



## Legislation Details (With Text)

**File #:** 2199-2022      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/20/2022      **In control:** Rules & Reference Committee

**On agenda:** 7/25/2022      **Final action:** 7/27/2022

**Title:** To submit to the electors of the city of Columbus at a special election to be held concurrently with the regular general election on November 8, 2022, the question of amending the Charter of the City of Columbus, such question to be known as "Proposed Charter Amendment No. 2, Civil Service"; and to declare an emergency.

**Sponsors:** Shannon G. Hardin

**Indexes:**

**Code sections:**

**Attachments:** 1. FINAL PROPOSED AMENDMENT TO THE CHARTER - Civil Service, 2. Proposed Charter Amendment No. 2 - Civil Service - Summary FINAL, 3. Charter Review Commission Final Recommendations - Executive Summary

Date	Ver.	Action By	Action	Result
7/27/2022	1	CITY CLERK	Attest	
7/26/2022	1	ACTING MAYOR	Signed	
7/25/2022	1	COUNCIL PRESIDENT	Signed	
7/25/2022	1	Columbus City Council	Approved	Pass

This ordinance provides for the submission to the electors of the city of Columbus the question of amending the Charter of the City of Columbus, as relates to civil service. These amendments are based on the recommendations of the 2022 Columbus Charter Review Commission.

On July 6, 2022, the Charter Review Commission, appointed by Mayor Andrew J. Ginther and Council President Shannon Hardin, adopted five (5) comprehensive recommendations. A report summarizing those recommendations was submitted to Council on July 9, 2022 and is attached to this ordinance.

Based on council's consideration of the commission's recommendations, council proposes a ballot question regarding the city's civil service provisions. Proposed Charter Amendment No. 2, Civil Service, addresses the following:

- Clarifies that members of the mayor's Executive Staff are officers who may be appointed and removed by the mayor
- Creates and defines the "mayor's cabinet"
- Allows the mayor to designate a cabinet member as acting mayor, and removes the council president as an individual eligible to be acting mayor
- In the case of a temporary inability to execute the duties of the office, allows the mayor, or mayor's agent, to transmit written documentation to a designated member of the mayor's cabinet to serve as acting mayor, rather than just the director of public service, public safety, or the council president

- Renames the unclassified positions within the office of the mayor, by changing references from executive and administrative assistants to “Executive Staff and all other staff of the office of the mayor”
- Removes outdated language to allow for the evaluation of applicants on “knowledge, skills, abilities, and similar characteristics,” rather than “fitness,” in two different subsections
- Specifies that notice for competitive exams be placed on the city’s website, rather than just in the city bulletin
- In providing for rules of the civil service commission, states that the commission must make rules for the use of no “more” than three bands for each competitive eligible list of applicants, rather than no “fewer” than three bands
- Removes and replaces unlawful language - references to aspects of “age” and “sex” as being requirements for some positions
- Clarifies use of the terms “temporary” vs. “provisional” when providing for employment rules
- Clarifies language pertaining to noncompetitive appointments
- Removes obsolete language regarding record keeping on employees
- Updates probationary rules - changes the probationary period from not less than one month to not less than ninety (90) days; specifies there will be no probationary period for uniformed police and fire for appointments resulting from a competitive promotional exam; alters a requirement to submit a written report to terminate a probationary by ten days from the end of probation to state that the report needs to be submitted to the civil service commission prior to the end of probation.
- Modernizes language and removes outdated information related to appeals to the commission - removes obsolete classifications as an exception to appeals; allows the commission to hear appeals within its established rules, rather than requiring that appeals be heard with ten (10) days of filing
- Removes extraneous language and states that appointments in the competitive classified service be made according to civil service commission rules
- Removes outdated language referring to eligible lists of applicants at the time of the initial city charter’s enactment.
- Removes the city’s residency requirement, most of which has been invalidated by Ohio Supreme Court precedent and the Ohio Revised Code; now states that residency shall be in accordance with state law

To submit to the electors of the city of Columbus at a special election to be held concurrently with the regular general election on November 8, 2022, the question of amending the Charter of the City of Columbus, such question to be known as "Proposed Charter Amendment No. 2, Civil Service"; and to declare an emergency.

**WHEREAS**, on January 10, 2022, Council President Shannon Hardin and Mayor Andrew J. Ginther appointed a five-member Charter Review Commission to conduct a review of the city's charter; and

**WHEREAS**, the highly regarded community leaders who served on the commission held eleven public working

meetings, solicited public comment via two public hearings, an online portal, and a dedicated email address, and, based on such deliberations, submitted recommendations to the mayor and council president on July 9, 2022; and

**WHEREAS**, the Charter Review Commission made five comprehensive recommendations, all of which necessitate changes to the charter; and

**WHEREAS**, this council finds that the residents of Columbus will be well-served by proposed charter amendments detailing the city's civil service provisions; and

**WHEREAS**, an emergency exists in the usual daily operation of the various departments of the city, in that it is immediately necessary to authorize submission of Proposed Charter Amendment No. 2, Civil Service to the electors to assure timely filing with the boards of elections for placement on the November 8, 2022 ballot, thereby preserving the public health, peace, property, safety and welfare; **NOW, THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** The city council hereby finds that a regular municipal election will not be held in 2022. Therefore, pursuant to City Charter Section 45-2, a special election is hereby called to place the question hereinafter set forth on the November 8, 2022 ballot at a special election to be held concurrently with the general election, a date not less than 60 nor more than 120 days from passage of this ordinance.

**SECTION 2.** That there be submitted to the electors of the city of Columbus the question of amending the Charter of the City of Columbus, such question and proposed amendments being set forth as an attachment (FINAL PROPOSED AMENDMENT TO THE CHARTER Civil Service) hereto and hereby made a part hereof.

**SECTION 3.** That the question submitted in Section 2 be and hereby is known as "Proposed Charter Amendment No. 2, Civil Service."

**SECTION 4.** That the city clerk is directed to forthwith serve a certified copy of this ordinance upon the boards of elections of Franklin County, Delaware County, and Fairfield County, Ohio.

**SECTION 5.** That the boards of elections of Franklin County, Delaware County, and Fairfield County, Ohio be and hereby are requested to place the question, "Proposed Charter Amendment No. 2, Civil Service" upon the ballot to be submitted to the electors as provided for and upon the date set forth herein.

**SECTION 6.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after passage and approval by the Mayor, or ten days after passage if the Mayor does not approve the same.