



CITY OF MIDDLETOWN

COUNCIL OFFICE
MUNICIPAL BUILDING

Notice is hereby given that at the regular meeting of the Common Council of the City of Middletown held on Tuesday, September 2, 2014 at 7 p.m. the following changes to the City Charter were approved and are subject to approval by the electors of the City of Middletown by referendum on November 4, 2014 State Election:

PROPOSED REVISIONS TO CHARTER LANGUAGE

CHAPTER II: OFFICERS AND ELECTIONS

SECTION 1 STATE AND FEDERAL OFFICERS

Nomination and election of State and Federal Officers, State Senators and Representatives, Judge of Probate, and two Registrars of Voters ~~and Sheriff~~, shall be conducted and the Registrars of Voters shall prepare lists of electors qualified to vote, therefore, in the manner prescribed by the Constitution and the General and Special Laws of this State applicable to the City of Middletown. With the adoption of this Charter provision, the Registrars of Voters will be elected to a two-year term in the November, 2014 general election and a two-year term in the November, 2016 general election. Beginning with the November, 2018 general election, the Registrars of Voters will be elected to four-year terms, which elections will coincide thereafter with the State gubernatorial general elections in November.

SECTION 2 MUNICIPAL OFFICERS

The elected officials of the City shall be: Mayor, twelve (12) Members of the Common Council, Treasurer, Nine (9) Members of the Board of Education, three (3) Members of the Board of ~~Tax Review Assessment Appeals~~, and seven (7) members and three (3) alternate members of the Planning and Zoning Commission.

SECTION 3 RESTRICTIONS ON ELECTED OFFICIALS

No elected official in the Government of the City, during the full term of the office for which said official was elected, shall be eligible for appointment to any salaried position except to the positions of Corporation Counsel and Mayor's ~~Administrative Assistant(s)-Chief of Staff~~ within the City Government. Persons being so appointed must resign from the elected office.

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TOWN CLERK
MIDDLETOWN, CONN.

SECTION ~~4~~ BIENNIAL 4 MUNICIPAL ELECTIONS; TERM OF OFFICE; LIMITATION OF POWERS

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The term of office for all elected officials will be four (4) years. A meeting of the Electors of the City of Middletown shall be held Biennially on the Tuesday after the first Monday of November of the odd-numbered years for the purpose of electing officials to such Municipal Offices as are provided for in this Charter the terms of which are to expire. At the first Biennial Election following adoption of this Charter provision, all elected officials will appear on the ballot except for the five (5) longest-serving Board of Education members, four (4) longest-serving Planning and Zoning Commissioners, and two (2) longest serving alternate Planning and Zoning Commissioners. The remaining officials will appear on the off-year Biennial Election, to be held on the Tuesday after the first Monday of November of the next odd-numbered year. ~~The polling locations for off-year Biennial Elections shall be the same as those used for referenda elections.~~ The Term of Office for all elected officials of the City, except as otherwise provided by Law, shall commence at 12 o'clock Noon on the Tuesday following the certification of election of each such Municipal Officer by the City/Town Clerk of the City and shall continue until 12 o'clock noon of the Tuesday following the ~~next~~ Biennial Election in which the official's term expires. The period between ~~each a~~ Biennial Election for Mayor and the commencement of ~~any a~~ term of office for a new Mayor provided for in this Charter shall be a transition period and during said period the outgoing Mayor shall meet with and assist the incoming Mayor in all aspects of the Office of the Mayor and said outgoing Mayor shall not appoint, hire, remove, terminate, discipline, promote, demote or transfer any officer, department head, assistant department head, commission or committee members, or employee of the City.

SECTION 8 VACANCY IN OFFICE

E.

In the event of a permanent vacancy in the Office of the Mayor during the first ~~18~~ 36 months of the term to which the Mayor was elected, a Special Election to fill said vacancy shall be called by the Common Council at a regular or special meeting duly warned for that purpose and following a Declaration of Permanent Vacancy in the Office of the Mayor. The Deputy Mayor shall assume the Office of the Mayor in the event of a permanent vacancy during the last ~~six~~ 12 months of the Mayor's term and the Deputy Mayor shall serve as Mayor until 12:00 Noon the Tuesday following the next Biennial Election. In the event of permanent simultaneous vacancies in the offices of Mayor and Deputy Mayor, the majority leader of the Council shall assume the position of interim Mayor either until the special election called by the Common Council, if such vacancies occur during the first ~~18~~ 36 months of the term, or until a special Council meeting called within ten days to elect a deputy mayor if such vacancies occur during the last ~~six~~ twelve (12) months of the term.

CHAPTER III: THE COMMON COUNCIL

SECTION I COMMON COUNCIL

The Common Council shall consist of twelve (12) members, who shall be elected at large for a term of ~~two (2)~~ four (4) years. Not more than eight (8) candidates for the Common Council may be nominated by any political party for the ~~biennial~~ elections and the twelve (12) candidates receiving the highest number of votes at said ~~Biennial~~ Election shall be declared elected. Each such member shall receive such stipend as may be provided by law.

SECTION 7 REFERENDA AND INITIATIVE

B.

INITIATIVE. Any elector of the City may prepare a Petition regarding any matter of public interest, except for the approval of a bond or the appropriation of revenue, to be submitted for determination by the electors of the City and/or adoption as a resolution or ordinance by the electors of the City in accordance with the provisions of this Charter to be placed on that year's November ballot. The Petition shall be filed with the City/Town Clerk in typewritten form, provided the wording of the Petition shall first be reviewed by the City/Town Clerk, in consultation with the ~~City Attorney~~ General Counsel who, within seven (7) working days of its submission, shall determine whether or not such petition presents a matter within the public interest and has been correctly worded in such a manner as to clearly express its meaning and intent. If the wording and subject matter of a Petition fairly and accurately presents such a public issue, it shall be returned to the individual who filed the petition for the obtaining of signatures commencing on July 1 in accordance with the laws of the State of Connecticut regarding the same. The petition issue shall only be voted upon at the next regular November election if copies of the Petition containing the names of at least ten (10%) percent of the electors of the City are filed with the City/Town Clerk on or before sixty (60) days prior to said November election date. The results of the balloting on said Petition shall not be binding unless approved by a simple majority of those voting on the Petition. No enactment passed pursuant to initiative shall be subject to referendum.

[Amended 11-4-2008]

CHAPTER IV: DUTIES AND POWERS OF ELECTED OFFICERS AND OTHER CITY OFFICERS

SECTION 1 MAYOR'S OFFICE

Commencing with the first municipal election following the passage of this charter provision, the Mayor's term of office shall be four (4) years. The Mayor's Office shall consist of the Mayor and the following staff: ~~an Administrative Assistant a Chief of Staff~~, a Corporation Counsel and such other staff as the Mayor may deem necessary. All such staff of the Mayor's Office shall be appointed by the Mayor and may be removed by the Mayor and shall not be included in the classified service. All classified employees working in the Mayor's Office shall not be considered to be part of the Mayor's Staff as defined in this Section.

The Mayor shall receive such compensation as shall be fixed by the Common Council.

SECTION 5 REGISTRARS OF VOTERS, BOARD OF ~~TAX REVIEW BOARD OF ASSESSMENT APPEALS~~

The power and duties of the Registrars of Voters and members of the Board of Assessment Appeals shall be as provided by law and not inconsistent with this Charter and may be provided by ordinance.

SECTION 8 OFFICE OF THE ~~CITY ATTORNEY GENERAL COUNSEL~~ GENERAL COUNSEL

The Office of the ~~City Attorney General Counsel~~ shall have the authority, with the approval of the Mayor and Council, to refer to the Corporation Counsel questions of law involving the powers, obligations, and/or duties of any City officer, department, agency, board or commission if, in its discretion, said questions relate to political matters or those which involve a potential conflict of interest.

CHAPTER VI: FINANCE AND TAXATION

SECTION 4 ANNUAL AUDIT

The Common Council shall, by majority vote at a meeting to be held not later than one month after each ~~Biennial Mayoral~~ Election, appoint a certified public accountant or firm who shall audit the books and accounts of the City, in accordance with the provisions of the General Statutes, and who shall perform such other duties as may be deemed necessary by the Common Council.

CHAPTER IX: BONDING POWERS

SECTION 2 DEBT AUTHORIZATION

[Amended 11-3-2009]

The issuance of bonds, notes, or other obligations shall be authorized by ordinance adopted by the Council and if the total estimated cost of any improvement for which such obligations are proposed to be issued exceeds ~~\$750,000~~ 1,000,000, no bonds, notes, or other obligations shall be issued for such improvement unless the ordinance authorizing such issue shall also be approved by a majority of those voting thereon at a general municipal election or referendum called and warned for that purpose subject to any State Statute that may appertain to or be in addition to the Charter requirements. Provided however, if the total estimated cost of any improvement for which such obligations are proposed to be issued exceeds \$500,000 but less than ~~\$750,000~~ 1,000,000 no bonds, notes, or other obligations shall be issued for such improvement unless the ordinance authorizing such issue shall have received an affirmative vote by the majority of the Common Council at its next meeting after a special public hearing on the ordinance, which public hearing shall be held on a date prior to the Council's consideration of the issue. Notes in anticipation of taxes shall be authorized by resolution of the Council. Notes to prevent default on the principal or interest of the City's debt shall not be subject to referendum and shall be

authorized upon Council adoption of a resolution following certification to the Council by the Treasurer that, except for such borrowing, a default on the part of the City would take place. Such certification shall be spread on the minutes of the Council.

CHAPTER X: PERSONNEL POLICIES

SECTION 1 CLASSIFIED SERVICE AND REGULAR PART-TIME

The classified service shall include all non-elective officers and both full time and regular part-time employees of the City, including the secretarial and clerical staff of the Mayor's office and personnel employed by the Board of Education not requiring certification by the State Board of Education, and appointees to all positions now or hereafter created except the ~~Administrative Assistant to the Mayor's~~ Chief of Staff, the Board of Education's Director of Facilities, the Board of Education's Paraprofessionals, the Corporation Counsel, department heads and assistant department heads of said City, persons employed in the professional capacity, those retained to make or conduct a temporary or special inquiry, task, study or investigation, and any persons employed for a temporary period not exceeding three months in any one Department. It shall be the duty of the Mayor to cause to be prepared a statement of the duties and responsibilities of each position in the classified service, the compensation pertaining thereto and of the minimum qualifications for such positions. These statements shall comprise the Classification Plan of the City which shall become effective upon approval by resolution of the Common Council and which may be amended by resolution of the Council, either upon the recommendation of the Mayor or upon the initiative of the Council itself. New or additional positions in the classified service may be created and changes in the duties and responsibilities of existing positions may be made by resolution of the Common Council upon recommendation of the Mayor or upon the initiative of the Council itself. The Mayor shall also cause to be prepared a set of personnel rules which shall be reviewed or revised at least every four years and which shall provide, among other things, for the method of holding competitive examinations, administration of the classification plan, probationary period of employment, hours of work, vacations, sick leaves and other forms of absences and such other rules as may be necessary to provide for an adequate and systematic procedure for the handling of the personnel affairs of the City. If the Mayor does not cause the personnel rules to be reviewed every four years, then the Common Council may initiate, by majority vote, the review of the personnel rules. Such rules and amendments thereto shall become effective upon approval of the Common Council and being filed with the City/Town Clerk by the Mayor and copies of such rules and amendments thereto shall be provided for all members of the classified service. Nothing in this section shall be construed to prevent members of the classified service from entering into a contract with the City for the purpose of establishing working conditions, wages and other conditions pertaining to the continuance and termination of employment. A regular part-time employee of the City shall mean any person who is employed a minimum of 20 hours per week for at least 8 months of a 12-month calendar year.

SECTION 3 APPOINTMENT OF CLASSIFIED EMPLOYEES OF THE CITY

All classified employees of the City shall be appointed by the Mayor pursuant to and in accordance with the City Personnel Rules and Classification Plan. All positions of employment within the City government, except the Mayor's ~~Administrative Assistant~~ Chief of Staff and the Corporation Counsel, shall be open to all qualified applicants and the application, selection processes and, if applicable, testing shall be conducted in accordance with the Personnel Rules of the City.

A copy of the complete and full text of said City Charter, and the proposed changes, is on file and open to public inspection in the office of the City and Town Clerk and will be mailed to any person who requests a copy.

ATTEST:

MARIE O. NORWOOD
Common Council Clerk

Dated this 5th day of September, 2014