

CITY OF OBERLIN, OHIO

ORDINANCE No. 14-43 AC CMS

AN ORDINANCE PROPOSING TO AMEND SECTION XIX (B) OF THE CHARTER OF THE CITY OF OBERLIN TO REMOVE THE LIMITATION ON THE NUMBER OF TERMS A PERSON MAY SERVE ON A CITY BOARD OR COMMISSION AND PROHIBITING THE APPOINTMENT OF CITY EMPLOYEES TO BOARDS AND COMMISSIONS 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 XIX(B) 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 XIX (B) 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 XIX (B) of the Charter of the City of Oberlin be amended, as proposed by Ordinance No. 14-43 AC CMS, to remove the limitation on the number of terms a person may serve on a City board or commission and prohibiting the appointment of City employees to City boards and commissions?

SHALL THE PROPOSED AMENDMENT TO SECTION XIX (B) 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 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.

FAILED 1st Reading: July 21, 2014

2nd Reading: _____

3rd Reading: _____

ATTEST:

BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

H. SCOTT BROADWELL
PRESIDENT OF COUNCIL

POSTED: 7/22/2014

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EXHIBIT A

SECTION XIX. BOARDS AND COMMISSIONS.

B. All boards and commissions shall consist of five (5) members with terms of three (3) years, except the members first appointed to five (5) year terms. ~~No member shall be appointed to more than three (3) consecutive terms.~~ Any vacancy during the unexpired term of an appointed member shall be filled by Council for the remainder of the term. All members appointed to boards and commissions shall be residents and registered and qualified electors of the Municipality at the time of their appointment. Change of residence to outside the corporate limits of the Municipality shall automatically end the term of any board or commission member. Boards and commissions shall establish their own organization, procedure, rules and regulations subject to Council approval, and shall serve without compensation and incur no expenses, except as provided by Council. Agendas, minutes and annual reports are to be submitted to the Clerk of Council. Unless otherwise specified in this Charter, no employee of the City shall be appointed by the City Council to serve on a Board, Commission or Committee established by the Charter or by Ordinance. However, City employees may be appointed to serve on ad hoc committees when such service is by virtue of their position. Employees currently on Boards, Commissions or Committees at the time this provision is effective may serve out their term. Anyone who becomes a City employee while serving on a Board, Commission or Committee shall resign their seat before commencing employment.

FAILED