

RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. SHYR011

Resolution No. 24-23 Passed November 19, 2024

A RESOLUTION DIRECTING THE BOARD OF ELECTIONS OF MONTGOMERY COUNTY, OHIO TO HOLD A SPECIAL ELECTION IN THE CITY OF BROOKVILLE ON JANUARY 7, 2025 ON THE RECALL OF COUNCIL MEMBER JAMES ZIMMERLIN.

WHEREAS, Section 10.03 of the Charter of the City of Brookville provides electors of the City of Brookville with the power to remove from office, by recall election, any member of the Council if the member has served at least six months of his term; and

WHEREAS, Section 10.03 provides that a petition for recall is required to be signed by electors of the City of Brookville equal in number to 25% of the number of votes cast at the last regular municipal election.

WHEREAS, a petition for recall of Council Member James Zimmerlin was filed with the Clerk of Council on October 17, 2024; and

WHEREAS, the petition for recall was submitted to the Montgomery County Board of Elections for verification of petition signatures; and

WHEREAS, the Montgomery County Board of Elections found that the required number of signatures of electors of the City of Brookville to place this recall of James Zimmerlin on the ballot is 553 valid signatures, and the Board of Elections verified 725 valid signatures of the electors of the City of Brookville on the petition; and

WHEREAS, on October 28, 2024 the Clerk of Council certified to City Council that the petition is sufficient to require that the recall of James Zimmerlin be placed on the ballot and delivered a copy of the certification of the recall petition to James Zimmerlin.

WHEREAS, James Zimmerlin has not resigned within five days after the Clerk of Council delivered a copy of the certification of the recall petition.

WHEREAS, Section 10.03(C) of the Charter of the City of Brookville requires that City Council fix a day for holding a recall election, not less than 60 days nor more than 75 days after the date of delivery of the notice to the officer sought to be recalled that the Clerk has certified that the recall petition is sufficient to require a recall election to be held, and the council member has not resigned within the five day period after receipt of the notice of the certification of the recall petition by the Clerk of Council.

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Government Forms and Supplies (844) 224-3338 FORM NO. SHYROR11

Resolution No. 24-23

Passed November 19, 20 24

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO
THAT:**

SECTION I: The Board of Elections of Montgomery County, Ohio is directed to place on the ballot, in a special election to be held on January 7, 2025, a recall election for Council Member James Zimmerlin. The form of the ballot as may be modified by the Board of Elections or Secretary of State's Office shall read substantially as follows:

RECALL OF JAMES ZIMMERLIN

SHALL JAMES ZIMMERLIN BE ALLOWED TO CONTINUE AS A MEMBER OF THE COUNCIL OF THE CITY OF BROOKVILLE:

 YES

 NO

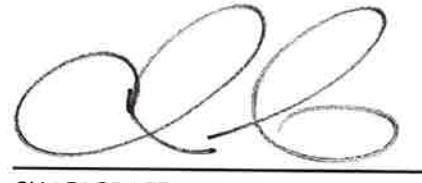
SECTION II: The Clerk of Council is directed to certify a copy of Resolution 24-23 to the Board of Elections of Montgomery County, Ohio, and to take all necessary actions to place this issue on the ballot.

SECTION III: This Resolution shall take effect immediately after passage of this Ordinance as provided by Section 4.07 (A) (3) of the Charter of the City of Brookville, Ohio.

PASSED this 19th day of November, 20 24.

ATTEST:


KIMBERLY DUNCAN, CLERK


CHARLES LETNER, Mayor

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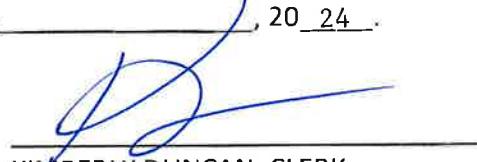
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CERTIFICATE

The undersigned, Clerk of the City of Brookville, does hereby certify that the foregoing is a true and correct copy of Resolution No. 24-23, passed by the Council of the City of Brookville, Ohio, on the 19 day of November, 20 24.



KIMBERLY DUNCAN, CLERK

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Resolution No. 24-23 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 20th day of November, 20 24, to the 19th day of December, 20 24, both days inclusive.



KIMBERLY DUNCAN, CLERK