

# Lakewood Charter Review Commission

## July, 2004

### Charter Comparison

The Charter Review Commission of 2004 proposed both revision of the current Charter and consideration of a Council-Manager Charter. The revisions were extensive as the Commission wanted to improve the existing Charter as much as possible. This Table compares the current Charter with the revised and Council-Manager Charters section by section. Thus, the recommended changes can be compared with current provisions. Furthermore, the Table notes the different provisions for a Council-Manager system of government.

Current Lakewood Charter	Proposed Revisions of the Current Lakewood Charter	Council-Manager Charter for Lakewood
Preamble	Revised to emphasize the desire for home rule, to note a concern for equality of all and to read better.	Same as Revised Charter
Article I	Article I	Article I
Section 1	Expanded to state that the mention of specific does not negate any general powers	All sections same as Revised Charter
Section 2	Clarified confusing statement on general law	
Section 3	Added definition of registered voter which is used in place of the archaic ORC term of elector, required publication on city website in all cases of required publication and indicated that city is the City of Lakewood.	

Article II The Executive

Article III The Executive

Article III The City Manager

Articles II and III of the current Charter switched in both the Revised and Council Manager charters; Council as the representatives of the people and the lawmakers should be the first major Article

Details the appointment of the City Manager and that the City Manager serves at the pleasure of Council; that is, no term of office.

Details the powers and the duties of the Office of City Manager

Section 1

adds provisions of the general law of the state not in conflict with this Charter to the existing power of the Office; also placed the first sentence of current Section 7 in this section

Appointment and Compensation of City Manager

Section 2

Same as current Charter except the replacement of elector with registered voter

Removal of City Manager by majority vote; Manager entitled to public hearing

Section 3

Same as current Charter except phrase not in conflict with this Charter added to the phrase general law.

Powers and Duties of the Office of City Manager

Section 4

Appointments requiring the approval of Council limited to Department heads; phrase not in conflict with this Charter added to general law. Also See Article IV, Section (b) for Mayoral authority over departments

Section 5

Salary set by Council based on biannual recommendation of the Civil Service Commission; if no increase the base salary, salary increased by same percent-

age as is social security

Section 6	Same as current Charter except phrase not in conflict with this Charter added to general law.
Section 7	Deleted; first sentence moved to Section 1 of this Article.
Section 8	Section 7 defines absence in terms similar to the Family Leave Act, permitting a Mayor to be absent for 90 days a year. Acting Mayor is in same order as current Charter. Vacancy defined and order of succession goes through Council, starting with the President of Council.
Section 9	Section 8 same as the current Charter except the phrase not in conflict with this Charter added to general law.
Section 10	Section 9 same as in current Charter.

## Article III Council

## Article II Council

## Article II Council

	<p>Current Articles II and III should be reversed in order; lawmaking bodies are listed first in basic governing documents such as the Constitution of the United States</p> <p>Council is structured the same in both proposed Charters as it is in the current Charter</p>	
Section 1	<p>Same as current Charter except the provision for Council investigation included in a final paragraph</p>	Same as revised Charter
Section 2	<p>Qualifications of residency and being a registered voter same as current Charter; additional requirement of training for new members; also a member forfeits the office if the member doesn't meet the requirements of residency and being a registered voter; may forfeit the office if the member doesn't complete the training, missing three (3) consecutive meetings with the permission of the Council or commits a first degree misdemeanor or a felony.</p> <p>Vacancies filled by election within one year and 105 days</p>	Same as revised Charter

Section 3	<p>Civil Service Commission proposes salaries for both Mayor and members of Council in January of odd years; Council must pass, amend or not accept the recommendations within sixty (60) days; proposed salaries cannot be increased by Council; in the years when no proposals are made by the Civil Service Commission, salaries of both Mayor and members of Council increased by same amount as Social Security payments</p>	<p>Same as revised Charter [the salary of the City Manager is set by Council]</p>
Section 4	<p>Council shall set a date for planning session at first meeting; that session shall produce a report of the major issues facing the city for the session of Council, that is, two (2) years. Next meeting Council shall elect a President and Vice President, holding meetings as required by its rules.</p>	<p>Establishes office of Mayor; Mayor is selected by Council from its members; serves a two (2) year term; Vice Mayor also selected by Council; Mayor presides over Council and is ceremonial head of the City</p>
Section 5	<p>Added as subsection to Section 4</p>	<p>Same as Section 4 of the revised Charter; outcome of the planning session can set agenda for City Manager</p>
Section 6	<p>Section 5</p>	<p>Not relevant as no office of President of Council; replaced by new office of Mayor in Section 4</p>

Section 7	Section 6	Section 6; no offices of President and Vice President of Council
Section 8	<p>Section 7 Process of passing ordinance does not require three (3) readings; requires publication of proposed ordinance followed not less than seven (7) days later with a public hearing; hearing can be same night as a session of Council.</p> <p>After hearing, Council may pass the ordinance. If it is amended in substance it must go back through publication and a public hearing.</p> <p>Emergency ordinances require five (5) votes from Council and expire in sixty (60) days.</p>	Same as revised Charter
Section 9	Section 8 Voter approval of ordinances limited to those raising income tax rate or reducing the income tax credit; no vote on water rates	Same as revised Charter
Section 10	Section 9	No separate office of Mayor and therefore no veto
Section 11	Section 10	Section 9
Section 12	Section 11 Adds city website to places of publication of Council actions	Section 10 Same as revised Charter

Section 13

Section 12

Section 11 As Mayor has no veto, provisions relating to it are omitted

Section 14

Section 13

Provisions on appropriations and budgeting are detailed in new Article V

Section 15

Section 14

Section 16

Section 14

Section 17

Section 15

Section 12

Article IV Departments	Article IV Departments	Article IV Departments
Section 1	<p>In contrast to the current Charter, the revised Charter does not name any specific Department. It grants Council the authority to create Departments.</p> <p>Current Departments named in the current Charter are continued as if Council had created them by ordinance under the new Article IV. This provision is in the transitional Article, Article XV.</p> <p>Section 2.</p>	Same as revised Charter
Section 2	<p>Appointment of Law Director and authority, duties and responsibilities of the office detailed.</p> <p>Law Director must be a resident of the city prior to her or his appointment.</p>	Same as the revised Charter except the approval of Council necessary for the removal of the Law Director
	<p>Section 3 Appointment of the Finance Director and the authority of the office</p>	<p>Same as revised Charter except the approval of Council necessary for the removal of the Finance Director</p> <p>Also, unless otherwise specified, the Finance Director is responsible for the financial system enumerated in this Article V.</p>

Articles V - X Departments	Articles V - X of the current Charter are handled under Article IV of the proposed revised Charter	Same as revised Charter
Article XI Civil Service Commission	All Boards and Commissions are in a new Article V. Section 1 of this Article notes that members of Commissions are citizens while members of Boards may hold a position with the city.	Article VI This Article is the same as Article V in the revised Charter except the Mayor appoints only one (1) member of Boards and Commissions whose members are appointed by elected officials.
Sections 1 - 7	Article V Section 2 Sections in existing Charter are subsections in this Section. The list of exempted positions is enlarged by adding a maximum of three (3) clerical employees of the Mayor, employees of the Municipal Court, and hourly rated personnel. Subsection D specifically says state law controls unless the Civil Service Commission states otherwise.	Article VI Section 2 Same as revised Charter
Article XII Planning Commission	Article V Section 3 Same as Article XII except the name is changed to the Planning Board as the City Engineer is a member.	Article VI Section 3 Same as revised Charter
Article XIII Board of Zoning Appeals	Article V Section 4 Same as Article XIII except the name is changed to the Commission of Zoning Appeals as all members are citizens.	Article VI Section 4 Same as revised Charter

Article XIV Board of Building  
Standards and Building  
Appeals

Article V Section 5  
Same as current Article XIV  
except the name is changed  
to Commission of Building  
Standards and Building Ap-  
peals as all members are  
citizens.

Article VI Section 5  
Same as revised Charter

Section 6  
Charter Review Commission  
moved to this Article from  
Article XXIII, Section 8,  
but is otherwise unchanged.

Same as revised Charter

Article XV Lakewood Hospital

Article VI

Article VII

Article XVI Improvements  
and Assessments

Article XI

Article XII

Article XVII Appropriation  
of Property

Article X

Article XI

Article XVIII Franchises

Article XII

Article XIII

Article XIX Elections

Article IX

Article X

Article XX Initiative	Article VII In the revised Charter, the Initiative and Referendum are in one Article. None of the requirements were changed but the provisions were completely rewritten.	Article VIII Same as revised Charter
Article XXI Referendum	Article VII	Article VIII
Article XXII Recall	Article VIII	Article IX
Article XXIII General Provisions	Article XV	Article XVI
Section 1	Sections 2 and 3	Sections 2 and 3
Section 2	Not in the revised Charter	Same as revised Charter
Section 3	Article XIII Section 1 This Section is completely rewritten and differently organized. Some prohibitions were added, amended, etc.	Article XIV Section 1 Same as revised Charter
Section 4	Not in the revised Charter	Same as revised Charter
Section 5	Not in the revised Charter	Same as revised Charter
Section 6	Article XIV Section 1	Article XV Section 1

Section 7

Article XIV  
Section 2

Article XV  
Section 2

Section 8

Article V  
Section 6

Article VI

Section 9

Not in revised Charter

Not in revised Charter