

## **CITY OF OBERLIN, OHIO**

### **ORDINANCE NO. 21-44 AC CMS**

#### **AN ORDINANCE AUTHORIZING MEMBERS OF CITY BOARDS AND COMMISSIONS TO ATTEND, DELIBERATE, VOTE AND OTHERWISE PARTICIPATE IN PUBLIC MEETINGS BY VIDEO CONFERENCE AS AN EMERGENCY MEASURE**

WHEREAS, the Ohio State Legislature passed Sub. H.B. 197 as an emergency measure which among other provisions, granted members of a public body permissive authority to hold, attend and take public actions in public meetings by teleconference, video conference or any other similar electronic technology provided that certain requirements are met; and

WHEREAS, the permissive authority granted under Sub. H.B. 197 was to expire on December 1, 2020; and

WHEREAS, Sub. H.B. 197 was amended by Sub H.B. 404 to extend the expiration date of its provisions until July 1, 2021; and,

WHEREAS, the City of Oberlin has the technology to have any and/or all members of City Boards and Commissions take part in their meetings by video conference or other similar electronic technology whereby the participating members of the boards or commissions may be seen and heard and to broadcast the meeting to the public in real time; and

WHEREAS, the City Council of the City of Oberlin believes that it is in the best interest of the citizens of Oberlin to continue to permit the members of City Boards and Commissions to conduct and participate in their meetings by video conference for convenience and to enable better access to meetings by the public; and

WHEREAS, Section II of the Oberlin City Charter provides that the powers of local self-government and those powers possessed by municipalities under the Constitution and laws of Ohio may be exercised in the manner prescribed in the Charter, or by ordinances of Council created thereby.

**THEREFORE, BE IT ORDAINED** by the Council of the City of Oberlin, State of Ohio:

**SECTION 1:** That the members of the Oberlin City Boards and Commissions are authorized to attend, participate, deliberate, vote and take other official actions in their meetings in whole or in part by video conference or other similar electronic technology provided that, (1) notice is provided as required under Ohio law for a public meeting; (2) a quorum is present, whether in person or by the technology employed; (3) in the event that a member appearing by the technology employed is disconnected and such disconnection results in less than a quorum being present, all discussions and deliberations shall be discontinued until that member can be reconnected; (4) the public is able to hear and observe the discussions and deliberations of all of the members present including those participating by the technology employed. All other requirements of the Open Meetings Act shall be applicable.

SECTION 2: That City Boards and Commissions may implement the authority conferred by this ordinance through the adoption of a rule to be approved by Council as is provided in Section XIX(B) of the Oberlin City Charter .

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted 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 actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, to wit: to authorize the electronic participation of members of Oberlin City boards and commissions as soon as is possible after the expiration of the temporary authority conferred by Sub. H.B. 197 as amended and provided that it is elevated to emergency status by the affirmative vote of at least five members of council and receives the affirmative vote of at least five members of council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect at the earliest period allowed by law.

PASSED: 1st Reading: July 6, 2021  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_

ATTEST:  
  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
LINDA SLOCUM  
PRESIDENT OF COUNCIL

POSTED: 07/07/2021

EFFECTIVE DATE: 07/06/2021