

CITY OF OBERLIN, OHIO

ORDINANCE No. 14-29 AC CMS

AN ORDINANCE PROPOSING TO AMEND SECTION XIX(A) OF THE CHARTER OF THE CITY OF OBERLIN TO PROVIDE A PROCEDURE FOR THE REMOVAL OF MEMBERS OF BOARDS AND COMMISSIONS BY CITY COUNCIL AND DECLARING AN EMERGENCY

WHEREAS, The Council of the City of Oberlin, pursuant to Section XXVIII of the Charter of the City of Oberlin, previously appointed a Charter Review Committee to review the Charter of the City and make recommendations to Council; and,

WHEREAS, the Charter Review Committee has completed its task of reviewing the Charter and has made its recommendations to Council; and,

WHEREAS, Council has determined that it is in the best interests of the City of Oberlin to propose those recommended Charter amendments together with additional amendments deemed appropriate by Council, to the electors of the City of Oberlin for approval.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the amendments to Section XIX(A) of the Charter of the City of Oberlin, Ohio, as are set forth in the attachment hereto, which is marked "**Exhibit A**" and incorporated herein by reference, are, subject to approval by the electors of the City of Oberlin, hereby approved and adopted.

SECTION 2. That said proposed amendments to Section XIX (A) of the Charter of the City of Oberlin, Ohio, shall be submitted to the electors of the City of Oberlin for acceptance or rejection at an election to be held on the first Tuesday after the first Monday in November, 2014, to wit: November 4, 2014; and if approved by majority vote shall become effective immediately thereafter.

SECTION 3. That the ballot language for said proposed amendments to the Charter of the City of Oberlin, Ohio, shall read as follows, or as required to be modified by the Ohio Secretary of State:

PROPOSED CHARTER AMENDMENTS

A majority affirmative vote is necessary for passage.

Shall Section XIX (A) of the Charter of the City of Oberlin be amended, as proposed by Ordinance No. 14-29 AC CMS to provide that Council may remove a member of a City board or commission for cause or, in the event of three or more consecutive absences, upon the request of a majority of the remaining members of such board or commission and to provide for an opportunity for a public hearing prior to removal.

SHALL THE PROPOSED AMENDMENTS TO SECTION XIX (A) OF THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____

NO _____

ORDINANCE No. 14-29 AC CMS

EXHIBIT A

SECTION XIX. BOARDS AND COMMISSIONS.

A. The members of all commissions and boards of the Municipality shall be appointed and may be removed by Council. The members of all boards and commissions shall be removed only by a vote of five (5) or more members of Council for cause as determined by such majority of Council. ~~and upon complaint and an~~ A member of a board or commission who is subject to removal may request and be heard at a public hearing prior to his or her removal. Any board or commission member who is absent from three (3) consecutive meetings shall be subject to removal. In such event and upon the vote of a majority of the remaining members of such board or commission the Chairman shall notify the Council President and Clerk of Council and shall request the removal and replacement of the member.

SECTION 4. The Clerk of Council of the City of Oberlin shall cause this ordinance to be certified to the Board of Elections of Lorain County, Ohio, no later than September 4, 2014, and shall further cause the full text of said proposed Charter Amendment to be published in a newspaper of general circulation in the City of Oberlin, Ohio, at least once a week for three consecutive weeks during the month of October 2014.

SECTION 5. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were conducted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the citizens of the City of Oberlin, Ohio, to wit: to comply with all applicable time limits in placing a charter amendment on the ballot," and shall take effect immediately upon passage.

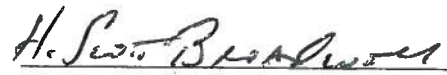
PASSED: 1st Reading: June 2, 2014

2nd Reading: June 16, 2014 (A)

3rd Reading: July 7, 2014 (A) (EFFECTIVE IN 30 DAYS)

ATTEST:


BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



H. SCOTT BROADWELL
PRESIDENT OF COUNCIL

POSTED: 07/08/2014

EFFECTIVE DATE: 08/06/2014

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 14-29 AC CMS as passed by the Oberlin City Council.

Seal


Belinda B. Anderson, MMC
Clerk of Council, City of Oberlin, Ohio