

**AN ORDINANCE PROVIDING FOR THE  
SUBMISSION TO THE ELECTORS OF THE  
CITY OF BRECKSVILLE THE QUESTION OF  
AMENDING ARTICLE VI, SECTION 8. OF THE  
CHARTER ENTITLED “PURCHASING” TO CLARIFY  
THAT THE DIRECTOR OF PURCHASING HAS  
RESPONSIBILITY FOR ANY PURCHASING  
CONTRACT; AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to Article XI of the Charter of the City of Brecksville, a Charter Review Commission was duly convened and, according to law and after due deliberation, has issued its report to City Council of those alterations, revisions or amendments to the Brecksville City Charter which in its judgment are deemed desirable; and

**WHEREAS**, in accordance with the provisions contained in Article XI of the Brecksville City Charter, and the provisions contained in Article XVIII, Section 9 of the Ohio Constitution, the legislative authority of the City of Brecksville, two-thirds (2/3) of its members concurring, must place before the electorate the alterations, revisions or amendments to the Brecksville City Charter as proposed by the Charter Review Commission; and

**WHEREAS**, Article XII, Section 5. of the Brecksville charter currently requires all new charter amendments to contain gender neutral language.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

**SECTION 1.** Upon the recommendation of the Charter Review Commission, Article VI, Section 8. entitled “Purchasing” be and the same is hereby amended as follows:

**“ARTICLE VI  
FINANCES**

**SECTION 8. PURCHASING.**

Purchasing for the municipality shall be conducted by the Director of Purchasing who shall be appointed by the Mayor and serve at ~~his or her~~ **the Mayor’s** pleasure. All such purchasing, and the procedures therefor, shall be in accordance with this Charter and the ordinances of Council. The Director of Purchasing shall have the responsibility to make certain that all terms and conditions imposed in favor of the Municipality or its inhabitants in any **purchasing** contract to which the Municipality is a party are fully and faithfully kept and performed. The Director of Purchasing shall administer all competitive bidding as required by this Charter and the ordinances of Council. The Director of Purchasing shall perform such other duties and functions as may be required by the Mayor.”

**SECTION 2.** The ballot language for the amendment proposed in Section 1 above shall read as follows:

“Shall Article VI, Section 8. of the Charter of the City of Brecksville be amended to provide that the Director of Purchasing shall have the responsibility to make certain that all terms and conditions imposed in favor of the Municipality or its inhabitants in any purchasing contract to

which the Municipality is a party are fully and faithfully kept and performed?"

**SECTION 3.** In the event the voters approve this Charter amendment, existing Article VI, Section 8. of the Brecksville City Charter be and the same is hereby repealed from and after the certification of the favorable election results by the Cuyahoga County Board of Elections.

**SECTION 4.** The Clerk of Council be and is hereby authorized and directed to certify a copy of this Ordinance to the Cuyahoga County Board of Elections with a request that the same be placed on the ballot for the General Election to be held on November 7, 2023.

**SECTION 5.** The Clerk of Council be and is hereby authorized and directed to give notice in accordance with the provisions contained in Section 731.211 of the Ohio Revised Code concerning this proposed Charter Amendment.

**SECTION 6.** In the event this proposed Charter Amendment is approved by the voters of the City of Brecksville, the Clerk of Council be and is hereby authorized and directed to certify a copy of this Ordinance to the Ohio Secretary of State within thirty (30) days of its adoption.

**SECTION 7.** The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to meet the Cuyahoga County Board of Elections deadline to submit issues for the November 7, 2023 General Election ballot, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: May 2, 2023

First Reading: April 4, 2023

Second Reading: April 18, 2023

Third Reading: May 2, 2023

APPROVED: May 2, 2023

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MAYOR

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CLERK OF COUNCIL