

**CITY OF OBERLIN, OHIO**

**ORDINANCE NO. 23-17 AC CMS**

**AN ORDINANCE APPROVING RULES OF PROCEDURE FOR THE CHARTER REVIEW COMMITTEE AS AN EMERGENCY MEASURE**

Be it Ordained by the Council of the City of Oberlin, County of Lorain, State of Ohio:

Section 1. That the Rules of Procedure adopted by the Charter Review Committee on February 11, 2023, a copy of which is attached hereto as Exhibit A, is hereby approved.

Section 2. 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. 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, Ohio, or to provide for the usual daily operation of a municipal department, to wit: to provide for efficiency, convenience and order in the meetings of the Charter Review Committee to facilitate the conclusion of its work by the deadline set forth in Section XXVIII of the Oberlin City Charter 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: 1<sup>st</sup> Reading: February 21, 2023  
2<sup>nd</sup> Reading: \_\_\_\_\_  
3<sup>rd</sup> Reading: \_\_\_\_\_

ATTEST:



\_\_\_\_\_  
BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL



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BRYAN BURGESS  
PRESIDENT OF COUNCIL

POSTED: 02/22/2023

EFFECTIVE DATE: 02/21/2023

## **Rules of Procedure of the City of Oberlin Charter Review Committee**

### **PURPOSE:**

The purpose of these rules is to establish procedures for the City of Oberlin Charter Review Committee (hereinafter referred to as the “Committee”), to ensure the orderly conduct of its meetings.

### **ORGANIZATION:**

1. Election of Chair and Vice Chair: At its first meeting, the members of the Committee shall elect a Chair, Vice-Chair and a Secretary. At that meeting, a member of the Council who is serving on the Committee shall conduct the election of the Chair, who, in turn, will conduct the election of the Vice-Chair and Secretary.

2. Duties of the Chair and Vice-Chair: The Chair, or in the absence of the Chair, the Vice-Chair, shall preside over the meetings. In the absence of the Chair and the Vice-Chair, a member selected by a majority of a quorum of the Committee shall act as Chair for that meeting. The presiding member shall preserve order in the meeting and shall conduct the proceedings in accordance with these rules.

3. Authority to Represent: The Chair or Vice-Chair may represent or speak publicly about the actions of the Committee. No other member of the Committee shall have such authority unless authorized by the Committee. Unless authorized, any member who speaks publicly about a matter before the Committee shall make clear that they are speaking in a private capacity and not on behalf of the Committee.

### **AGENDAS:**

1. Agenda Required: Each meeting of the Committee shall have an agenda approved by the Chair, with time allotted for each item of business to be considered by the Committee.

2. Posting of Agenda: The meeting agenda shall be made available to the general public and posted on the City website at least 48 hours prior to a meeting.

### **MEETINGS:**

1. Except as is otherwise provided for herein, the Committee shall conduct its meetings in accordance with the Ohio Open Meetings Act. This means that unless otherwise permitted by law, meetings of the Committee will be open to the public, and minutes of those meetings shall be promptly prepared and made available for public inspection.

2. Scheduling, Location, and Notice of Meetings: Regular meetings of the Committee will be held on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays unless canceled by order of the Chair. The Chair may schedule special meetings on an as-needed basis. Unless otherwise posted in advance, all meetings shall be held at the Oberlin City Hall.

3. Order of Business: All business shall be conducted in the same order as it appears on the agenda. Any other adjustment to the agenda, for example, changing the order of business, postponing or tabling actions, may be made by unanimous consent of the members present or by motion.

4. Quorum: A quorum of the members of the Committee must be present to constitute a meeting. A majority of the members of the Committee shall constitute a quorum. No deliberations or official action may be taken in the absence of a quorum, with the exception of the following procedural steps:

- a) End the meeting through a motion to adjourn
- b) Recess the meeting in an effort to obtain a quorum
- c) Take measures to obtain a quorum, such as rounding up or contacting an absent member.

5. Passage of Motions: Official actions of the Committee shall be made by motion duly passed by the affirmative vote of at least a majority of the members of the Committee. The Chair or presiding member may offer a motion and may vote on all matters before the Committee.

6. Presence at Meeting: A member must be present to be counted for the purpose of determining the presence of a quorum, to participate in deliberations, and to cast a vote. Except in the case of a conflict of interest, every member must vote on a matter before the Committee. No member may abstain; however, a member may recuse themselves due to a conflict of interest. A member who is precluded from voting due to a conflict of interest shall take no part in any discussions or deliberations relating to the matter. The fact of any recusal shall be reflected in the minutes.

7. Public Participation: All meetings of the Committee are public. Members of the public may speak in accordance with the following procedure:

- a) The Chair shall first recognize each speaker from the public.
- b) Each speaker from the public shall state their name and address.
- c) Comments must be addressed to the Chair or presiding member or to the Committee as a whole and not to any individual member of the Committee or of the public.
- d) Comments shall be limited to 2 minutes and shall relate solely to matters under consideration by the Committee at the meeting.

- e) Additional comments from the same speaker may be permitted by the consent of the Chair only after other members of the public desiring to speak have spoken.

8. Order and Decorum: Order and decorum shall be observed by all persons present at the meeting. Neither members of the Committee nor members of the public shall delay or interrupt the proceedings or the peace of the meeting or interrupt or disturb any member while speaking. Members of the Committee and members of the public are prohibited from making personal, impertinent, threatening, or profane remarks.

9. Enforcement of Rules: Members of the Committee and members of the public shall obey the orders of the Chair or presiding member. The Chair may declare a recess, order the removal of any person whose conduct substantially interferes with the conduct of the meeting, or take such other action as may be appropriate.

10. Electronic Participation in Meetings: Notwithstanding anything hereby to the contrary, pursuant to the authority conferred by Ordinance No. 21-44 AC CMS members of the Committee may attend, participate, deliberate, vote, and take other official actions in Committee meetings in whole or in part by teleconference, 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. In the event the Committee has established a rule to permit comments by the public that relate to matters before the Committee, the technology employed shall provide a means for members of the public to comment in accordance with that rule.

#### **AMENDMENT AND INTERPRETATION OF RULES:**

1. Amendment to Rules: Any amendment of these rules shall first be adopted by a two-thirds vote of the members of the Committee and receive the approval of City Council.

2. Interpretation: In the absence of clear guidance by these rules, applicable portions of the most recent version of Robert's Rules of Order shall govern.

Adopted by the Charter Review Committee on February 11, 2023.

ATTEST:

  
Secretary

Approved by Ordinance of Council No. 23-17 AC CMS on February 21, 2023.