

A RESOLUTION DIRECTING THE SUMMIT COUNTY BOARD OF ELECTIONS TO HOLD A SPECIAL ELECTION CONCURRENT WITH THE REGULAR GENERAL ELECTION ON NOVEMBER 3, 2020, TO FILL THE VACANT AT-LARGE COUNCIL MEMBER POSITION IN ACCORDANCE WITH SECTION 3.11, VACANCIES, OF THE CHARTER OF THE CITY OF HUDSON; AND DECLARING AN EMERGENCY.

WHEREAS, on February 25, 2020, J. Daniel Williams resigned from his position as At-Large Councilperson, effective March 20, 2020; and

WHEREAS, Councilperson Williams' term as At-Large Councilperson expires on December 7, 2021; and

WHEREAS, Section 3.11 of the Charter of the City of Hudson, Ohio (the "City") provides that:

"Any vacancy in the Council shall be filled temporarily by appointment by a majority of the remaining members of the Council, and then by the voters for the remainder of the term at the next regular Municipal election, unless that election occurs within sixty (60) days, the period necessary to allow time for candidates to file, then at the subsequent regular Municipal election," and "If the Council fails to fill a vacancy within sixty (60) days, a special election will be called by Council;" and

WHEREAS, this Council was unable to fill the vacant Council seat by appointment within the timeframe prescribed above by Charter and, therefore, pursuant to the Charter, must call a special election to fill the vacant Council seat; and

WHEREAS, as the Charter is silent on when the aforementioned special election shall be called, this Council finds and determines that the aforementioned special election shall be held concurrently with the upcoming regular General Election in November due to (1) the need to provide ample time for candidates for the vacant Council seat to participate in the political process given the current difficulties and limitations with respect to social interaction in light of the COVID-19 disease pandemic and (2) the significant costs associated with calling a special election on a date separate from the upcoming regular General Election; and

WHEREAS, given the above, this Council has determined to call a special election to be held City-wide concurrent with the regular General Election on November 3, 2020, to fill the remainder of Councilperson Williams' unexpired term pursuant to Section 3.11 of the Charter of the City and State of Ohio law.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hudson, County of Summit and State of Ohio, that:

Section 1: Pursuant to Section 3.11 of the Charter of the City, this Council hereby directs the Summit County Board of Elections to hold a City-wide special election on November 3, 2020, for the purpose of filling the remainder of Councilperson Williams' unexpired term, which term expires December 7, 2021.

Section 2: The Summit County Board of Elections is directed to conduct the special election in accordance with the following timeframe:

- a. **July 26, 2020** – The Summit County Board of Elections must prepare and publish notices of the November 3, 2020, special election and provide the notices to federal write-in absentee voters upon request.
- b. **August 24, 2020** – Deadline for write-in candidates for the November 3, 2020, special election.
- c. **September 4, 2020** – Nominating petitions of candidates for the At-Large Council position must be filed with the Summit County Board of Elections by 4pm.
- d. **September 18, 2020** – Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA) absentee ballots for November 3, 2020, special election must be ready.
- e. **October 5, 2020** – Deadline for voter registration for the November 3, 2020, special election.
- f. **October 6, 2020** – Non-UOCAVA absentee ballots for November 3, 2020, special election must be ready.
- g. **November 3, 2020** – Special Election Day.

Section 3: In accordance with Section 7.01 of the Charter of the City, each nominating petition of a candidate for At-Large Councilperson shall be signed by not less than fifty (50) registered voters from the City. Each candidate shall file a separate nominating petition. In accordance with Section 3.11 of the Charter of the City, nominating petitions shall be filed with the Summit County Board of Elections no later than 4pm on September 4, 2020. Write-in candidates will be permitted for the November 3, 2020, special election in accordance with the laws of the State of Ohio.

Section 4: The Clerk of Council is hereby authorized and directed to immediately forward a certified copy of this Resolution to the Summit County Board of Elections to permit the Board of Elections to implement the special election on November 3, 2020, in accordance with this Ordinance.

Section 5: This Resolution is an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the City of Hudson and the inhabitants thereof, and for the further reason that this Resolution needs to be effective immediately so as to ensure that there is ample time to prepare for and administer the upcoming election; wherefore, this Resolution shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of five (5) members of Council, except that six (6) affirmative votes shall be required if all members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

Craig A. Shubert, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Resolution No. 20-66 was duly passed by the Council of said Municipality on _____, 2020.

Elizabeth Slagle, Clerk of Council