

CITY OF OBERLIN, OHIO

ORDINANCE No. 14-32 AC CMS

AN ORDINANCE PROPOSING TO AMEND SECTION XXVIII OF THE CHARTER OF THE CITY OF OBERLIN RELATING TO THE APPOINTMENT TO AND VOTING AUTHORITY OF A MEMBER OF COUNCIL ON THE CHARTER REVIEW COMMITTEE 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 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 amendment to Section XXVIII of the Charter of the City of Oberlin, Ohio, as is set forth in the attachment hereto, which is marked "Exhibit A" and incorporated herein by reference, is, subject to approval by the electors of the City of Oberlin, hereby approved and adopted.

SECTION 2. That said proposed amendment to Section XXVIII 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 AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section XXVIII of the Charter of the City of Oberlin be amended, as proposed by Ordinance No. 14-32 AC CMS, to provide for the appointment of one (1) member of Council to the Charter Review Committee and to provide that such Council member shall have no vote in the proceedings of the Charter Review Committee?

SHALL THE PROPOSED AMENDMENT TO SECTION XXVIII OF THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____

NO _____

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 August 6, 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 two consecutive weeks during the month of October, 2014, with the first publication to be at least fifteen (15) days prior to the election.

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.

FAILED: 1st Reading: June 2, 2014

2nd Reading: _____

3rd Reading: _____

ATTEST:

BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

H. SCOTT BROADWELL
PRESIDENT OF COUNCIL

POSTED: June 3, 2014

FAILED DATE: June 2, 2014

~~I hereby certify that the foregoing is a true and correct copy of Ordinance No. 14-32-AC-CMS as passed by the Oberlin City Council.~~

Seal

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

ORDINANCE No. 14-32 AC CMS

EXHIBIT A

SECTION XXVIII. CHARTER REVIEW COMMITTEE.

At the second meeting of Council in January, 2003, and each ten (10) years thereafter, a Charter Review Committee of ~~eleven (11)~~ twelve (12) members one of whom shall be a Council member shall be appointed to study, appraise and evaluate the operation of this Charter. The Council member appointed to the Committee shall have all of the incidents of membership but shall have no vote and shall not make or second any motion. In the event that the Council member appointed to the Committee shall cease to be a member of Council, his or her membership on the Committee shall terminate and Council shall appoint another from its membership. No later than the first Council meeting in March of the following year, the Committee shall submit to Council all recommendations with respect to changes or alterations of this Charter.

Council shall review any recommendations submitted by the Charter Review Committee and shall approve or disapprove each separate recommendation. Council thereafter shall submit to the electorate the changes or alterations it has approved, together with any other Charter issues Council determines to submit to the electorate, pursuant to Article XVIII, ~~Paragraph~~ Section 9, of the Constitution of the State of Ohio.

Council should endeavor to recruit as members of the Charter Review Committee person's representative of Oberlin's population. ~~No more than two (2) members of the seated Council may serve on the Committee; if no Council member is appointed to serve as a member of the Committee, Council shall appoint at least one sitting member of Council to act as liaison between the Council and the Committee.~~