

ORDINANCE NO. 2024- 9

AN ORDINANCE PROVIDING FOR ELECTION ON AMENDMENT TO ARTICLE 12, SECTION 12.01(A) OF THE CASTALIA VILLAGE CHARTER, RELATIVE TO BIDDING REQUIREMENTS FOR MUNICIPAL CONTRACTS AND DECLARING AN EMERGENCY.

WHEREAS, the Village of Castalia has previously enacted a charter pursuant to the laws and Constitution of the State of Ohio; and

WHEREAS, the Council of the Village of Castalia has requested that the solicitor review the Municipal Charter and make recommendations to amend the provision concerning the bidding requirements for municipal contracts to comply with Ohio law; and

WHEREAS, the solicitor has made a recommendation to the Council regarding the same, and the Council has received and reviewed the recommendation of the proposed amendment to the Castalia Village Charter; and

WHEREAS, the Council of the Village of Castalia has reviewed the within proposed amendment and has determined that it is necessary to amend the above-captioned section of the charter, and to submit the within amendment to the voters for approval at the election to be held on November 5, 2024; and

WHEREAS, the Council has further determined that it is necessary to authorize the Fiscal Officer to file a certified copy of the within Ordinance with the Erie County Board of Elections and either mail or publish a notice of the proposed amendment pursuant to *section 731.211 of the Ohio Revised Code*; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CASTALIA, STATE OF OHIO, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1. The Council has determined that the contracting bidding requirement is no longer adequate, and the bidding limit should be increased to comply with the current status of Ohio law. Thus, the question of the amendment of Article 5, Section 12.01(A) of the Castalia Village Charter, shall be submitted to a vote of the qualified voters of the village at the general election to be held on November 5, 2024, at the regular places of voting in the village. The Charter as amended shall read as follows:

Section 12.01(A) BIDDING REQUIREMENTS FOR MUNICIPAL CONTRACTS.

All contracts for an expenditure in excess of \$75,000 shall be by competitive bidding commencing in 2024. For each calendar year thereafter, the amount for the previous calendar year increased by three per cent (3%) as determined and published by the director of commerce of the State of Ohio. All contracts shall be made by the legislative authority and shall be executed in the name of the municipality and signed by the Mayor and Clerk or Fiscal Officer.

SECTION 2. The ballots for the election shall be entitled Village Charter Amendment Ballot, and the question to be submitted on the ballot shall be substantially as follows:

**PROPOSED CHARTER AMENDMENT
VILLAGE OF CASTALIA**

A majority affirmative vote is necessary for passage.

Shall the proposed amendment of Article 12, Section 12.01(A) of the Charter of the Village of Castalia, Ohio be amended to provide that all contracts for an expenditure in excess of \$75,000 shall be by competitive bidding commencing in 2024. For each calendar year thereafter, the amount for the previous calendar year increased by three per cent (3%) as determined and published by the director of commerce of the State of Ohio. All contracts shall be made by the legislative authority and shall be executed in the name of the municipality and signed by the Mayor and Clerk or Fiscal Officer be adopted?

_____ For the amendment

_____ Against the amendment

SECTION 3. That the Fiscal Officer of this Council be, and he hereby is, directed immediately to certify a copy of this Ordinance to the Board of Elections of Erie County, Ohio, and to notify said Board of Elections to make the necessary arrangements for the submission of said question to the electors of said Village at the election aforesaid.

SECTION 4. That the Fiscal Officer of this Council is directed to either mail a copy of the proposed charter amendment to each elector whose name appears on the registration books of the last regular election held in the village, at least thirty days before the date of the election or publish the full text of the proposed charter amendment, as set forth above, once a week for two consecutive weeks, in a newspaper of general circulation in the village, with the first publication being at least fifteen days prior to the election, in accordance with *Section 9 of Article XVIII, Ohio Constitution, and R.C. section 731.211.*

SECTION 5. That this Council hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Council; and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including *section 121.22 of the Revised Code.*

SECTION 6. That this Ordinance shall be declared an emergency measure because the Council has determined that submitting the question of increasing the bidding limit for municipal contracts to the voters at the election to be held November 5, 2024, and submitting it to the Board of Elections by August 7, 2024, is directly related to the immediate preservation of the health, safety, and general welfare of the Village of Castalia, Ohio. Therefore, this Ordinance shall be in full force and effect immediately upon its adoption and due authentication by the Mayor and Village Fiscal Officer.

James R. Johnson
MAYOR

ATTEST:

Kathy J. Niehm
VILLAGE FISCAL OFFICER

Adopted: July 30, 2024

This is to certify as a true document passed by Village of Castalia Council on July 30, 2024.
Kathy J. Niehm Fiscal Officer



KATHY J. NIEHM
Notary Public, State of Ohio
My Commission Expires
August 30, 2025