

Sec. 15. Compensation of officers and employees.

Subject to the provision of this charter as to the salary of council members and mayor, council shall fix by ordinance, the salary or compensation of all officers and employees of the city government: ~~provided, however, that the board of health, and the trustees of the sinking fund shall have the power to fix the salary or compensation of the officers and employees in their respective departments.~~ The salary or compensation so fixed shall be uniform for like service. All such salaries and rates of pay shall be reported to the civil service commission forthwith. The salary of any officer, employee, or member of a board or commission in the unclassified service of the city who was elected or appointed for a definite term shall not be increased or diminished during the term for which the individual was elected or appointed, and all fees pertaining to any office shall be paid into the city treasury.

Sec. 26. Mayor's estimate.

The fiscal year of the city shall begin on the first day of January. On or before the fifteenth day of November in each year the mayor shall prepare and submit to council an estimate of the expense of conducting the affairs of the city for the following fiscal year. This estimate shall be compiled from detailed information obtained from the various departments, ~~on uniform blanks prepared by the city auditor,~~ and shall be set forth:

- (a) An itemized estimate of the expense of conducting each department during the next fiscal year.
- (b) Comparisons of such estimates with the corresponding items of expenditure for the last two complete fiscal years, and with the expenditures of the current fiscal year plus an estimate of expenditures necessary to complete the current fiscal year.
- (c) Reasons for proposed increases or decreases in such items of expenditure compared with the current fiscal year.
- (d) A separate schedule for each department showing the things necessary for the department to do during the ensuing year and which of any desirable things it ought to do if possible.
- (e) Items of pay roll increases, either as additional pay to present employees, or pay for more employees.
- (f) A statement from the city auditor of the total probable income of the city from taxes for the period covered by the mayor's estimate.
- (g) An itemization of all anticipated revenue from sources other than the tax levy, including probable balances at the end of current fiscal year.
- (h) The amounts required for interest and principal on the city's debt obligations, ~~and for sinking funds~~ as required by law.
- (i) The total amount of outstanding city debt with a schedule of maturities of bond issues.
- (j) Such other information as may be required by the council.

Upon the filing of such estimate ~~the council, the mayor~~ shall cause ~~at least two hundred copies thereof to be printed for distribution. Copies of the estimate shall also be furnished to the newspapers of the city and to the public library and each of its branches.~~ the estimate to be published as a permanent

electronic record that is easily accessible and made available to the public pursuant to the general laws of the state governing public records.

Sec. 32. Balances of bond issues.

Each year in preparation of the tax budget ordinance submitted to the county budget commissions, the mayor, auditor and city treasurer shall certify to council the amount of money necessary to provide for the future payment of principal and interest on all debt obligations issued by the city. The council shall place the several amounts so certified in the tax budget ordinance before and in preference to any other item and for the full amount certified. Any unexpended balance remaining in a fund which was created by an issue of bonds, the whole or any part of which issue is still outstanding, unpaid and unprovided for, shall, when such balance is no longer needed for the purpose for which said fund was created, be transferred to the trustees of the sinking fund a bond retirement fund as determined by the auditor to be applied in the payment of said bonds and the interest thereon.

Sec. 61. Appointment and removal of employees.

With the concurrence of council, the mayor shall appoint ~~the sinking fund trustees~~, the members of the civil service commission, the members of the board of health and the members of any advisory commission provided for by council. The mayor, with the concurrence of council, may at any time remove any member so appointed, for inefficiency, neglect of duty or malfeasance in office, having first given to such member a copy of the charges and an opportunity to be heard in person or by defense counsel, before the council, and such removal shall be final.

Sec. 93. [Depositories and investments.]

Council shall provide by ordinance for the deposit of all public moneys coming into the hands of the treasurer in such bank or banks, or building and loan or savings association or companies, situated within the county, as offer, at competitive bidding, the highest rate of interest and give good and sufficient security. Council shall further provide by ordinance for regulations governing the investment of moneys of the municipal corporation and the sale of such investments.

Sec. 120. ~~Interest on water bonds~~ Outstanding debt obligations, interest.

The city shall, out of the revenues of the city utilities water department, cause to be paid and transferred to ~~the trustees of the sinking fund~~ a utility debt obligation bond retirement fund of the city a sufficient amount of money to pay the interest and principal on outstanding water utility debt obligations ~~bonds~~ as ~~it~~ they matures.¹

Sec. 121. [Depreciation fund.]

~~Council shall by ordinance cause to be established, out of the revenues of the water department, a depreciation fund which shall as nearly as practicable, equal the annual loss by depreciation sustained by the water plant. This fund shall be applied as follows:~~

¹ The City Attorneys' office, Finance Department, and Auditor continue to work on the specific language in this section to adequately reference the funds from which debt obligations may be paid.

~~(a) A sufficient amount shall be transferred to the trustees of the sinking fund at the beginning of each year to provide a sinking fund for the redemption of outstanding water bonds at maturity.~~

~~(b) The residue after making such transfer shall be applied in the making of repairs, extensions or replacements.~~

~~Sec. 123. Cash deposits on water Utility rules and regulations.~~

~~In conducting, managing and operating the city utilities, the administration of the affairs of the water department the city shall prescribe such rules and regulations as the just interests of the city and water utility consumers may demand. The city may also require from a consumer a cash deposit or other form of security deemed necessary to protect the city against loss by reason of non-payment of bills or other breach of contract. Cash deposit so received by the city shall be deemed as money held in trust to be returned to the depositors with interest at the rate of four per centum per annum at the termination of the contract and after there has been full compliance with its terms Council shall by ordinance or resolution transfer said deposits to the trustees of the sinking fund to be held in trust for the water department, but subject at all times to draft of the city to meet adjustments with the depositors. The trustees of the sinking fund shall invest the money so transferred as other funds under their control are invested, and the net gains resulting from the investment shall annually be placed to the credit of the said trust account.~~

~~Sec. 133. [Appointment.]~~

~~The custody, control and administration of the sinking fund shall be vested in four trustees, not more than two of whom shall be members of the same political party. The members of the existing board of sinking fund trustees shall continue in office for the terms for which they were appointed. Thereafter members of the board of sinking fund trustees shall be appointed to serve for terms of four years and until their successors have been appointed and qualified. A vacancy shall be filled for the unexpired term in the manner provided for original appointments.~~

~~Sec. 134. Compensation and bond.~~

~~Said trustees shall serve without compensation and shall give such bond as council may require, and the cost thereof together with all other incidental and necessary expenses of such trustees, shall be paid by them from the funds under their control.~~

~~Sec. 135. Organization of board.~~

~~The trustees of the sinking fund shall elect one of their number as president and another as vice-president, who in the absence or disability of the president, shall perform the president's duties and exercise presidential powers, and such secretary, clerks or employees as council may provide by ordinance. Meetings shall be open to the public, and all questions relating to the purchase or sale of securities, payment of bonds, interest or judgments or involving the payment or appropriation of money shall be decided by a yea and nay vote with the name of each member voting recorded on the journal, and no question shall be decided unless approved by a majority of the whole board.~~

~~Sec. 136. Powers and duties.~~

~~The trustees of the sinking fund shall have charge of and provide for the payment of all bonds issued by the city, the interest maturing thereon and the payment of all final judgments against the city, except in condemnation of property cases. They shall receive from the auditor all taxes, assessments and moneys collected for such purposes and invest and disburse them in the manner provided in this charter. For the satisfaction of any obligation under their supervision, the trustees of the sinking fund may sell or use any of the securities or money in their possession.~~

~~Whenever, in the opinion of the trustees of the sinking fund, it is for the best interests of the municipal corporation, the said trustees may purchase bonds of said municipal corporation and pay for the same at the time of acceptance and delivery thereof, or said bonds may be delivered and paid for in installments as the proceeds of said sale are needed by the municipality, and when so accepted shall, for all purposes, be considered as having been sold by the corporation: bonds so purchased may be paid for out of all moneys received by said trustees of the sinking fund, and for the purpose of paying for bonds so purchased the trustees may sell and use any securities in their possession, provided, however, that such securities shall not be sold for less than par for the purpose of paying for bonds of the corporation.~~

~~Sec. 137. [Certification of funds.]~~

~~On or before the first Monday in May of each year, the trustees of the sinking fund shall certify to council the amount of money necessary to provide a sinking fund for the future payment of bonds issued by the city, for the payment of final judgments, except in condemnation of property cases, for the payment of interest on the bonded indebtedness and the expenses incident to the management of the sinking fund. The council shall place the several amounts so certified in the tax ordinance before and in preference to any other item and for the full amount certified.~~

~~Sec. 138. [Investment of funds.]~~

~~The trustees of the sinking fund shall invest all moneys received by them in bonds of the United States, of the state of Ohio, or of any municipal corporation, school district, township or county, in such state, and hold in reserve only such sums as may be needed for the payment of maturing obligations. All interest and gains received by them shall be reinvested in like manner.~~

~~Sec. 139. [Deposits and withdrawals.]~~

~~Money shall be drawn by check only, signed by the president and at least two members of the board, and the secretary. All securities or evidences of debt held by the trustees for the city shall be deposited with the treasurer or with a safety deposit company or companies within the city, and when so deposited they shall be drawn only pursuant to a resolution of the board, and in the presence of at least two trustees.~~

~~Sec. 140. Powers as to investigation.~~

Draft Charter Amendment
Sinking Fund

~~The trustees of the sinking fund may investigate all the transactions of any branch or department of the city government involving or affecting the sinking fund, and they shall have such other powers and perform such other duties, not inconsistent with the nature of the duties prescribed for them by this charter, as may be conferred or required by council.~~

~~Sec. 141. Recording of bonds.~~

~~Before they become valid in the hands of any purchaser, all bonds issued by the city shall be recorded in the office of the sinking fund trustees, and shall bear the stamp of the board of sinking fund trustees, containing the words "Recorded in the office of the sinking fund trustees," signed by the secretary.~~