

Exhibit A

SECTION 3-3. QUALIFICATIONS. Council members shall be qualified electors of the Municipality, residents of the Municipality for one year, and, if elected by district, a resident at the time of filing the nominating petition of the district to be represented. Council members shall not hold any other elected public office or hold any employment with the City during the term for which said Council members were elected or appointed. Any memberOne who ceases to possess any of the qualifications herein required be a resident of the district he represents immediately shall forfeit thehis office and the vacancy shall be filled as provided for herein.

SECTION 3-4. REMOVAL AND VACANCIES.

(A) Vacancies. The office of a Council Member or Council member-elect shall become vacant upon death, resignation, forfeiture, or removal from office in any manner authorized by this Charter.

(B) Forfeiture of Office. ~~A Council Member shall forfeit office if he/she (1) lacks at any time during the term of office any qualifications for the office prescribed by this Charter; (2) violates any express prohibition of this Charter to such an extent as to warrant forfeiture of office; (3) is convicted of a felony; (4) fails to attend three (3) consecutive regular meetings of Council without being excused by Council afterwards the seat of such member may be declared vacant by resolution of Council, five members, concurring;(5) holds any position which is incompatible with the position of Council member or Mayor; is an employee of the City or is an elected official other than in the City of Trotwood. Council shall be the judge of the election and qualification of its members. Council may punish or expel any member for gross misconduct, or for malfeasance, misfeasance, or nonfeasance in office, or upon conviction of a felony or other crime involving moral turpitude while in office, or for disorderly conduct, or violation of its rules during the term of office. No expulsion shall take place without the concurrence of six members, nor until the member shall have been notified of the charge and been given a hearing in front of Council, unless the member waives the right to the hearing. Any vacancy created upon the expulsion of a member shall be filled as provided for in this Charter. In addition to these provisions, absence from three consecutive regular meetings of Council shall operate to vacate the seat of a Council Member unless the absence is excused.~~

(C) Filling of Vacancies.

Vacancies in the office of a Council Member shall be filled within sixty (60) days following the occurrence of the vacancy by the vote of the majority of the remaining members of Council. If the Council fails to fill any vacancy within sixty (60) days following the occurrence of the vacancy, the power of the Council to fill the vacancy shall lapse; and the Clerk of Council, by the authority of the Charter, shall request the Board Elections of Montgomery County to hold an election to fill the vacancy. Such election shall be held at the next general election or special 6 Revised Edition January 2017 election all ready scheduled, and such general or special election shall occur at least seventy-five (75) days after the date of the request to the Board of Elections by the Clerk of Council. The individual elected in such election shall take office immediately following the election certification by the Board of Elections and shall serve the balance of the unexpired term.

An appointee under this section shall qualify under the provisions of this Charter, and if more than two (2) years remain of the expired term at the time of appointment, the appointee shall serve until a successor for the term is certified at the next November municipal election whether in an odd or even year, which occurs at least one hundred (100) days after his or her appointment (so as to allow nominating petitions to be filed by the ~~seventyfive~~ninety (90) day deadline before such an election). That election shall be held to determine what person is elected to serve for the balance of the unexpired term. (Amended 11-6-2012). If at the time of appointment less than two (2) years remain of the unexpired term, the appointee shall serve the remaining term without election.

SECTION 5-4. INTERFERENCE BY COUNCIL.

No member of Council shall interfere in any way with the appointment or removal of any officer or employee in the administrative service except for department heads, as provided in Section 6-1.

Except for the purpose of inquiry, the Council and its members shall deal with that part of the administrative service for which the Manager is responsible, solely through the Manager. A violation of this section could result in sanctions up to forfeiture of office, as provided in Section 3-4(B). ~~In case any council member shall be found by Council to have violated this section, Council shall declare that seat vacant by a resolution of Council, five members concurring.~~