

FAIRVIEW PARK VOTER’S GUIDE TO PROPOSED CHARTER AMENDMENTS ON THE NOVEMBER 5, 2019 BALLOT

ISSUE 28 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall various Sections of the Charter of the City of Fairview Park be amended to replace all pronouns with the official title of the single City position being referred to by these pronouns in each of those sections; and to delete Article XIII, Section 5 regarding gender neutrality as it is no longer necessary?*

WHAT THIS DOES: The Charter currently has a gender neutral statement to indicate that whenever the male gender is used in the Charter it includes the female gender as well. An affirmative vote would replace all instances of all male and female pronouns with the official title of the Single City Position being referred to.

ISSUE 29 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article III, Section 4 (d) of the Charter of the City of Fairview Park be amended to provide that in the event the office of Mayor shall become vacant, a successor for the unexpired term shall be elected as Mayor at the next regular municipal election, provided that such election shall occur more than two years prior to the expiration of the unexpired term?*

WHAT THIS DOES: This Charter amendment was a recommendation from the County Board of Elections. The Charter currently requires that a vacancy in the Office of Mayor shall have occurred more than one hundred twenty (120) days. This requirement does not allow sufficient time to meet filing deadlines with the Board of Elections for the primary election for the Office of Mayor, and additional time is required to allow for candidates to meet such deadlines. This amendment would replace the requirement that the vacancy shall have occurred more than one hundred twenty (120) days prior to such election, with the requirement that the election shall occur more than two (2) years prior to the expiration of the unexpired term.

ISSUE 30 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article IV, Section 1 of the Charter of the City of Fairview Park be amended to provide that the five (5) Ward Members of Council be elected for a single two (2) year term in 2023 and a four (4) year term in 2025 and then every four (4) years thereafter resulting in the positions of President of Council and at-large Member of Council being staggered by two (2) years from the positions of the five (5) Ward Council Members?*

WHAT THIS DOES: Currently all members of City Council serve concurrent four year terms, which was changed from a previous staggering of terms prior to the 2009 Charter Review. Approval of this amendment re-institute a staggering of elected terms beginning in 2023 as follows (Office of Mayor election would be in years 2023 and 2027):

Election 2023 - President of Council & Council At-Large (4 year term)

Council Ward Representatives (2 year term)

Election 2025 - Council Ward Representatives (4 year term)

Election 2027- President of Council & Council At-Large (4 year term)

Election 2029- Council Ward Representative (4 year term)

ISSUE 31 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article IV, Section 11 of the Charter of the City of Fairview Park be amended to provide that all required publications and postings of Council be in a broadly accessible place as prescribed by Council, and include the posting on the official City website or other electronic means?*

WHAT THIS DOES: The Charter currently states that that all required posting of publications (ordinances, resolutions, statements, orders, proclamations and reports) be posted in one location only, which is City Hall. This Charter amendment would expand posting to allow for posting to the City website or other electronic means, as determined by Council.

ISSUE 32 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article IV, Section 14 (b) of the Charter of the City of Fairview Park be amended to require that notice of a public hearing be provided to record title holders of the property within an area of five hundred (500) feet, or greater as may be provided by Ordinance of Council as disclosed by records of the County Fiscal Officer; and to require that any such zoning action shall be referred to Planning and Design Commission as provided in Article VII, Section 2(d) of the Charter; and to delete Article IV, Section 16 which requires voter approval of zoning changes?*

WHAT THIS DOES: The Charter currently requires that notice for the required public hearing for proposed zoning amendments be mailed to the property owners immediately adjacent, adjoining and abutting the proposed zoning area. If approved by both the Planning & Design Commission and Council, then the proposed amendment goes to the ballot for voter approval of the zoning change. This Charter amendment would:

- 1) change the mailing requirement to include all properties within 500 feet of the proposed zoning change area, in addition to any additional area prescribed by Council;
 - 2) update the title of County Auditor to County Fiscal Officer, and
 - 3) remove the requirement of voter approval of proposed zoning changes.
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ISSUE 33 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article IV, Section 16 Subsections (a) and (b) of the Charter of the City of Fairview Park be amended to provide that Council shall submit any Ordinance, Resolution or other action effecting a change in the zoning classification within the city to the electorate at a regularly scheduled election in November or a regularly scheduled primary election occurring more than ninety (90) days after the passage of said Ordinance, Resolution or action?*

WHAT THIS DOES: This Charter amendment was a recommendation from the County Board of Elections. The Charter currently requires that an ordinance, resolution or other action effecting a change in the zoning classification or district or effecting change in the uses permitted of any property be submitted to the electorate at the regularly scheduled election in November or primary election in May more than sixty (60) days after passage. This requirement does not provide sufficient time for the Board of Elections to provide ballots to all eligible electors, including military personnel, and additional time is required. Additionally it changes the language of “primary election in May” to “regularly scheduled” primary election, as in certain years primary elections are held in a month other than May.

ISSUE 34 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article VIII, Section 6 of the Charter of the City of Fairview Park be amended to provide that public bidding shall be made with the lowest responsive and responsible bidder?*

WHAT THIS DOES: The Charter currently states that public bidding shall be made with the “lowest and best” bidder. This amendment would change the language to say the “lowest responsive and most responsible” bidder to account for overall responses to all bidding specifications and their responsiveness, including financial condition, conduct and performance on previous contracts, facilities, management skills, and ability to execute the contract properly.

ISSUE 35 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article IX, Section 3 of the Charter of the City of Fairview Park be amended to change the municipal primary election from September to May; and to correct said section to provide that in case there shall not be more than two (2) persons who shall have filed petitions for the office of Council-at-Large, then said persons shall be candidates at the regular Municipal election and the primary for the particular office shall not be held?*

WHAT THIS DOES: The Charter currently allows for six (6) candidates on the ballot for the At-Large Council position, as there used to be three (3) At-Large Council members. The number of At-Large Council members was reduced one (1) in 1999. The Charter also states that the primary election is to be held on the Second Tuesday after the first Monday in September.

This charter amendment would:

- 1) change the number so that only two (2) candidates appear on the ballot; and
 - 2) change the primary election date to the first Tuesday after the first Monday in May
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ISSUE 36 – Proposed Charter Amendment –City of Fairview Park

A majority affirmative vote is required for passage.

BALLOT LANGUAGE: *Shall Article X, Section 3 of the Charter of the City of Fairview Park be amended to provide that if the Clerk shall find a petition to recall an elected official of the city contains the required minimum number of signatures, and such official does not resign within five (5) days of delivery of notice of said petition, Council shall fix a day for holding a recall election not less than ninety (90) days, nor more than one hundred twenty (120) days from the date of delivery?*

WHAT THIS DOES: This Charter amendment was a recommendation from the County Board of Elections. The Charter currently requires that the Council shall fix a day for holding a recall election not less than thirty (30) days, nor more than forty-five (45) days from the date of delivery of a sufficient recall petition. This requirement does not provide sufficient time for the Board of Elections to provide ballots to all eligible electors, including military personnel, and additional time is required.