

**CITY OF TWINSBURG, OHIO**

**RESOLUTION 33-2010**

**A RESOLUTION APPOINTING ONE MEMBER TO THE  
BOARD OF BUILDING AND ZONING CODE APPEALS,  
AND DECLARING AN EMERGENCY**

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**WHEREAS**, Section 7.09 of the Charter of the City of Twinsburg provides that the Board of Building and Zoning Code Appeals shall consist of five (5) qualified electors of the City, one member from each of the five wards, not holding another City office or appointment; and

**WHEREAS**, the term of two members of said Board expired as of January 31, 2010; and

**WHEREAS**, Council advertised, accepted letters of interest, conducted interviews and ultimately appointed qualified individuals to the open positions by way of Resolution 13-2010, approved by Council on January 26, 2010; and

**WHEREAS**, after the adoption of Resolution 13-2010, it was discovered that a member of the Board of Building and Zoning Code Appeals timely submitted a notice of his desire to be reconsidered for the position but unfortunately the applicant was inadvertently omitted from the interview schedule and said error was not discovered until after the appointments had been made.

**WHEREAS**, Council, in an interest to be fair to all parties involved, has decided to reconsider the applicant and reappoint him to the BZA.

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

**SECTION I:** That the following named elector of the City of Twinsburg not holding any other municipal office or appointment be, and the same is hereby appointed as a member of the Twinsburg Board of Building & Zoning Code Appeals to serve the term as the appears below:

<u>NAME</u>	<u>WARD</u>	<u>TERM OF OFFICE</u>
Neil Rubin	5	2-1-10 through 1-31-13

**SECTION II.** All prior legislation relating to appointments to the BZA in conflict herewith is hereby repealed to the extent of the conflicting appointments and/or provisions.

**SECTION III:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meeting or meetings of this Council, and that all deliberations of this Council were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

**SECTION IV:** That this Resolution is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety welfare and

convenience of the citizens of the City of Twinsburg, and for the additional reason to fill these vacancies as soon as possible, and provided it receives the affirmative vote of five or more members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Sam Scaffide, President of Council

Submitted to the Mayor for approval this  
\_\_\_\_\_ day of \_\_\_\_\_, 2010

Approved by the Mayor \_\_\_\_\_, 2010

\_\_\_\_\_  
Katherine A. Procop, Mayor

ATTEST:

\_\_\_\_\_  
Lisa Spraggins  
Clerk of Council

1<sup>st</sup> Rdg. \_\_\_\_\_

2<sup>nd</sup> Rdg. \_\_\_\_\_

3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

CERTIFICATE OF POSTING

I, Lisa Spraggins, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2010

\_\_\_\_\_  
Lisa Spraggins  
Clerk of Council  
City of Twinsburg