



2014

PROPOSED CHARTER AMENDMENTS



*This booklet contains
proposed
amendments to the
Oberlin City Charter
that will appear on
the November 4, 2014
General Election
ballot*

CITY OF OBERLIN



The following are proposed amendments to the Oberlin City Charter that will appear on the November 4, 2014 general election ballot.

PROPOSED CHARTER AMENDMENT

NO. 23

(ORD. NO. 14-25)

BALLOT LANGUAGE

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE.

SHALL SECTIONS III, V, VI, IX, XVII, XIX, XXI AND XXV OF THE CHARTER OF THE CITY OF OBERLIN BE AMENDED AS FOLLOWS:

SUCH AMENDMENTS, AMONG OTHER THINGS, PROVIDING FOR THE ORGANIZATIONAL MEETING TO OCCUR AT THE FIRST REGULAR MEETING OF COUNCIL IN EACH YEAR FOR THE APPOINTMENT OF THE VICE PRESIDENT OF COUNCIL AT THAT MEETING, THE DESIGNATION OF THE ASSISTANT CITY MANAGER AS THE ACTING CITY MANAGER DURING THE CITY MANAGER'S ABSENCE UNLESS HE OR SHE IS UNABLE TO SERVE, DELETION OF THE PROVISION AFFORDING THE CITY MANAGER THREE (3) MONTH'S SALARY AND RESIDENCE UPON HIS OR HER REMOVAL, AUTHORIZING COUNCIL TO ESTABLISH BY RULE THE ELECTRONIC CASTING AND TABULATION OF ITS VOTES, CLARIFYING THE DUTIES OF THE LAW DIRECTOR TO INCLUDE THE REVIEW AND AMENDMENT OF CONTRACTS, CLARIFYING THE ROLE OF THE CITY PLANNING COMMISSION BY REQUIRING THAT IT RECOMMEND TO COUNCIL THE ADOPTION OF STRATEGIC PLANS FROM TIME TO TIME AND TO MAKE PERIODIC REVIEWS OF SUCH PLANS, CLARIFYING THE ROLE OF THE RECREATION COMMISSION AS AN ADVISORY BODY, CLARIFYING THE PROCEDURES FOR THE AMENDMENT OF THE CITY CHARTER BY THE DELINEATING THE TIME PERIOD WITHIN WHICH A PETITION OR ORDINANCE MAY BE CERTIFIED TO THE BOARD OF ELECTIONS AND CLARIFYING THE PROCEDURES FOR THE RECALL OF A MEMBER OF COUNCIL BY DELINEATING THE TIME PERIOD WITHIN WHICH A RECALL SHALL BE SUBMITTED TO THE ELECTORATE?

SHALL THE PROPOSED AMENDMENT ADDING SECTION III, V, VI, IX, XVII, XIX, XXI AND XXV OF THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____
NO _____



The following are proposed amendments to the Oberlin City Charter that will appear on the November 4, 2014 general election ballot.

FULL TEXT

SECTION III. COUNCIL.

F. **MEETINGS AND ORGANIZATION. DURING THE FIRST REGULAR MEETING IN JANUARY** FOLLOWING EACH REGULAR MUNICIPAL ELECTION, COUNCIL SHALL MEET AT THE COUNCIL CHAMBERS OF THE MUNICIPALITY 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 IN ACCORDANCE WITH STATE LAW.

G. **PRESIDENT OF COUNCIL.** THE COUNCIL SHALL AT THE TIME OF ITS ORGANIZATION SELECT ONE OF ITS MEMBERS TO SERVE AS PRESIDING OFFICER, WITH THE TITLE OF PRESIDENT OF COUNCIL AND OF MAYOR. AS MAYOR HE OR SHE SHALL BE RECOGNIZED AS THE OFFICIAL HEAD OF THE MUNICIPALITY FOR ALL CEREMONIAL PURPOSES, AND BY THE GOVERNOR FOR MILITARY PURPOSES. THE PRESIDENT OF THE COUNCIL SHALL BE EMPOWERED TO EXECUTE LEGAL INSTRUMENTS FOR THE MUNICIPALITY, BUT SHALL HAVE NO OTHER ADMINISTRATIVE FUNCTIONS. HE OR SHE SHALL HAVE ALL THE POWERS, DUTIES, FUNCTIONS, OBLIGATIONS AND RIGHTS OF ANY OTHER MEMBER OF COUNCIL.

AT THE SAME TIME A VICE-PRESIDENT ALSO SHALL BE SELECTED BY COUNCIL, AND SHALL SERVE AS PRESIDING OFFICER AND/OR MAYOR IN THE ABSENCE OF THE PERSON SERVING THE COMBINED POSITION AS PRESIDENT-MAYOR.

SECTION V. APPOINTMENT OF CITY MANAGER.

B. **DESIGNATION OF ACTING CITY MANAGER DURING TEMPORARY ABSENCE. THE ASSISTANT CITY MANAGER SHALL SERVE AS THE ACTING CITY MANAGER DURING THE CITY MANAGER'S ABSENCE, DISABILITY OR SUSPENSION. DURING HIS OR HER TERM OF OFFICE, THE CITY MANAGER SHALL FROM TIME TO TIME DESIGNATE IN WRITING TO THE CLERK OF COUNCIL ANOTHER CITY ADMINISTRATOR WHO SHALL SERVE AS ACTING CITY MANAGER IN THE EVENT THE ASSISTANT CITY MANAGER SHALL BE UNABLE OR UNAVAILABLE TO SERVE DURING THE CITY MANAGER'S ABSENCE, DISABILITY OR SUSPENSION. THE PERSON SO DESIGNATED SHALL BE, IN THE OPINION OF THE CITY MANAGER, APPROPRIATE AND QUALIFIED TO EXERCISE THE POWERS AND PERFORM THE DUTIES OF THE CITY MANAGER. DURING SUCH ABSENCE, DISABILITY OR SUSPENSION, THE COUNCIL MAY BY A VOTE OF FIVE**



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(5) OF ITS MEMBERS REVOKE SUCH DESIGNATION AT ANY TIME AND APPOINT ANOTHER QUALIFIED CITY ADMINISTRATOR TO SERVE UNTIL THE CITY MANAGER RETURNS, THE DISABILITY CEASES, THE SUSPENSION ENDS, OR A NEW OR INTERIM CITY MANAGER IS APPOINTED. ANY SUCH DESIGNATION OR REVOCATION SHALL BE SUBJECT TO RULES ESTABLISHED BY COUNCIL.

SECTION VI. REMOVAL OF CITY MANAGER.

COUNCIL MAY REMOVE THE CITY MANAGER BY A VOTE OF FIVE (5) OF ITS MEMBERS. AT LEAST THIRTY (30) DAYS BEFORE SUCH REMOVAL SHALL BECOME EFFECTIVE, COUNCIL SHALL BY A MAJORITY VOTE OF ITS MEMBERS ADOPT A PRELIMINARY RESOLUTION STATING THE REASONS FOR HIS OR HER REMOVAL. BY THE PRELIMINARY RESOLUTION COUNCIL MAY SUSPEND THE CITY MANAGER FROM DUTY. THE CITY MANAGER MAY REPLY IN WRITING. WITHIN TWO WEEKS AFTER RECEIVING SUCH NOTICE OF PRELIMINARY RESOLUTION, THE CITY MANAGER MAY REQUEST A PUBLIC HEARING, WHICH SHALL BE HELD WITHIN TWENTY (20) DAYS AFTER THE FILING OF SUCH REQUEST IN WRITING. WITHIN TEN (10) DAYS AFTER SUCH PUBLIC HEARING, IF ONE BE REQUESTED, AND AFTER FULL CONSIDERATION, OF ALL EVIDENCE PRESENTED, COUNCIL BY A VOTE OF FIVE (5) OF ITS MEMBERS SHALL ANNOUNCE ITS FINAL DECISION. THE ACTION OF COUNCIL IN SUSPENDING OR REMOVING THE CITY MANAGER SHALL BE FINAL, IT BEING THE INTENTION OF THIS CHARTER TO VEST ALL AUTHORITY AND FIX ALL RESPONSIBILITY FOR SUCH SUSPENSION OR REMOVAL IN THE COUNCIL.

SECTION IX. PROCEDURE OF COUNCIL

C.

9. THE CITY COUNCIL MAY, BY RULE, PROVIDE FOR THE ELECTRONIC CASTING AND TABULATION OF ITS VOTES.

SECTION XVII. LAW DIRECTOR.

COUNCIL SHALL APPOINT A LAW DIRECTOR TO SERVE AT COUNCIL'S PLEASURE WHO SHALL ACT AS THE LEGAL ADVISER TO AND ATTORNEY FOR THE MUNICIPAL CORPORATION, AND FOR ALL OFFICERS, BOARDS AND COMMISSIONS OF THE MUNICIPAL CORPORATION IN MATTERS RELATING TO THEIR OFFICIAL DUTIES. HE OR SHE SHALL PREPARE, **REVIEW OR AMEND** ALL CONTRACTS, BONDS AND OTHER INSTRUMENTS IN WRITING IN WHICH THE MUNICIPAL CORPORATION IS CONCERNED, AND SHALL ENDORSE ON EACH HIS OR HER APPROVAL OF THE FORM. NO CONTRACT WITH THE MUNICIPAL CORPORATION SHALL TAKE EFFECT UNTIL SUCH APPROVAL OF THE LAW DIRECTOR IS ENDORSED THEREON.



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THE LAW DIRECTOR OR HIS OR HER ASSISTANTS SHALL BE THE PROSECUTOR IN ANY MUNICIPAL COURT OF THE CITY OF OBERLIN, AND SHALL PERFORM SUCH OTHER DUTIES AND HAVE SUCH ASSISTANTS AND CLERKS AS ARE REQUIRED OR PROVIDED. HIS OR HER DUTIES AS LAW DIRECTOR DO NOT INCLUDE THE LEGAL REPRESENTATION OF THE OBERLIN SCHOOL DISTRICT.

SECTION XIX. BOARDS AND COMMISSIONS.

E. **CITY PLANNING COMMISSION.** COUNCIL SHALL APPOINT A CITY PLANNING COMMISSION. THE CITY PLANNING COMMISSION SHALL HAVE SUCH POWERS AND DUTIES AS ARE OR MAY BE CONFERRED UPON IT BY THE GENERAL LAWS OF THE STATE OF OHIO, AND SUCH POWERS AS MAY BE CONFERRED UPON IT BY COUNCIL, INCLUDING BUT NOT LIMITED TO THE PLAN, DESIGN, LOCATION, REMOVAL, RELOCATION, WIDENING, EXTENSION, AND VACATION OF STREETS, PARKWAYS, PLAYGROUNDS AND OTHER PUBLIC PLACES; THE APPROVAL OF PLATS FOR SUBDIVISION OF LAND; AND THE ZONING OF THE MUNICIPALITY FOR ANY LAWFUL PURPOSE. **THE COMMISSION SHALL FROM TIME TO TIME PROPOSE TO COUNCIL THE ADOPTION OF STRATEGIC PLANS FOR THE MUNICIPALITY WHICH ARE CONSISTENT WITH POWERS CONFERRED UPON IT, AND SHALL PERIODICALLY REVIEW SUCH PLANS TO ENSURE THEIR CONTINUED RELEVANCE.**

SECTION XIX. BOARDS AND COMMISSIONS.

F. **RECREATION COMMISSION.** COUNCIL SHALL APPOINT A RECREATION COMMISSION. THE RECREATION COMMISSION SHALL **ACT IN AN ADVISORY CAPACITY AND THROUGH CONSULTATION WITH OTHER CITY BOARDS OR COMMISSIONS AS DEEMED APPROPRIATE BY THE COMMISSION OR BY COUNCIL, MAKE RECOMMENDATIONS TO COUNCIL CONCERNING THE DEVELOPMENT OF PLAYGROUNDS, PARKS, RECREATIONAL FACILITIES AND PROGRAMS FOR THE CITY, INCLUDING FEES AND CHARGES FOR THE USE THEREOF. THE RECREATION COMMISSION SHALL ALSO HAVE THOSE POWERS AND SHALL PERFORM THOSE DUTIES AS COUNCIL MAY DELEGATE TO IT BY ORDINANCE OR RESOLUTION.**

SECTION XXI. AMENDMENT OF CHARTER.

THIS CHARTER MAY BE AMENDED BY THE FOLLOWING PROCEDURE: COUNCIL BY A VOTE OF AT LEAST FIVE (5) OF ITS MEMBERS MAY SUBMIT TO THE ELECTORS OF THE MUNICIPALITY AMENDMENTS TO THIS CHARTER, AND COUNCIL SHALL, UPON PETITION BEING PRESENTED TO IT AT A REGULAR MEETING OF COUNCIL SETTING FORTH A PROPOSED AMENDMENT, SIGNED BY NOT LESS THAN 10 PERCENT OF THE RESIDENT QUALIFIED ELECTORS, SUBMIT SUCH A PROPOSED AMENDMENT TO THE ELECTORS FOR ADOPTION OR REJECTION AT **THE NEXT REGULAR MUNICIPAL ELECTION OR GENERAL ELECTION IF ONE SHALL OCCUR NOT**



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LESS THAN SIXTY (60) DAYS NOR MORE THAN ONE HUNDRED TWENTY (120) DAYS AFTER THE ACTION BY COUNCIL IN CERTIFYING THE PETITION OR THE PASSAGE OF THE ORDINANCE TO SUBMIT SUCH AMENDMENT TO THE ELECTORS AND IF A REGULAR MUNICIPAL ELECTION OR GENERAL ELECTION SHALL NOT OCCUR WITHIN SUCH TIME PERIOD THE SUBMISSION OF PROPOSED AMENDMENTS TO THE ELECTORS SHALL OCCUR AT A SPECIAL ELECTION TO BE CALLED AND HELD WITHIN SUCH TIME PERIOD. THE FULL TEXT OF ANY PROPOSED AMENDMENT SHALL BE PUBLISHED IN A NEWSPAPER OF GENERAL CIRCULATION IN THE MUNICIPALITY AT LEAST ONCE PER WEEK FOR THREE (3) CONSECUTIVE WEEKS IN THE MONTH PRIOR TO THE DATE OF ELECTION AT WHICH SAID AMENDMENT SHALL BE VOTED UPON AND A COPY OF SAID AMENDMENT SHALL BE MAILED TO EACH REGISTERED VOTER OF THE MUNICIPALITY AT LEAST 30 DAYS PRIOR TO SAID ELECTION.

SECTION XXV. RECALL.

THE ELECTORS SHALL HAVE THE POWER TO REMOVE FROM OFFICE BY A RECALL ELECTION ANY ELECTED OFFICER OF THE MUNICIPALITY. IF AN ELECTED OFFICER SHALL HAVE SERVED SIX MONTHS OF HIS OR HER TERM, A PETITION DEMANDING HIS OR HER REMOVAL MAY BE FILED WITH THE CLERK OF COUNCIL WHO SHALL NOTE THEREON THE NAME AND ADDRESS OF THE PERSON FILING THE PETITION AND THE DATE OF SUCH FILING.

SUCH PETITION MAY BE CIRCULATED IN SEPARATE PARTS, BUT THE SEPARATE PARTS SHALL BE BOUND TOGETHER AND FILED AS ONE INSTRUMENT. EACH PART SHALL CONTAIN THE NAME AND OFFICE OF THE PERSON WHOSE REMOVAL IS SOUGHT AND STATEMENT IN NOT MORE THAN TWO HUNDRED (200) WORDS OF THE GROUNDS FOR THE REMOVAL. SUCH PETITION SHALL BE SIGNED BY AT LEAST THAT NUMBER OF ELECTORS WHICH EQUALS 20 PERCENT OF THE ELECTORS VOTING AT THE LAST REGULAR MUNICIPAL ELECTION. WITHIN TEN (10) DAYS AFTER THE DAY ON WHICH SUCH PETITION SHALL HAVE BEEN FILED, THE CLERK SHALL DETERMINE WHETHER OR NOT IT MEETS THE REQUIREMENTS HEREOF IF THE CLERK SHALL FIND THE PETITION INSUFFICIENT, HE OR SHE SHALL PROMPTLY CERTIFY THE PARTICULARS IN WHICH THE PETITION IS DEFECTIVE, DELIVER A COPY OF HIS OR HER CERTIFICATE TO THE PERSON WHO FILED THE PETITION WITH HIM OR HER, AND MAKE A RECORD OF SUCH DELIVERY. SUCH PERSON SHALL BE ALLOWED A PERIOD OF TWENTY (20) DAYS AFTER THE DAY ON WHICH SUCH DELIVERY WAS MADE IN WHICH TO MAKE THE PETITION SUFFICIENT. IF THE CLERK SHALL FIND THE PETITION SUFFICIENT, HE OR SHE SHALL PROMPTLY SO CERTIFY SAME TO COUNCIL, AND TO THE OFFICER WHOSE REMOVAL IS SOUGHT, AND SHALL MAKE A RECORD OF SUCH CERTIFICATION AND THE TIME THEREOF.

IF SUCH **CERTIFICATION** SHALL HAVE BEEN MADE, THE COUNCIL SHALL THEREUPON ORDER AND FIX A DAY FOR HOLDING A RECALL ELECTION, NOT LESS THAN SIXTY (60), NOR MORE THAN SEVENTY-FIVE (75) DAYS AFTER THE DATE OF THE CLERK'S CERTIFICATION OF



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SUFFICIENCY TO BE HELD AT THE SAME TIME AS ANY OTHER GENERAL OR SPECIAL ELECTION HELD WITHIN SUCH PERIOD: BUT IF NO SUCH ELECTION BE HELD WITHIN SUCH PERIOD, AT A SPECIAL RECALL ELECTION TO BE HELD WITHIN THE PERIOD AFORESAID. SUCH RECALL ELECTIONS SHALL BE CERTIFIED TO THE BOARD OF ELECTIONS AND HELD IN ACCORDANCE WITH THE GENERAL LAWS OF OHIO. AT SUCH RECALL ELECTION, THE FOLLOWING QUESTION SHALL BE PLACED ON THE BALLOT: "SHALL (NAME OF OFFICER) BE ALLOWED TO CONTINUE AS (NAME OF OFFICE)?", WITH PROVISION ON THE BALLOT FOR VOTING AFFIRMATIVELY OR NEGATIVELY ON SUCH QUESTION. IF A MAJORITY OF THE BALLOTS CAST AT SUCH ELECTION SHALL BE VOTED AFFIRMATIVELY, SUCH OFFICER SHALL REMAIN IN OFFICE. IF A MAJORITY OF THE BALLOTS CAST SHALL BE VOTED NEGATIVELY, SUCH OFFICER SHALL BE CONSIDERED REMOVED, AND HIS OR HER OFFICE SHALL BE DEEMED VACANT, AND SUCH VACANCY SHALL BE FILLED AS PROVIDED IN THIS CHARTER. THE OFFICER REMOVED BY SUCH RECALL ELECTION SHALL NOT BE ELIGIBLE FOR APPOINTMENT TO THE VACANCY CREATED THEREBY.

PROPOSED CHARTER AMENDMENT

NO. 24

(ORD. NO. 14-27)

BALLOT LANGUAGE

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE.

SHALL SECTION IX(C)(4) OF THE CHARTER OF THE CITY OF OBERLIN BE AMENDED, AS FOLLOWS:

TO PROVIDE THAT ORDINANCES AND RESOLUTIONS SHALL BE READ UPON ITS INTRODUCTION BY NUMBER, TITLE, AND SUBSTANTIVE PORTIONS ONLY UNLESS FOUR (4) MEMBERS OF COUNCIL VOTE TO SUSPEND THE RULE AND READ IT IN FULL AND THAT ANY ORDINANCE OR RESOLUTION SHALL BE READ BY NUMBER AND TITLE ONLY UPON ITS SECOND AND THIRD CONSIDERATIONS, UNLESS FOUR (4) MEMBERS OF COUNCIL VOTE IN FAVOR OF A FULLER READING AND TO PROVIDE THAT COUNCIL MAY, BY UNANIMOUS VOTE, DISPENSE WITH THE REQUIREMENT FOR A READING OF SUBSTANTIVE PORTIONS OF AN ORDINANCE OR RESOLUTION WHERE COUNCIL HAS DETERMINED THAT SUCH READING IS NOT NECESSARY AND THAT DISPENSATION OF THE REQUIREMENT WOULD PROMOTE EFFICIENCY IN THE CONDUCT OF ITS MEETING.



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SHALL THE PROPOSED AMENDMENT ADDING SECTION IX (C)(4) TO THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____
NO _____

FULL TEXT

SECTION IX. PROCEDURE OF COUNCIL

C. READING. PASSAGE, POSTING AND RECORDING OF LEGISLATIVE ACTION.

4. ANY ORDINANCE OR RESOLUTION SHALL BE READ UPON ITS INTRODUCTION **BY NUMBER, TITLE, AND SUBSTANTIVE PORTIONS, UNLESS FOUR (4) MEMBERS OF COUNCIL VOTE TO SUSPEND THE RULE AND READ IT IN FULL.** ANY ORDINANCE OR RESOLUTION SHALL BE READ BY NUMBER AND TITLE ONLY UPON ITS SECOND AND THIRD CONSIDERATIONS, UNLESS **FOUR (4) MEMBERS OF COUNCIL VOTE IN FAVOR OF A FULLER READING. COUNCIL MAY, BY UNANIMOUS VOTE, DISPENSE WITH THE REQUIREMENT FOR A READING OF SUBSTANTIVE PORTIONS OF AN ORDINANCE OR RESOLUTION WHERE COUNCIL HAS DETERMINED THAT SUCH READING IS NOT NECESSARY AND THAT DISPENSATION OF THE REQUIREMENT WOULD PROMOTE EFFICIENCY IN THE CONDUCT OF ITS MEETING.**

PROPOSED CHARTER AMENDMENT

NO. 25

(ORD. NO. 14-28)

BALLOT LANGUAGE

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE.

SHALL SECTION X OF THE CHARTER OF THE CITY OF OBERLIN BE AMENDED AS FOLLOWS:

TO CLARIFY THAT THE AFFIRMATIVE VOTE OF FIVE (5) OR MORE MEMBERS OF COUNCIL SHALL BE NECESSARY TO ELEVATE ANY ORDINANCE OR RESOLUTION TO AN EMERGENCY AND TO PROVIDE THAT ANY ORDINANCE OR RESOLUTION THAT HAS BEEN ELEVATED TO AN EMERGENCY SHALL BE EFFECTIVE IMMEDIATELY UPON FINAL READING IF PASSED BY THE



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AFFIRMATIVE VOTE OF FIVE (5) OR MORE MEMBERS OF COUNCIL, OR IN THIRTY (30) DAYS IF PASSED BY THE AFFIRMATIVE VOTE OF FOUR (4) MEMBERS OF COUNCIL?

SHALL THE PROPOSED AMENDMENT ADDING SECTION X TO THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____
NO _____

FULL TEXT

SECTION X EMERGENCY ORDINANCES AND RESOLUTIONS

AN EMERGENCY ORDINANCE OR RESOLUTION IS AN ORDINANCE OR RESOLUTION NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, HEALTH OR SAFETY, OR PROVIDING FOR THE USUAL DAILY OPERATION OF A MUNICIPAL DEPARTMENT, AND SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE BY COUNCIL. ORDINANCES OR RESOLUTIONS PROVIDING FOR THE APPROPRIATION OF MONEY, OR ANNUAL TAX LEVY, OR FOR IMPROVEMENTS PETITIONED FOR BY OWNERS OF A MAJORITY OF THE FRONT FOOTAGE OF THE PROPERTY BENEFITED AND TO BE SPECIALLY ASSESSED THEREON, MAY BE PASSED ON EMERGENCY. ORDINANCES AND RESOLUTIONS MAY **BE ELEVATED TO EMERGENCY STATUS ONLY BY AN AFFIRMATIVE VOTE OF FIVE (5) OR MORE MEMBERS OF COUNCIL.** THE REASONS FOR DECLARING SUCH ORDINANCE OR RESOLUTION TO BE AN EMERGENCY MEASURE SHALL BE SET FORTH IN THE PREAMBLE OR IN ONE SECTION OF THE ORDINANCE OR RESOLUTION. **ANY ORDINANCE OR RESOLUTION THAT SHALL HAVE BEEN ELEVATED TO EMERGENCY STATUS SHALL BE PASSED UPON FINAL READING BY THE AFFIRMATIVE VOTE OF FIVE (5) OR MORE MEMBERS OF COUNCIL AND SHALL TAKE EFFECT IMMEDIATELY UPON PASSAGE OR BY THE AFFIRMATIVE VOTE OF FOUR (4) MEMBERS OF COUNCIL IN WHICH EVENT SUCH ORDINANCE OR RESOLUTION SHALL BECOME EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE.** NO ORDINANCE OR RESOLUTION GRANTING, RENEWING, OR EXTENDING A FRANCHISE OR OTHER SPECIAL PRIVILEGE, REGULATING A RATE TO BE CHARGED FOR ITS SERVICES BY ANY PRIVATELY, OR MUNICIPALLY, OWNED PUBLIC UTILITY, NOR ANY ORDINANCE OR RESOLUTION CHANGING THE BOUNDARIES OF THE MUNICIPALITY OR THE SURRENDER OR JOINT EXERCISE OF ITS POWERS, MAY BE PASSED ON EMERGENCY.



The following are proposed amendments to the Oberlin City Charter that will appear on the November 4, 2014 general election ballot.

PROPOSED CHARTER AMENDMENT

NO. 26

(ORD. NO. 14-29)

BALLOT LANGUAGE

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE.

SHALL SECTION XIX (A) OF THE CHARTER OF THE CITY OF OBERLIN BE AMENDED, AS FOLLOWS:

TO PROVIDE THAT COUNCIL MAY REMOVE A MEMBER OF A CITY BOARD OR COMMISSION FOR CAUSE OR, IN THE EVENT OF THREE OR MORE CONSECUTIVE ABSENCES, UPON THE REQUEST OF A MAJORITY OF THE REMAINING MEMBERS OF SUCH BOARD OR COMMISSION AND TO PROVIDE FOR AN OPPORTUNITY FOR A PUBLIC HEARING PRIOR TO REMOVAL.

SHALL THE PROPOSED AMENDMENT ADDING SECTION XIX (A) TO THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____

NO _____

FULL TEXT

SECTION XIX. BOARDS AND COMMISSIONS

A. THE MEMBERS OF ALL COMMISSIONS AND BOARDS OF THE MUNICIPALITY SHALL BE APPOINTED **AND MAY BE REMOVED** BY COUNCIL. THE MEMBERS OF ALL BOARDS AND COMMISSIONS SHALL BE REMOVED ONLY BY A VOTE OF FIVE (5) **OR MORE** MEMBERS OF COUNCIL FOR CAUSE **AS DETERMINED BY SUCH MAJORITY OF COUNCIL. A MEMBER OF A BOARD OR COMMISSION WHO IS SUBJECT TO REMOVAL MAY REQUEST AND BE HEARD AT A PUBLIC HEARING PRIOR TO HIS OR HER REMOVAL. ANY BOARD OR COMMISSION MEMBER WHO IS ABSENT FROM THREE (3) CONSECUTIVE MEETINGS SHALL BE SUBJECT TO REMOVAL. IN SUCH EVENT AND UPON THE VOTE OF A MAJORITY OF THE REMAINING MEMBERS OF**



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SUCH BOARD OR COMMISSION THE CHAIRMAN SHALL NOTIFY THE COUNCIL PRESIDENT AND CLERK OF COUNCIL AND SHALL REQUEST THE REMOVAL AND REPLACEMENT OF THE MEMBER.

PROPOSED CHARTER AMENDMENT

NO. 27

(ORD. NO. 14-31)

BALLOT LANGUAGE

A MAJORITY AFFIRMATIVE VOTE IS NECESSARY FOR PASSAGE.

SHALL SECTION XIX (G) OF THE CHARTER OF THE CITY OF OBERLIN BE AMENDED AS FOLLOWS:

TO AUTHORIZE OBERLIN CITY COUNCIL TO DESIGNATE BY ORDINANCE PART-TIME FIREFIGHTERS AND PART-TIME POLICE OFFICERS AS BEING PART OF THE UNCLASSIFIED SERVICE.

SHALL THE PROPOSED AMENDMENT ADDING SECTION XIX (G) TO THE CHARTER OF THE CITY OF OBERLIN, OHIO, BE ADOPTED?

YES _____

NO _____

FULL TEXT

SECTION XIX. BOARDS AND COMMISSIONS.

G. **CIVIL SERVICE COMMISSION.** COUNCIL SHALL APPOINT A CIVIL SERVICE COMMISSION. THE COMMISSION SHALL KEEP MINUTES OF ITS PROCEEDINGS AND RECORDS OF ITS EXAMINATIONS, MAKE INVESTIGATIONS CONCERNING THE ENFORCEMENT OF THE CIVIL SERVICE PROVISIONS OF THIS CHARTER AND REPORT ANNUALLY TO COUNCIL

THE COMMISSION SHALL CONDUCT PRACTICAL AND IMPARTIAL EXAMINATIONS, PROVIDE A LIST OF ELIGIBLE EMPLOYEES AND ARRANGE FOR PROMOTIONS WITHIN THE CLASSIFIED SERVICE, WHICH SHALL COMPRISE ALL POSITIONS NOT SPECIFICALLY INCLUDED BY THIS CHARTER IN THE UNCLASSIFIED SERVICE.



The following are proposed amendments to the Oberlin City Charter that will appear on the November 4, 2014 general election ballot.

THE UNCLASSIFIED SERVICE SHALL INCLUDE:

- (1) OFFICERS ELECTED BY THE PEOPLE
- (2) THE CITY MANAGER
- (3) APPOINTIVE POSITIONS, COMMISSIONS AND BOARDS
- (4) HEADS OF DEPARTMENTS, INCLUDING THE POLICE CHIEF AND FIRE CHIEF
- (5) ADMINISTRATIVE ASSISTANTS TO APPOINTIVE AND ELECTIVE OFFICIALS, DEPARTMENT HEADS AND BOARDS OR COMMISSIONS.
- (6) TEMPORARY OR PART-TIME EMPLOYEES, EXCEPT VOLUNTEER **PART-TIME FIREFIGHTERS AND PART-TIME POLICE OFFICERS**, PROVIDED **THAT COUNCIL MAY, BY ORDINANCE, DESIGNATE PART-TIME FIREFIGHTERS AND PART-TIME POLICE OFFICERS AS BEING PART OF THE UNCLASSIFIED SERVICE.**

THE CLASSIFIED SERVICE SHALL COMPRISE ALL POSITIONS NOT SPECIFICALLY INCLUDED BY THIS CHARTER IN THE UNCLASSIFIED SERVICE, AND SHALL BE DIVIDED INTO COMPETITIVE AND NONCOMPETITIVE CLASSES.

- (1) THE COMPETITIVE CLASS SHALL INCLUDE ALL POSITIONS AND EMPLOYMENTS FOR WHICH IT IS PRACTICABLE TO DETERMINE MERIT AND FITNESS OF APPLICANTS BY COMPETITIVE TESTS.
- (2) THE NONCOMPETITIVE CLASS SHALL CONSIST OF ALL POSITIONS REQUIRING PECULIAR AND EXCEPTIONAL QUALIFICATIONS OF A SCIENTIFIC, MANAGERIAL, PROFESSIONAL OR EDUCATIONAL CHARACTER AND AS MAY BE DETERMINED BY THE RULES OF THE COMMISSION, AND UNSKILLED LABOR.

Note: For additional copies of ordinances dealing with City Charter amendments please contact the Oberlin City Clerk's office via email at: banderson@cityofoberlin.com, or you may visit the City of Oberlin website at: www.cityofoberlin.com.



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