

CITY OF OBERLIN, OHIO

ORDINANCE No. 23-75 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 SECTION III (F) OF THE CHARTER OF THE CITY OF OBERLIN, OHIO TO PRESERVE THE REQUIREMENT THAT ALL MEETINGS OF THE COUNCIL SHALL BE OPEN TO THE PUBLIC IN ACCORDANCE WITH STATE LAW AND TO ACCOMMODATE FUTURE CHANGES IN TECHNOLOGY BY THE DELETION OF THE SPECIFIC CONDITION THAT AN ORDINANCE PRESCRIBING THE MANNER IN WHICH THE COUNCIL HOLDS ITS MEETINGS REQUIRE THAT THE PUBLIC BE ABLE TO HEAR AND OBSERVE THE DISCUSSIONS AND DELIBERATIONS OF ALL OF THE PARTICIPATING MEMBERS OF COUNCIL 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 amendment to Section III (F) 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, is hereby approved and adopted.

SECTION 2. This Council hereby authorizes the submission of the proposed amendment 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 a majority vote of the electors, shall become effective as of the date of passage.

SECTION 3. That the ballot language for said proposed amendment to Section III (F) 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 Section III (F) of the Charter of the City of Oberlin, Ohio, be amended to preserve the requirement that all meetings of the Council shall be open to the public in accordance with State law and to accommodate future changes in technology by the deletion of the specific condition that an ordinance prescribing the manner in which the Council holds its meetings require that the public be able to hear and observe the discussions and deliberations of all of the participating members of the Council?

	YES	SHALL THE PROPOSED AMENDMENT TO SECTION III (F) 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. 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. 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 requirements 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

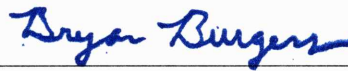
 3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

POSTED: 12/05/2023



BRYAN BURGESS
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 12/04/2023

EXHIBIT A

SECTION III COUNCIL

* * *

F. Meetings and Organization. During the first regular meeting in January following each regular municipal election, Council shall meet for the purpose of organization. Thereafter Council shall meet at such times as may be prescribed by its rules, regulations, ordinances, and bylaws; but it shall hold regular meetings at least twice during the calendar months of the year, with the exception of the months of July and August, during each of which months Council may at its discretion dispense with one of its regular meetings. All meetings of the Council, whether regular or special, shall be open to the public except as is otherwise authorized by State law. Meetings of Council shall be conducted in accordance with the provisions of State law or as may otherwise be prescribed by Ordinance of Council approved by at least a 5/7th majority of its members.