

RESOLUTION CM-16-26

A RESOLUTION RESCINDING RESOLUTION CM-16-15 WHICH PLACED THE UNEXPIRED TERM OF VICE-MAYOR-COUNCILMEMBER OF THE MUNICIPALITY OF WEST MILTON, OHIO ON THE NOVEMBER 8, 2016 BALLOT

WHEREAS, the Council passed Resolution CM-16-15 which placed the Vice-Mayor-Councilmember seat for the Municipality of West Milton, Ohio onto the November 8, 2016 ballot; and

WHEREAS, the Miami County Board of Elections has determined, based on a written opinion from the Miami County Prosecutor's office, that the November 8, 2016 election is not classified as a regular municipal election and CM-16-15 did not use the language of "special election" in the body of the legislation; and

WHEREAS, it is not practical to pass new legislation which can be certified by the Miami County Board of Elections in a timely manner and still allow those who wish to run for the seat sufficient time to gather the proper signatures to place them on the ballot.

NOW THEREFORE, Be it resolved by the Council of the Municipality of West Milton, Miami County, Ohio, that:

SECTION I: The Council hereby rescinds Resolution CM-16-15 which placed the seat for Vice-Mayor-Councilmember on the November 08, 2016 ballot.

SECTION II: The Board of Elections of Miami County, Ohio is hereby directed to disregard Resolution CM-16-15; thereby, not placing the seat for Vice-Mayor-Councilmember on the November 08, 2016.

SECTION III: This resolution shall be effective from and after its passage.

Passed this _____ day of August 2016

Fredric Francis, Mayor

ATTEST:

Linda L. Cantrell, CAP/OM
Clerk of Council

APPROVED AS TO FORM:

Leneé M. Brosh
Law Director