

CITY OF OBERLIN, OHIO

ORDINANCE No. 23-74 AC CMS

AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO A VOTE OF THE ELECTORS OF THE CITY OF OBERLIN, OHIO, AT A SPECIAL ELECTION TO BE HELD ON MARCH 19, 2024, A PROPOSAL TO AMEND SECTIONS III (A), III (D) AND III (E) OF THE CHARTER OF THE CITY OF OBERLIN, OHIO TO PROVIDE FOR STAGGERED FOUR-YEAR TERMS FOR COUNCIL MEMBERS COMMENCING WITH THE JANUARY 2026 TERM, TO ESTABLISH A LIMIT OF THREE CONSECUTIVE TERMS ON THE CITY COUNCIL, TO PROVIDE FOR THE FILLING OF VACANCIES ON THE CITY COUNCIL BY APPOINTMENT WITHIN SIXTY (60) DAYS FOR THE EARLIER OF THE UNEXPIRED TERM OR UNTIL THE NEXT REGULAR MUNICIPAL ELECTION AND TO PROVIDE THAT SALARIES FOR SUCCEEDING TERMS OF THE MEMBERS OF COUNCIL BE FIXED BY ORDINANCE AS AN EMERGENCY MEASURE

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

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

WHEREAS, this Council has determined that it is in the best interest of the City of Oberlin to propose some or all of 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:

SECTION 1. That the amendments to Sections III (A), III (D), and III (E) 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, are, subject to approval by the electors of the City of Oberlin, hereby approved and adopted.

SECTION 2. That said, the proposed amendments to Sections III (A), III (D) and III (E) 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 a special election to be held on March 19, 2024, and if approved by majority vote shall become effective as of the date of passage.

SECTION 3. That the ballot language for said proposed amendments to Sections III (A), (D), and III (E) of 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 Sections III (A), III (D), and III (E) of the Charter of the City of Oberlin be amended to provide staggered four-year terms for members of Council commencing with the January 2026 term to establish a limit of three (3) consecutive terms of the City Council, to provide for the filling of vacancies on the City Council by appointment within sixty (60) days for the earlier of the unexpired term or until the next regular municipal election and to provide that salaries for succeeding terms of the members of Council be fixed by ordinance?

	YES	SHALL THE PROPOSED AMENDMENTS TO SECTIONS III (A), III (D), AND III (E) OF THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?
	NO	

SECTION 4. If this ordinance receives the affirmative vote of at least 2/3 of its members, 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, as soon as possible but not later than 4:00 p.m. on December 20, 2023, 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 February of 2024.

SECTION 5. 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 comply with applicable time limits to place a charter amendment on the ballot, 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 on the earliest date allowed by law.

PASSED: 1st Reading: November 20, 2023
2nd Reading: December 4, 2023
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 12/05/2023

EFFECTIVE DATE: 12/04/2023

EXHIBIT A

SECTION III COUNCIL

A. Powers, Number, and Terms. All the legislative powers of the City of Oberlin, except as limited by this Charter and the Constitution of Ohio, shall be vested in a Council of seven (7) members elected at large in a nonpartisan election for staggered four-year terms, which shall commence as of the January 2026 term of Council. At the election preceding the January 2026 term of Council, four (4) candidates shall have run for and been elected to four-year terms, and three (3) candidates shall have run for and been elected for two-year terms. Thereafter, all members of Council shall be elected to serve a term of four (4) years. Members shall serve concurrently, beginning on the first Monday of January of the year following their election and until their successors are elected and qualified, and no member shall be elected to more than three (3) consecutive terms.

* * *

D. Vacancies. Whenever the office of a member of Council becomes vacant for any reason, the vacancy shall be filled by a majority vote of the then remaining members of Council within sixty (60) days of the date of such vacancy. Each person appointed to fill a vacancy shall hold office for the earlier of the remainder of the unexpired term to which they have been appointed or until a successor is elected at the next municipal election.

E. Salaries. Council may determine and fix the salary of its members by ordinance but the salaries of Council members shall not be increased or decreased during the elective term of office which they are serving but only in respect to a succeeding term of office.. The salaries of Council members shall be paid in equal monthly installments.