

ARTICLE V  
CLERK-AUDITOR

SECTION 1.0 TERM.

The Clerk-Auditor herein also referred to as the "Clerk" shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0 of Article IV of this Charter. The provisions of Article X of this Charter, entitled Nominations and Elections, shall not apply to the office of Clerk-Auditor after December 31, 1985.

(Amended 11-5-85.)

SECTION 2.0 VACANCY.

When a vacancy occurs in the office of Clerk-Auditor, the vacancy shall be filled by an appointment made by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0 of Article IV of this Charter.

(Amended 11-5-85.)

SECTION 3.0 QUALIFICATIONS.

The Clerk-Auditor shall not, directly or indirectly, solicit, contract for, receive or be interested in any profit or emolument from or on account of any contract, job, work or service with or for the City.

(Amended 11-5-85.)

SECTION 4.0 ELIGIBILITY OF TREASURER.

The Treasurer shall be eligible to hold the office of Clerk-Auditor and, if created by Council, the offices of Clerk of Council and Auditor.

(Amended 11-5-85.)

SECTION 5.0 CLERK OF COUNCIL.

The Clerk-Auditor shall be the Clerk of the Council, As such, he shall attend all meetings of the Council and shall keep a record of its proceedings in a journal as prescribed in Section 6.0, Article III of this Charter. He shall keep and have custody of the records of all ordinances, resolutions, rules, regulations and by-laws adopted by the Council and of its proceedings, and such records shall be available for public inspection.

(Amended 11-5-85.)

SECTION 6.0 FISCAL OFFICER.

(a) The Clerk-Auditor shall be the Fiscal Officer of the City and shall be head of the Department of Finance when created. He shall be the financial advisor of the City and shall at all times keep the Mayor and the Council informed of the financial condition and needs of the City.

(b) To the extent required by the Constitution of the State of Ohio the Clerk-Auditor shall comply with the applicable laws of the State of Ohio relating to certification for and expenditures of public moneys. To that end he shall prepare and sign all warrants for the disbursements of moneys of the City and shall examine all pay-rolls, bills and other claims against the City. Unless he shall find that such pay-roll bill or claim is in proper form, correctly computed and duly approved; that the same is due and payable; that a lawful appropriation has been made for the payment thereof; and that the amount required to pay the same is in the Treasury or in the process of collection to the credit of an appropriate fund, free from any previous encumbrances, the Clerk-Auditor shall issue no warrant for the payment thereof.

(c) The Clerk-Auditor shall prepare the annual estimate of receipts and expenditures and all appropriation measures and submit the same to the Mayor for transmittal to the Council.

(d) On or before the 31st day of March of each year, the Clerk-Auditor shall prepare and submit to the Mayor and Council a report of the financial condition of the City and of receipts and expenditures for the preceding calendar year, which report shall be published in accordance with the provisions of Section 12.0 of Article III of this Charter.  
(Amended 11-5-85.)

#### SECTION 7.0 OTHER DUTIES.

(a) The Clerk-Auditor and the Mayor shall execute on behalf of the City all contracts, conveyances, evidences of indebtedness and other instruments to which the City is a party.

(b) The Clerk-Auditor shall authenticate all records, documents and instruments of the City, authentication of which is necessary or proper. He shall have custody and charge of all records of the City not otherwise by this Charter or by ordinance or resolution committed to the charge or custody of other officers or agencies of the City.

(c) The Clerk-Auditor shall perform such other duties consistent with his office as the Mayor or the Council may request or direct.  
(Amended 11-5-85.)

#### SECTION 8.0 COMPENSATION.

The Council shall fix the salary of the Clerk-Auditor.  
(Amended 11-5-85.)

#### SECTION 9.0 COUNCIL'S AUTHORITY.

(a) Council shall have the power, by ordinance, to create the offices of Clerk of Council, Auditor and Director of Finance or any one or more of such offices within or outside of a Department or Division of Finance; upon the creation of the office of Clerk of Council or Auditor the office of Clerk-Auditor shall cease to exist.

(b) Should the office of Clerk-Auditor so cease to exist, the powers and duties of such office shall be assigned by Council by ordinance to one or more of the offices created by Council under this Section 9.0 or to any other appointed office or position existing or created by authority granted in this Charter.

(c) Any office or position created by Council under this Section 9.0 shall be filled, whether originally or to fill a vacancy, by appointment made by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed as provided in Section 5.0 of Article IV of this Charter.

(d) Council shall have and possess the power to create, combine and abolish offices, departments and divisions mentioned in this Section 9.0 and the power to fix the qualifications, duties, bonds and compensation of all officers and members thereof.  
(Amended 11-5-85.)

## ARTICLE VI CITY TREASURER

### SECTION 1.0 TERM.

The City Treasurer, herein also referred to as the "Treasurer", shall be appointed by the Mayor, subject to confirmation by a majority of the members of Council, to serve until removed in Section 5.0 of Article IV of this Charter.

### SECTION 2.0 VACANCY.

When a vacancy occurs in the office of Treasurer, the vacancy shall be filled by an appointment made by the Mayor, subject to confirmation by a majority of the members of Council.

### SECTION 3.0 QUALIFICATIONS.

Except as otherwise provided in this Article VI the Treasurer shall have been a resident and an elector of the City for at least two (2) years immediately prior to the date of his appointment and shall continue to be a resident and an elector therein throughout his term of office. He shall not, directly or indirectly, solicit, contract for, receive or be interested in any profit or emolument from or on account of any contract, job, work or service with or for the City.

### SECTION 4.0 ELIGIBILITY OF CLERK-AUDITOR.

The Clerk-Auditor shall be eligible to hold the office of City Treasurer.

### SECTION 5.0 POWERS AND DUTIES.

(a) The Treasurer shall be custodian of all moneys of the City and of all evidences of investments of City moneys, and shall keep and preserve the same in such manner and at such place or places as shall be determined by the Council.

(b) The Treasurer shall pay out money from the City Treasury only on warrants issued by the Clerk-Auditor. He shall keep a detailed record of all receipts from taxes and other sources, as well as a detailed record of all disbursements of City moneys and a record of the expenditures from various appropriated funds.

(c) In general, and without limitations as to particularity, the Treasurer shall discharge the duties and functions of the Treasurer of a City except as otherwise provided in this Charter.