

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 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. 118. ~~Water~~ Utility rates and charges.

For the purpose of paying the expense of conducting, managing and operating the city utilities, including, by way of example and not by way of limitation, water, sanitary sewer, storm sewer, and electricity service-water works, the city shall, as a condition of supply, charge against and collect from all consumers both public and private, including the various and several city departments and institutions, a charge for ~~water~~ utility service rendered. Such rates of charge shall be fixed by ordinance of council. It shall be made in an equitable manner and in such amount as will fully cover the cost of service, including utility debt obligations and interest thereon.

Sec. 119. [Determining ~~water~~ utility rates.]

In determining the cost of ~~water~~ utility service to be so charged and collected, council shall be governed by the following general rule: All ~~water~~ utility consumers, as stated in the preceding section, shall be charged with and shall pay the current cost of maintenance, operation and supply, interest and principal on outstanding ~~water~~ utility debt obligations, and losses sustained by depreciation.

Sec. 120. ~~Interest on water bonds~~ Outstanding utility debt obligations.

The city shall, out of the revenues of the city utilities ~~water department~~, unless another funding source is determined by the mayor and the city auditor, with approval of council, 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.

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:~~

- ~~(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. 122. ~~[Exemption from water utility bills.]~~

~~Council may by ordinance or resolution relieve from the payment of bills, or any portion thereof, for water utility service, any hospital, asylum or other charitable institution devoted the relief of the poor, the aged, the infirm or destitute persons or orphan children, but such relief shall only be granted to not-for-profit institutions that support disadvantaged persons, which institutions are within the city's limits, and which are not maintained by general taxation. , and on the further condition that the The bills from which said parties are relieved are shall be promptly paid to the water department out of the general revenue fund of the city to the department providing the utility.~~

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. 124. Rates and charges for service furnished by municipally owned utilities.

The general rules prescribed herein in sections ~~120, 121, 122, 123 and 124,~~ governing the sale and disposition of utilities of water, shall apply as far as practicable in the sale and disposition of the service

of all other public utility plants owned and operated by the city, except that as to any such service furnished in competition with a privately owned plant, the rate shall be such as in the opinion of council tends best to develop and increase the business, to increase the load factor and to promote in other ways the general success of such utilities.

Sec. 128. Recreation and Parks Commission; appointment and organization.

The construction and equipment and the custody, maintenance, control, operation and administration of all the recreational facilities and public parks of the city shall be vested in a 'recreational and parks commission,' which shall be composed of nine members, a majority of whom shall constitute a quorum. ~~Five~~ Eight of such commissioners shall, with the concurrence of council, be appointed by the mayor to serve, without compensation, for the term of five years and until their successors are appointed and qualified. ~~Effective January 1, 1973, a sixth commissioner shall, with the concurrence of council, be appointed by the mayor to serve without compensation, for the term of five years and until a successor is appointed and qualified. Two members of the Commission shall, with the concurrence of council, be appointed by the mayor, to serve, without compensation, one on the recommendation of the board of education of the city school district of Columbus, Ohio, and one on the recommendation of the now existing council of social agencies of Columbus and Franklin County, or its successor, each for a term of two years and until their successors are appointed and qualified. Their successors shall be appointed for a term of five years. Effective January 1, 1973, a member qualified in the field of forestry, One member on the recommendation of the Columbus and Franklin County Metropolitan Park Commission Board shall, with the concurrence of the mayor and council,~~ be appointed by the mayor to serve without compensation, for the term of five years and until a successor is appointed and qualified. Provided, however, if no such recommendation is made within thirty days from the effective date hereof, or within thirty days of any vacancy, such appointments shall be made by the mayor with the concurrence of council. A vacancy shall be filled in like manner for the unexpired term. The mayor, with the concurrence of council, may at any time remove any commissioner so appointed for malfeasance in office, having first given to such member of 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. All commissioners shall be bona fide residents of the city of Columbus-Franklin County, Ohio.

Said commissions shall organize as a 'recreation and parks commission' by the election of a president, vice president and secretary, who shall serve for a term of one year until their successors are elected and qualified. The city treasurer shall be the treasurer of the commission. The director of recreation and parks may serve as secretary of the commission. The commission shall adopt rules and regulations for the government of the commission and for the operation and control of the various recreational facilities and public parks under its control. In the making of contracts the commission shall be governed by the provisions of the charter applicable thereto.

TRUSTEES OF THE SINKING FUND

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.~~

~~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.~~

~~Sec. 149. Rules.~~

~~The commission shall prescribe, amend and enforce rules for the classified service, shall keep minutes of its proceedings and records of its examinations and shall make investigations concerning the~~

enforcement and effect of the civil service provisions and of the rules thereunder. It shall make an annual report to the Mayor. The rules shall provide:

- (a) For the classification and standardization of all positions in the classified service.
- (b) For open competitive examination in the competitive class, to test the relative fitness of applicants for such positions. Employees of any public utility taken over by the city, who are in the service of said utility at the time of such acquisition, shall come under the provisions of the merit system without examination, but vacancies thereafter occurring in such service shall be filled from eligible lists in the manner herein provided.
- (c) For public notice in the City Bulletin or otherwise of the time and place of all competitive examinations.
- (d) For the creation of eligible lists upon which shall be entered the names of successful candidates in order of their standing in such examinations or tests.
- (e) For the rejection of candidates or eligibles who fail to comply with reasonable requirements as to age, sex, physical conditions and moral character, or who have attempted deception or fraud in connection with any examination.
- (f) For the use of no fewer than three bands for each competitive eligible list, for the assignment of eligibles into bands based upon their test scores and for the certification to the appointing authority, from the appropriate eligible list to fill a vacancy in the competitive class, of persons standing in the highest band on such list. When the highest band contains fewer than five names the names of persons standing in the next highest band may also be certified.
- (g) For temporary employment without examination, in the absence of an eligible list. But no such temporary employment shall continue after the establishment of a suitable eligible list.
- (h) For temporary employment not to exceed sixty days. No person shall receive more than one such appointment during any twelve-month period.
- (i) For noncompetitive examinations for appointments to positions requiring peculiar and exceptional qualifications of a scientific, managerial, professional or educational character. Also for noncompetitive testing for certain unskilled job categories where it is impracticable to determine the merit and fitness of applicants by competitive examinations.
- (j) For promotion based on competitive examinations and records of efficiency, character, conduct and seniority. Lists shall be created and promotions made therefrom of candidates in the same manner as in original appointments; provided that for promotional vacancies in the uniformed ranks of the Police and Fire Divisions, including any competitive vacancy for which the entry-level position was firefighter or police officer, the names of eligibles shall not be assigned into bands as provided in subsection (f) and each promotional vacancy shall be filled from one of the three persons standing highest on the appropriate eligible list; and further provided, that any advancement in the uniformed ranks shall constitute promotion and, whenever practicable, vacancies in the uniformed ranks shall be filled by promotion.
- (k) For transfer from a position to a similar position in the same class and grade and for reinstatement on the eligible list within ~~one~~ three years of persons who, without fault or delinquency on their part, are separated from the service or reduced in rank.

- (l) For suspension, by the appointing authority, for purposes of discipline, for a period not to exceed thirty days at any one time.
- (m) For discharge or reduction in rank or compensation, only after the person to be discharged or reduced has been presented with the reasons for such discharge or reduction, specifically stated in writing, and has been given an opportunity to be heard. The reason for such discharge or reduction and any reply in writing thereto by such employee shall be filed with the commission.
- (n) For investigating and keeping a record of the efficiency of officers and employees in the classified service, and for requiring markings and reports relative thereto from appointing officers.
- (o) For a probationary period of not less than one month nor more than one year following appointment, with service as a provisional employee in the same position to be included in such period, and with the probationary period to be uniform within the same class, provided, however, that there shall be no probationary period for an appointment resulting from a competitive, promotional examination. The probationary period shall be considered a part of the selection process as a work test period. Unless resulting from a competitive, promotional examination, no appointment shall be permanent until after appointment from a certification list and expiration of the probationary period. The service of any probationary employee may be terminated by the appointing authority at any time during the probationary period or at the end of the probationary period by submitting a written report to the commission and the employee specifying the reason the employee is found to be unsatisfactory and such removal shall be final. Unless the employee has been removed earlier, the appointing authority shall, not less than ten calendar days prior to the end of the probationary period, submit a report to the commission of the decision to make the appointment permanent or remove such employee together with the reason therefor. Failure to make such report at least ten days prior to the expiration of the probationary period shall automatically make the appointment permanent. An employee removed by the appointing authority during or at the end of the probationary period may be restored to the eligible list if the commission determines the employee would be suitable for appointment to another position. There shall be no appeal of any kind from the action of the appointing authority removing an employee during or at the end of the probationary period.
- (p) For the publication of the rules and amendments thereto in the City Bulletin. The commission shall adopt such other rules, not inconsistent with the provisions of this section, as may be necessary and proper for the enforcement of the merit system.
- (q) For certifying as a permanent appointee, any employee in provisional status on July 16, 1994, who on or before July 16, 1996, has successfully completed two years of service in the same civil service class if no competitive examination has been administered for the civil service class during the two year period. The rule provided for under this paragraph (q) shall not apply to or affect any position in a civil service class in the uniformed ranks of the Divisions of Fire or Police.
- (r) For the establishment of a veterans' preference credit for qualified veterans seeking employment in the open competitive class of the civil service of the City.

Sec. 194. ~~Reports to city by grantee~~ Franchise terms, reports.

No ordinance making such grant, renewal or extension shall be valid unless it shall expressly provide therein, that the grantee shall make to the city at prescribed semi-annual periods, a statement of the assets, liabilities, receipts and disbursements of the public utility operating such grant, renewal or extension. Said statement shall be in detail adequate for determining the cost of the service rendered, and shall be signed and sworn to by the grantee or its proper officer or officers. Said ordinance shall also reserve to the city the right of verifying such statements by examination of the books and records of the grantee. No ordinance making such grant, renewal or extension shall be valid if such ordinance does not reserve to the city the right to prevent unjust discrimination in service or rates.

Sec. 231. Annual reports.

The various officers, boards and heads of departments shall annually report to council in comprehensive and systematized detail, the financial and other transactions of the departments or divisions thereof under their supervision or control. Such reports shall cover such period of time and be made in the manner and at the time that council shall by ordinance prescribe. ~~Such reports shall, when so made, be grouped and published in book form as the annual report of the city.~~ The city clerk shall compile the reports as the annual report of the city and shall publish such annual report by the production of a permanent electronic record that is made available to the public pursuant to the general laws of the state governing public records.

Sec 236. Charter Review Commission

A charter review commission, composed of five qualified electors of the city, shall be appointed at the second regular meeting of council in the year 2022 and of each succeeding tenth year thereafter, and at any time council may, by vote of six of its members, call for such a commission. The charter review commission shall consist of two members appointed by the council, two members appointed by the mayor, and one member jointly appointed by the president of council and the mayor, such member serving as chair of the commission. Members of the commission shall not hold any other office or employment in the government of the city, and shall serve without compensation. Vacancies shall be filled in the same manner as prescribed for the original appointment. The commission shall be considered a public body. Within six months after appointment, the commission shall report its findings and recommendations regarding the charter, if any, to council. Council may at its discretion submit, in whole or in part, any of the proposed amendments to a vote of the people in the manner provided for by this charter. Any such amendment shall be in a form as provided by council. Nothing in this section shall limit the authority of council to submit any proposed charter amendment to a vote of the people as otherwise provided for in this charter.

Sec 237. Charter technical changes.

The council is granted the authority to, through ordinance adopted by unanimous vote of the entire council, incorporate technical changes to this charter. The ordinance providing for such technical changes shall not be passed as an emergency measure and shall be subject to the referendum as

provided for in this charter. Technical changes shall not affect the intent or purpose of any part of the charter and shall be strictly limited to the following: correcting misspellings and obvious errors of grammar, punctuation, or sentence construction; standardizing similar terms, phrases, or references; and re-numbering, re-ordering, or re-sequencing any sentences, paragraphs, or sections of the charter to improve clarity, ease of reference, and grouping of sections related in subject matter.

Sec. 238. Equal Rights.

No officer, employee, or agent of the city shall deny equal access to city services, or equal opportunity in employment and promotion, or the benefits thereof, to any person on the basis of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, family or military status, or any other status that is protected by federal, state, or local law or ordinance.