereof show the issue number and the section of the charter to be amended or repealed. Thereunder shall be printed "A Majority Vote is Necessary for Adoption". Thereunder shall follow a summary of the proposed charter amendment. The

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question to be submitted on said ballot shall be in the following words: "Shall the proposed amendment to the charter of the City of Sidney be adopted?" To the left of said wording, in boxes, with the appropriate places for marking, shall appear the words "Yes" and "No" and each voter shall indicate his vote by marking in the place so provided.

SECTION 4. Notice of the time and place of holding such election shall be given as required by law.

SECTION 5. That the Clerk be and she is hereby directed to cause the full text of the proposed charter amendments to be published as required by O.R.C. Section 731.21.

SECTION 6. That the Clerk be and hereby is directed to certify a copy of this Ordinance to the Board of Elections of Shelby County.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Revised Code Section 121.22.

SECTION 8. This Ordinance is hereby declared to be and is passed as an

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Emergency Measure, necessary to protect the health, safety and welfare of the citizens of the City of Sidney, and shall become effective immediate upon passage, as it is imperative to meet the necessity of sending a certified copy of this ordinance to the Shelby County Board of Elections within the time constraints imposed by the Ohio Revised Code so as to place the issues herein before the voters.

Passed this 12th day of June 2023.

Martha B. Milberg
Mayor

Attest:

Kari Egbert
Clerk

I, Kari Egbert, Clerk of the City of Sidney, do hereby certify that the foregoing Ordinance A-3136, was duly published in the Sidney Daily News, a newspaper of general circulation in said City on the 14th day of June, 2023.

Kari Egbert
Clerk

EXHIBIT A

SECTION 6-4. CIVIL SERVICE.

The City Manager shall be the appointing authority of the Civil Service Commission. The general law applying to Civil Service shall remain in full force and effect, with the following exceptions:

~~—(a) Council may, by a regular ordinance passed by the affirmative vote of five members of Council, establish a maximum retirement age which shall be not less than sixty-two years of age.~~

(ba) Appointments and ***promotions above the rank of Patrolmen and Firefighter shall be under the rules promulgated by the City Manager and the Chiefs of the respective Departments.*** ~~to the position of Fire Chief or Police Chief shall be filled by appointment pursuant to this provision of the Charter and shall not be governed by the general civil service law regarding promotions. Applicants who are not current employees of the City are eligible candidates.~~

©(b) Lateral transfers shall be exempt from the Civil Service rules and shall be placed on the pay table per rules promulgated by the City Manager and the Chiefs of the respective Departments.

~~—(1) All candidates for appointment to the position of Fire Chief or Police Chief shall possess the following qualifications:~~

~~—A. Fifteen continuous years of local government service in the fire and emergency medical field (Fire Chief) or the law enforcement field (Police Chief);~~

~~—B. Five years of management level experience as an operations supervisor;~~

~~—C. Effective July 1, 1999, an Associate Degree in fire science (Fire Chief) or law enforcement (Police Chief) or an equivalent curriculum;~~

~~—D. Current certification by a state or national association recognized by the State of Ohio for performance of the Chief's responsibilities.~~

~~—(2) The Civil Service Commission shall, within ninety days of a vacancy in the position of Fire Chief or Police Chief, hold a competitive examination of all eligible candidates.~~

~~—(3) The Civil Service Commission shall certify to the appointing authority the names and addresses of the three candidates standing highest on the eligibility list for the position of Fire Chief and Police Chief, provided that the Commission may certify fewer than three names if fewer than three candidates passed the examination. The appointing authority shall fill the position of Fire Chief or Police Chief by appointment of any one of the three persons certified to the appointing authority.~~

~~—(4) Except for the original appointment process, the general civil service law shall apply to the position of Fire Chief or Police Chief.~~

(Amended 11-2-71; 3-19-96)