



CITY OF OBERLIN

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City Council Orientation Handbook

A Handbook for City of Oberlin Council Members

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1. WELCOME

Congratulations on your election to Oberlin City Council. Our community relies on the dedication of individuals with pride in their community and the initiative to become involved in the local municipal government process.

As a member of the City Council, you will be asked to make policy decisions, enact laws, levy taxes, and act for the benefit and best interest of the City of Oberlin. You will be performing a valuable service by addressing community issues and needs as you represent your constituents. It is a service that is needed and that carries with it great responsibilities, which, hopefully, this manual will help you meet without feeling overwhelmed.

City officials look forward to your contribution as we all work together to provide efficient municipal services that are responsive to local needs and expectations.

Belinda Anderson
Clerk of Council

2. INTRODUCTION TO THIS HANDBOOK

This handbook has been prepared to help elected officials of the City of Oberlin in carrying out the duties and responsibilities of public office. It is intended to be used for reference purposes only. The information contained in this handbook is based on state general, local government reference works, other municipal manuals and similar publications available through the Ohio Municipal League.

In the various sections of this handbook, information has been provided on the basic structure of city government, as well as some guidance on conducting council meetings, advice on how to govern the City of Oberlin effectively, descriptions of how the City is organized, and details of what is required for public hearings

Finally, the City Council has established a number of committees, commissions and boards to review city programs, projects, and community issues. These groups provide greater community participation and can be a valuable source of information as they make recommendations to the City Council on specific areas. A list of City boards and commissions along with a description of their charge can be found in Appendix H.

If you have questions regarding your role, authority or area of responsibility as a member of the City Council, please feel free to direct your questions or concerns to the President of the Council and do not hesitate also to receive clarification or assistance from the offices of the City Manager or any other appropriate City Council appointee (Law Director, Clerk of Council or Finance Director).

3. GUIDELINES FOR COUNCIL MEMBERS

3.1 Council Meetings:

City Council is responsible for establishing a meeting schedule each year. The Oberlin City Charter requires that Council meet twice a month with the exception of July and August where Council may meet at its discretion, dispense with one of the meetings for each of those months. Historically, Oberlin Council has its regular meetings on the first and third Monday of each month but alternate times may be determined by Council. The Charter requires that Council hold a meeting for purposes of organization at the first meeting in January following each regular municipal election. At that time the President and Vice Present of Council shall be selected by its members. Special meetings of Council may be called from time to time. The agenda and other material to be utilized in Council meetings are delivered to each Council member by the Clerk of Council, usually on the Friday preceding the meeting. Under current Rules of Council, the meeting agenda is determined by the Council President with the participation of the Vice-President and the City Manager. Agenda setting meetings are held, usually on the Thursday following a Council meeting, to establish the agenda for the subsequent Council meeting. Typically, the Finance Director, Law Director and Clerk will attend those meeting to offer input and to assist with technical and procedural aspect of the agenda. Potential agenda items should be discussed at a Council meeting to

determine whether there is sufficient interest among Council members to place it on the agenda for the next or subsequent meeting of Council

Unless otherwise provided in the Charter or in its rules, the Oberlin City Council conducts its meetings according to the procedures contained in the most recent version of “Roberts Rules of Order.” Some basic familiarization of these rules will be helpful to you. You will receive a complete set of Robert’s Rules together with a copy of “Roberts Rules of Order In Brief” which will be helpful in coming to understand these rules and how they are used. It is also highly recommended that each new Council member attend the Public Official’s Workshop that is offered through the Ohio Municipal League. See the Clerk of Council regarding arrangements.

It is the responsibility of each Council member to come to the meetings fully prepared. This means that you should read through the entire packet of information made available to you prior to the meeting. If you have any questions regarding the information please contact the appropriate resource to research your question prior to the meeting. Each Council member is expected to vote and take other official action on all matters before it. Abstentions are not permitted. Only in the event of a bona-fide conflict may a Council member recuse him or herself from participation.

Meetings of Council are public meetings and are expected to be televised and streamed on the City website. At times Council will convene into a closed “executive session” to discuss only those items that are, by law, permitted to be discussed in a closed session of Council. In those instances, confidentiality is extremely important and should be strictly adhered to. Items discussed in closed session should not be shared with other persons outside of the executive session. Documents referred to or otherwise used in executive session are not necessarily confidential even if the topic of discussion may be. Please consult the Law Director with any questions that you may have regarding the confidentiality of documents used in executive session.

Each Council member will be appointed to serve as a liaison to at least one City board, committee, or commission. Generally the role of a liaison is to establish an informational “bridge” between the board and/or commission to which the Council member is assigned and City Council. As a liaison, you will report to Council on the activities of the board or commission to which you have been assigned, but you should refrain from active participation in its functioning. This is particularly true where the board or commission is acting in a “quasi-judicial” capacity as there may be instances where the matter under consideration may come before Council in an administrative appeal raising the possibility of a conflict and to minimize the possibility that you might be called as a witness in a judicial appeal. Also, keep in mind that because Council has the authority to appoint and in some cases remove members of boards and commissions, your participation or expression of support for a particular viewpoint or course of action at a board or commission meeting may have a “chilling effect” upon the board or commission membership’s exercise of its function.

3.2 Organization and Authority:

The municipality of the City of Oberlin is organized under the Council-Manager form of government. Under this form of government, Council acts as the governing and policy-making body of the City. The City Council has the power to pass ordinances, adopt resolutions, appoint a chief executive officer ("City Manager") whose responsibility it is to carry out the day-to-day functions of the City and to implement the policies set by Council. Council also has those powers afforded it under the City Charter which include the appointment of persons to certain boards and commissions. Section VIII of the Oberlin City Charter prohibits Council members from requesting the appointment or removal of any person by the City Manager or to otherwise participate in the appointment or removal of City administrative employees absent a request by the City Manager. Appointees, (City Manager, Finance Director, Law Director, and Clerk of Council) report directly to Council.

3.3 Ethics

Council is expected to adhere to the Ohio Ethics Law. The Ohio Ethics law and related statutes are found in Ohio Revised Code (R.C.) Chapter 102 and Sections 2921.42 and 2921.43. These laws generally prohibit public officials and employees from using their official positions for their own personal benefit or the benefit of their family members or business associates. In addition members of Council are required to file a financial disclosure statement. A financial disclosure statement is an annual report filed by some public officials reporting sources of income, investments, real estate holdings, and other financial interests. The purpose of the disclosure statement is to: remind public officials of those financial interests that might impair their judgment on behalf of the public, inform the public of those interests. The statement assists in instilling confidence in the actions of public officials. A financial disclosure fact sheet and Ohio Ethics fact sheet are attached.

4. CONSTITUTIONAL HOME RULE AUTHORITY

Section 3 of Article XVIII of the Ohio Constitution **provides that:**

"Municipalities shall have authority to exercise all powers of local self-government and to adopt and enforce within their limits such local police, sanitary and other similar regulations, as are not in conflict with general laws."

This means that an Ohio municipality is authorized to (1) exercise all powers of local self-government, and (2), to adopt local police, sanitary and other similar regulations not in conflict with general laws.

Powers of local self-government relate to the internal affairs of the municipality on matters of local concern. So, an ordinance created under the power of local self-government must relate solely to the government and administration of the internal affairs of the municipality. Police-power ordinances, on the other hand, protect the public health, safety, or morals, or the general welfare of the public. As a general rule, if the result of the exercise of the home

rule authority affects only the municipality itself, with no extra-territorial effect, the subject is within the power of local self-government.

As stated above, municipalities have the authority to adopt police, sanitary and other similar regulations as long as they are not in conflict with “general laws.” Put another way, a local law enacted by a municipality is invalid where it is in conflict with a “general law.” A conflict exists where: (1) the local law permits or licenses that which state law prohibits, or vice versa. What constitutes a “general law” has been the subject of numerous court decisions. The courts apply a four part analysis to determine whether a statute is a general law for the purpose of home rule analysis. To be a general law, a statute must (1) be part of a statewide and comprehensive legislative enactment, (2) apply to all parts of the state alike and operate uniformly throughout the state, (3) set forth police, sanitary, or similar regulations, rather than purport only to grant or limit the legislative power of a municipality to enact police, sanitary, or similar regulations, and (4) prescribe a rule of conduct upon citizens generally. Over the past ten years or so, Court cases relating to the exercise of municipal home rule powers have tended to favor argument that various State statutes constitute general laws resulting in an erosion of home rule authority.

5. OBERLIN CITY CHARTER

Section 7 of Article XVIII of the Ohio Constitution provides that “[a]ny municipality may frame and adopt or amend a charter for its government and may, subject to the provisions of section 3 of this article, exercise thereunder all powers of local self-government.

Sections 8 and 9 of Article XVIII provide the procedures for adoption and amendment of a municipal charter.

In 1954, the Oberlin electorate adopted a charter. A charter is in essence the “constitution” or governing document of the municipality. A charter permits the establishment of the structure and organization of municipal government, the procedures used by the municipality and the manner in which its powers of local self-government are exercised. While all municipalities have the power of local self-government, non-chartered municipalities are generally required to follow the procedures contained in the Ohio Revised Code in the exercise of that power. Charter municipalities on the other hand, may establish their own procedures either as specifically set forth in the Charter or through the enactment of ordinances, if the exercise of the power of local self-government by ordinance is authorized in the Charter, as it is in Oberlin.

The advantage of a municipal charter is in the fact that it is flexible. It is flexible in that it may be amended from time to time as circumstances and the values of the community change. For example, Section XXVIII of the Oberlin City Charter provides for a review by a Charter Review Committee, appointed by Council, every ten (10) years. The purpose of the review is to determine whether any recommendations for amendment should be made to Council. Those recommendations that are approved by Council are then submitted to the electorate. In addition, Section XXI of the Oberlin City Charter authorizes Council, by a vote of at least

five (5) of its members, to submit to the electorate proposed Charter amendments at any time. A copy of Oberlin's City Charter is attached as Appendix A.

6. CITY COUNCIL

The members of Council are elected at large in a non-partisan election held every two years. No member of Council may serve more than five (5) consecutive terms

6.1 Powers of City Council

The powers of City Council, set forth in the Oberlin City Charter, are largely legislative. Council establishes policies and enacts legislation to implement those policies. The policies and legislation of Council are executed through the City administration under the direction of the City Manager. The exercise of the legislative authority of Council is made through the passage of ordinances or resolutions. Pursuant to the Oberlin City Charter, ordinances and resolutions are considered ("read") on three (3) separate days and become effective thirty (30) days after final passage by a majority vote of Council. Often Council will vote to suspend the requirement for three readings and/or elevate an ordinance or resolution to "emergency" status. A motion to suspend the three reading requirement and a motion to elevate an ordinance or resolution to an emergency must receive the affirmative support of at least five (5) members of Council. Often the two motions are combined. A motion to suspend the requirement for three separate readings, if passed, dispenses with the requirement for any further consideration of the ordinance or resolution which then becomes effective thirty (30) days after final passage subject to the right of referendum reserved to the electorate.. If an ordinance or resolution is elevated to an "emergency" then it goes into immediate effect and no right of referendum exists. The term "emergency" is somewhat misleading because no real emergency must necessarily exist as the term is commonly thought of. Often, for reasons of administrative convenience involving matters of a routine nature, an ordinance or resolution may be passed as an emergency. A flowchart detailing the procedure for the passage of ordinances and resolutions is attached at Appendix B.

6.2 Powers of the City Council President

The President of the Council shall be chosen from among the newly organized members of the City Council in the organizational meeting held in January of the year following a regular municipal election. The Council President shall have those powers afforded him or her under the Section III of Oberlin City Charter and under the Rules of Council. The Council President is also the Mayor of the City for certain ceremonial purposes such as weddings and is recognized by the State Governor for military purposes.

6.3 What's the Council's Relationship to Staff?

Council is responsible for setting the policies and priorities of the City. The administration implements those policies and priorities. In a Council-Manager form of government it is the role of the City Manager to see that the policies established by Council are carried out by the staff. Two simple rules of thumb for Council / Staff relations are:

1. Council does not manage staff, the City Manager, or other appropriate Appointee, does. Accordingly, all communications from the City Council should be channeled through the City Manager or other appropriate Appointee.

Here are some basic do's and don'ts for individual council members in your relationship with staff...

- Do show concern for the well-being of staff and appreciate the work they do, publicly and directly when possible.
- Do remind staff members, if they contact you, that they should follow the chain of command when they have a problem—and that they should not take their problems directly to the council members.
- All communications relating to City matters should be made directly to the City Manager.

6.5 A Temptation to Fix Things

Remember, City Council hired a City Manager to manage day-to-day activities and to address issues. If something looks like it needs to be addressed and you want to help, point it out to the City Manager and say you would be available as a volunteer if additional advice is needed. Ask for feedback on how the problem is being solved. But don't jump in and attempt to fix it yourself without being asked, in particular at a public meeting when all of the issues cannot properly be vetted.

6.6 Conduct of City Council Members

- Each Council member should work to establish a good relationship with other members. The success or failure of efforts may be dependent upon the degree of cooperation evident among the individual members of the Council.
- Each member should keep in mind these important points:
 - ❖ Show respect for another's viewpoint.

- ❖ When serving as member of City Council, all personal and/or personal business interest must be set aside, as your primary role while serving is to serve the best interests of the community.
- ❖ Allow others adequate time to fully present their views before making comments.
- ❖ Be open and honest.
- ❖ Welcome new members and help them become acquainted with their duties.
- ❖ Strive to minimize polarization and factions among members.
- Each Council member receives public input and citizen participation in City government by the following means:
 - ❖ **Reviewing Recommendations.** Council members receive information from boards and commissions on matters spanning a wide range of interests and needs. Board members review and make recommendations to City Council on matters within their scope of responsibility. Certain commissions may take final action in prescribed areas. These bodies give the citizenry an opportunity to voice their opinions on City programs and policies.
 - ❖ **Representing General Interests.** The Council must be careful to represent communitywide interests of the City, not special interest groups. Council members must work with the City Manager. They should not become directly involved in the administration or operation of City departments, and should not direct the administrative staff to initiate programs, conduct studies or start or stop doing some function or task. In addition, individual City Councilmembers cannot establish official City policy without approval of the majority of City Council in a public meeting. Members, however, are encouraged to review and comment on relevant department programs during discussion at Council meetings.
 - ❖ **Holding Open Meetings.** All meetings of the Council must be open to the public pursuant to the open meetings law. The intent of the law is to ensure actions are taken openly and that deliberations be conducted openly. Furthermore, the Council must announce a time, place and date for holding any regular or special meetings. An informative summary of the open meetings and public records laws, reprinted with the permission of the Author and of the Ohio Municipal League can be found at Appendix C.

6.7 City Council Member Aspirations

- I will be motivated primarily by an earnest desire to serve my municipality and the people of my community in the best way.

- I will endeavor to attend all City Council meetings and meetings of assigned boards and commissions.
- I will recognize that the expenditure of municipal funds is a public trust, and I will endeavor to see that all such funds shall be expended efficiently, economically and for the best interest of the municipality.
- I will not use the municipality or any part of a municipal program for my own personal advantage or for the advantage of my friends and family.
- I will do everything possible to maintain the integrity, confidence and dignity of the office of a council member.
- I will listen to what other members of the Council and other individuals or groups may have to say before making final decisions.
- I will endeavor to avoid rancor and bitterness, to observe proper decorum and behavior, to encourage full and open discussions in all matters with my fellow members of the council, to treat all with respect and consideration and not withhold or conceal from anyone any information or matter in which they should be concerned.
- I will make no derogatory remarks, in or out of council meetings about City staff or members of the City Council or their opinions, but I reserve the right to make honest and respectful criticism.
- I will recognize that authority rests with a majority of City Council and not with individual members of the council.
- I will abide by majority decisions of Council once they are made and will accept and support them as long as I remain a member of the council.
- I will not discuss confidential business of the City except in executive session.
- I will endeavor to keep informed on all local, State, and national developments of municipal significance through attendance of State and National conference and other educational events
- I will consider it unethical to pursue any procedure calculated to embarrass a fellow council member, a member of the municipal staff or another local government body.

6.8 An effective Member of Council Does Not:

- Talk too much and listen too little.
- Publicly criticize a council decision that was voted on and passed by the majority of the council, but that you did not specifically support.

- Demonstrate to fellow council members that you have all the answers for every issue.
- Fail to read council packets and prepare for the council meetings.
- Divulge information from a City Council Executive Session meeting.
- Ridicule past council members and the decisions made by the council before you became a member.
- Hold grudges about fellow council members when they do not agree with you.
- Try to dominate conversation at every council meeting.
- Arrive late and leave early.
- Remind fellow council members “that it has always been this way in the past.”

6.9 Conducting Orderly Meetings

The regular meeting of the city governing body is the showcase of municipal government. In most communities this meeting is attended by members of the news media and reported in the news sections of the local newspaper. With the advent of cable television, full television coverage of governing body meetings is available in the City of Oberlin. The public will necessarily base its opinion of city administrative efficiency and legislative sensitivity on the manner in which governing body meetings are conducted. It therefore behooves the governing body to conduct its meeting in an effective manner in keeping with full and fair consideration of the public business.

As stated above, with the exception of those meetings that are held in executive session, meetings of Council are public meetings. A public meeting is defined as a prearranged meeting of a quorum of the body for the purpose of the discussion of public business. There is a significant amount of case law addressing the issue of whether or not a particular convergence of members of a public body constitutes a public meeting. For instance, although a quorum of the members of Council may convene for the purpose of receiving information on a matter that is of concern or importance to the City, it will not constitute a public meeting unless the members of Council attending that meeting deliberate or otherwise discuss public business. (Refer to the section on Open Meetings and Open Records in Appendix C to this Manual.) If you have questions or concerns, please contact the City Law Director.

7. MAKING IT WORK

The types of problems confronted by City Council can sometimes seem so burdensome that you wonder why you ever got involved. Try to keep in mind that the conflicts and problems that you tackle are important to the community you serve. When you work out the problems as a group, you will make healthy decisions. Keep in mind, too, your commitment to the Council, your colleagues' commitment, the importance of your contribution, and the importance of making sound decisions.

As City Council tries to make the best possible decisions, use the following “rules of thumb” to help you get over the hurdles:

- **Separate the people from the problem.** You and your colleagues aren't questioning each other's good intentions or personal integrity. You are discussing options for making the best possible decisions. Don't think about what you may not like about the person sitting across the table from you. Instead think about what he or she is saying, about the points that person is trying to make. If a colleague seems to be attacking your integrity, try to get that person back on track by asking him or her to make the point.
- **Focus on mutual interests and shared goals.** When your Council seems to have bogged down, sometimes it is helpful to step back and think about the goals you have set for it. Keep in mind that you all have agreed on these goals, that you do have mutual interests, and that you are all serving the same constituency. Remember what is important!
- **Invent options for mutual gain.** Is there a compromise with which everyone will feel satisfied? Think about all that has been said throughout the debate. Can the best aspects of everybody's ideas be incorporated into a plan? Ask your colleagues why a particular approach is not satisfactory and why other approaches are.
- **Be open, honest, and willing to listen.** Examine your own approach to dealing with conflict. Are you really listening to what your colleagues are saying? Are you thinking about the implications? Are you considering them? Don't be afraid to state your concerns. Be honest by revealing what you see as the options and by explaining what you see as shortcomings in the suggestions of others.

8. CHAIN OF COMMAND

The chain of command is important to a good Council member. Sometimes the chain of command of an organization can be a little confusing. Oberlin's chain of command chart is attached as Appendix D. The following simple question/answer illustration of the chain of command might help you:

1. *Who manages supervisors / department heads?* The City Manager, or appropriate Appointee of Council.
2. *Who manages the Council Appointees?* The Council.
3. *Who manages the Council?* The Voters.

9. COUNCIL APPOINTEES

City Council appoints the City Manager, Finance Director, Clerk of Council and the Law Director who serve at the pleasure of Council

City Manager: The City Council appoints the City Manager on the basis of merit, who serves for an indefinite term at the pleasure of the Council. The City Manager is the head of city administration, and possesses and exercises executive and administrative powers of city government. The City Manager has no legislative powers. The specific duties and powers are set forth in the City of Oberlin codified ordinances and City Charter.

Finance Director: The Finance Director oversees the duties of the accounting, income tax administration, utility billing/customer service/collections, cash management and investments, debt management, payroll administration, fixed asset reporting, employee health benefits, liability and property insurance/claims and other financial and non-financial matters. In addition, the office of the Finance Director coordinates the annual audit conducted or overseen by the Auditor of State of Ohio of the City's financial statements and citywide compliance with relevant laws and regulations.

Clerk of Council: The Clerk of Council maintains Council records, prepares minutes of special and regular meeting of Council, makes annual reports on Council proceedings, serves as the Chair of the Records Commission and performs such other duties as specified in the Oberlin City Charter and by ordinance or resolution of Council.

Law Director: The Law Director serves as the legal advisor of, and attorney and counsel for the City and for all its officers and departments in all matters relating to their official duties and powers. As such, he or she represents the City in all civil cases in which it is a party. He or she is responsible for the preparation or review of all contracts and other written instruments in which the city is concerned, and approves the form thereof. The Law Director is also the Prosecutor for the City. Those duties include the prosecution of all misdemeanor offenses occurring within the City of Oberlin and the ten townships within the jurisdiction of Oberlin Municipal Court. The office of the Law Director consists of the Law Director, one Prosecutor appointed by the Law Director, and one Administrative Assistant.

10. OBERLIN MUNICIPAL COURT

Jurisdiction of Court: The Oberlin Municipal Court has jurisdiction to hear civil and criminal matters arising in the following territories: in the City of Amherst, City of Oberlin, Village of Wellington, Village of South Amherst, Village of Kipton, Village of Rochester and the Townships of Amherst, Brighton, Camden, Henrietta, Huntington, New Russia, Penfield, Pittsfield, Rochester and Wellington. Civil matters involving claims in excess of \$15,000.00 and felony criminal cases may not be heard by the municipal court and instead are heard in the Lorain County Court of Common Pleas. Claims of \$3,000.00 or less may be filed in the Small Claim Division of the municipal Court. Any traffic or criminal case arising in the territorial jurisdiction of the court may be filed in the municipal court. However, the court's jurisdiction to hear felony cases is limited to preliminary hearings to determine if there is sufficient evidence to continue the case as a felony. If so, the case must be transferred to the Common Pleas Court for further proceedings.

Municipal Court Judge/Municipal Court Magistrate: The judge of the Oberlin Municipal Court is elected by the voters in the communities over which the Court has jurisdiction and

serves for a term of six years. There are no term limits but there is an age restriction. A person cannot run for judge once the person has attained the age of 70.

Presently there is no Magistrate in the court. The position of Magistrate is an appointed position at the discretion of the judge, provided resources are available and the need exists. A Magistrate has limited judicial duties to hear specific categories of cases. The court had a Magistrate from 1990 until 2004. The Magistrate position was eliminated in 2004 due to limitations of space and to make room in the budget for a probation department.

Council involvement with Court Budget: The Oberlin Municipal Court is not a “department” of the City but rather, is a separate branch of the government. The Judge has a duty to provide staff and resources to provide for the fair and impartial administration of justice. The judge of the municipal court may not be pressured or influenced by the local funding authority to follow the funding authority’s priorities as opposed to those of the Court. Case law makes clear that local funding authorities cannot substitute their own spending priorities for those of the Court when it comes to how the Court should be operated. Although a separate branch of the government the court’s budget still must be approved by Council for the expenditure of funds to operate the court.

Closing Thoughts

As an elected official your role in good government is indispensable and because your actions affect many, act selflessly and for the common good of the community you represent. By doing so your commitment will be recognized and appreciated and you will make a difference in Oberlin and in the world.

“Let us not seek the Republican answer or the Democratic answer, but the right answer. Let us not seek to fix the blame for the past. Let us accept our own responsibility for the future.”

-John F. Kennedy

OBERLIN CITY CHARTER





CHARTER OF THE CITY OF OBERLIN, OHIO

EDITOR'S NOTE: The Charter of the City of Oberlin was originally adopted by the electors on November 2, 1954. Dates appearing in parentheses following a section heading indicate that the section was subsequently amended, enacted or repealed on the date given.

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CHARTER OF THE CITY OF OBERLIN, OHIO

PREAMBLE

We, the people of the City of Oberlin, in the County of Lorain, and the State of Ohio, to secure the benefits of local self-government under the Constitution of the State of Ohio, do adopt this Charter.

SECTION I. NAME AND BOUNDARIES.

The municipal corporation now existing and known as the City of Oberlin shall continue to be a body politic and corporate under the same name and with the same boundaries, with power and authority to change its boundaries in the manner authorized by the laws of the State of Ohio, except that no territory of this Municipality shall be detached from, annexed to or merged with any other body politic without the assent of the Council and of a majority of the electors of the City voting on such question at a general election held and conducted in the manner provided by law. Contiguous territory may be annexed to the Municipal Corporation in the manner provided by the laws of the State of Ohio.

SECTION II. POWERS.

The City of Oberlin shall have all powers of local self-government, and all the powers, general or special, governmental or proprietary, which may now or hereafter lawfully be possessed by municipalities under the Constitution and laws of Ohio. All such powers may be exercised in the manner prescribed in this Charter, or by ordinances of Council created hereby. Enumeration of or reference to particular powers by this Charter shall not be construed to be exclusive.

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 a term of two (2) 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 five (5) consecutive terms.



B. Qualifications. No person shall be eligible to be a member of Council unless at the time of his or her election or appointment he or she is qualified under the then existing requirements for election of council members of municipalities set forth in the Constitution and laws of the State of Ohio. No person shall continue to serve as a member of Council unless, during his or her term of office, he or she shall continue to be a resident. No member of Council shall hold any appointive office within the Municipality. No member shall be interested in the profits or emoluments of any contract, job, work or service for which monies of the Municipality are, or will be expended. A municipal employee of the City of Oberlin shall not be eligible to serve as a member of Council. An employee of the City Schools of the City of Oberlin or any other school district or educational system shall be eligible to serve as a member of Council.

(Amended May 7, 1974; Init. 11-7-78; amended Nov. 2, 2004.)

C. Removal. Council shall be the sole and final judge of the election and qualification of its members, subject however to the recall provision of this Charter. It may expel or remove any member for gross misconduct, or for misfeasance, malfeasance or nonfeasance in, or disqualification from holding office, or for conviction while in office of a crime involving moral turpitude, or for the violation of his or her oath of office, or for persistent failure to abide by the rules of Council, or for absence without justifiable excuse for three consecutive regular meetings of Council. Such expulsion shall not take place except on concurrence of five (5) of the members of Council, nor until the accused member shall have been notified in writing of the charge against him or her at least ten days in advance of any hearing upon such charge, and until he or she or his or her counsel shall have been given the opportunity to appear before Council and be heard, present evidence and examine witnesses appearing in support of the charge.

(Amended Nov. 8, 1994)

D. Vacancies. Whenever the office of a member of Council becomes vacant for any reason, the vacancy shall be filled for the unexpired term by a majority vote of the remaining members of Council. Each Council member appointed to fill a vacancy shall hold office for the balance of the unexpired term, or until his or her successor is elected and qualified.

E. Salaries. Council may determine and fix the salary of its members at its discretion; but the salaries of Council members shall not be increased or decreased during the elective term of office which they are serving. If Council determines to



change the established salary in respect to a succeeding term of office, such change must be made by Council on or before the first day of February of the second year of the elective term then being served by Council. Unless and until the salary is so changed it shall remain as last fixed. The salaries of Council members shall be paid in equal monthly installments.

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.

(Amended Nov. 4, 2014)

G. Police Justice. (EDITOR'S NOTE: Subparagraph G. was repealed by the voters on November 8, 1995. Former subparagraph H. was redesignated as subparagraph G.)

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.

(Amended Nov. 4, 2014.)

SECTION IV. NOMINATION FOR ELECTIVE OFFICES

Nomination for the elective offices of the Municipality shall be made only by petition, carrying the consent of the nominee, signed by registered electors of the Municipality in number not less than 25 nor more than 50. Each candidate shall be nominated by a separate petition, and no primary election shall be held for the selection



of candidates for any elective office, and no party mark or designation shall be used in any municipal election. Petition for nomination to an elective office shall be filed with the Lorain County Board of Elections at least 90 days and not more than 150 days prior to election day. The names of all candidates nominated shall be placed on the ballot in the manner provided by the election laws of the State of Ohio.

SECTION V. APPOINTMENT OF CITY MANAGER.

A. City Manager. Council shall, by a vote of at least five (5) of its members, appoint a City Manager who shall act as administrative head of the City under the direction and supervision of Council, and who shall hold office at the pleasure of Council.

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 (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. (Amended Nov. 4, 2014)

C. Appointment of Interim Manager to Fill Vacancy. In the event of a vacancy in the office of City Manager due to death, resignation or removal, Council may at its discretion appoint an Interim City Manager who will perform all duties of the office of City Manager until such time as Council appoints a new City Manager to fill the vacancy. (Amended Nov. 8, 1994)

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.

(Amended Nov. 4, 2014)

SECTION VII. CREATION OF NEW DEPARTMENTS, OFFICES, COMMISSIONS AND BOARDS - CHANGE OF DUTIES.

Council by ordinance may create, change or abolish offices, commissions, departments, boards, committees or agencies, other than those established by this Charter. Council by ordinance may assign additional functions or duties to such entities as established by this Charter, but may not discontinue or assign to any other entity any function or duty assigned by this Charter to a particular entity.

Council may by ordinance provide for such other departments, divisions, boards, commissions, officers and employees as it may deem necessary from time to time, and determine the organization and the duties of each. Council may by ordinance change, abolish, combine, divide or rearrange such departments, divisions, boards, commissions, officers or employments except as otherwise provided in this Charter. Administrative officers appointed by Council shall serve during the pleasure thereof.

(Amended Nov. 2, 2004)

SECTION VIII. COUNCIL PROHIBITED FROM INTERFERING IN APPOINTMENTS OR REMOVALS.

Neither Council nor any of its members shall direct or request the appointment of any person to, or his or her removal from office by the City Manager or by any of his or her subordinates, or in any manner take part in the appointment or removal of employees in the administrative service of the Municipality, except at the request of the City Manager. Except for purposes of inquiry, Council and its members shall deal with the administrative services solely through the City Manager and neither Council nor any member thereof shall give orders to subordinates of the City Manager, either publicly or privately.

SECTION IX. PROCEDURE OF COUNCIL.



A. Council Rules and Journal. Council shall determine its own rules and order of business insofar as they are not set forth in this Charter. Council shall keep a record of its proceedings which shall be open to public inspection.

B. Action to be Taken by Ordinance or Resolution. All legislative action shall be by ordinance or resolution, except when otherwise required by the Constitution or the laws of the State of Ohio, but departmental procedure and administrative matters may be transacted by recorded motion.

C. Reading, Passage, Posting and Recording of Legislative Action.

1. The agenda for the next regular City Council meeting shall be made available to the general public at least seventy-two (72) hours prior to the meeting, unless five (5) members of Council vote to proceed in spite of the failure to provide such notice.
2. No ordinance or resolution shall deal with more than one subject, and that subject shall be clearly expressed in the title. Each ordinance and resolution shall be introduced in writing in the form in which it is to be finally passed.
3. Every ordinance and resolution affirmed shall have been considered on three (3) different days, unless five (5) members of Council vote to suspend this rule.
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.
(Amended Nov. 4, 2014)
5. After first passage, the ordinance or resolution, in the form in which it was passed, shall be posted for public inspection at City Hall and at two (2) or more public locations, and copies shall be made available at the office of the Clerk of Council. If the ordinance or resolution is subsequently amended, the amended ordinance or resolution shall similarly be made available for public inspection



upon passage.

6. Upon due consideration of each ordinance or resolution a vote shall be taken by “ayes” and “nays” and shall be entered into the record. No ordinance or resolution shall be passed without the affirmative vote of at least four (4) members of the Council. All persons interested shall be given opportunity to be heard on any ordinance or resolution before a vote is taken on any reading.
7. Any ordinance which amends a previously existing ordinance shall be passed in a form that will either replace the original ordinance or one or more entire sections.
8. All ordinances or resolutions upon their final passage shall be recorded in a book kept for that purpose. The signatures of the presiding officer and of the Clerk of Council shall authenticate them, but failure to sign an ordinance or resolution for the purpose of authentication shall neither invalidate the ordinance or resolution nor impair its effectiveness.
(Amended 11-2-04.)
9. The City Council may, by Rule, provide for the electronic casting and tabulation of its votes.
(Amended Nov. 4, 2014.)

D. Revision, Rearrangement and Codification of Ordinances. Council may provide for the revision, rearrangement and codification of the ordinances of the Municipality or any portion thereof at such time as Council may determine.

E. Effective Date of Ordinances and Resolutions. All ordinances and resolutions of a general or permanent nature, or those involving the expenditure of money in which no emergency is declared, shall take effect thirty (30) days after their passage by Council. Emergency ordinances shall take immediate effect as provided by Section X of this Charter.
(Amended Nov. 8, 1994)

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.

(Amended Nov. 4, 2014)

SECTION XI. INDEPENDENT AUDIT.

Council may provide at appropriate times for an audit of the financial records of the Municipality. A condensed summary of that audit report shall be published in a manner stipulated by Council.

(Amended Nov. 6, 1957)

SECTION XII. SPECIAL MEETINGS.

Special meetings of Council may be called by a vote of Council at any regular or special meeting. Special meetings shall be called by the Clerk upon written request of the President or three (3) members of Council. Any vote or request for a special meeting shall state the subject or subjects to be considered at the meeting and no other subject or subjects shall be considered, except on approval of five (5) members of Council attending the special meeting. Twenty-four (24) hours' notice in writing of such requested special meeting shall be given to each member of Council by personal service, or by leaving said notice at his or her usual place of residence; except that members of Council shall be held to have waived such notice by their attendance at the special meeting.

(Amended Nov. 2, 2004)

SECTION XIII. QUORUM.

Four (4) members of Council shall constitute a quorum to do business, but a lesser number may adjourn from time to time and compel the attendance of absent



members in such a manner and under such penalties as may be prescribed by the rules of Council. (Amended Nov. 8, 1994)

SECTION XIV. THE CITY MANAGER.

A. Qualifications. The City Manager shall be chosen by Council solely on the basis of his or her executive and administrative qualifications, with special reference to his or her actual experience in, or his or her knowledge of, accepted practice in respect to the duties of his or her office as hereinafter set forth.

B. Powers and Duties. The City Manager shall be the chief executive officer and the head of the administrative branch of the municipal government. He or she shall be responsible to Council for the proper administration of all affairs of the Municipality, and to that end, subject to the civil service provisions of this Charter, he or she shall have power and shall be required to: (1) appoint, and when necessary for the good of the service, remove all officers and employees of the Municipality except those officers appointed by Council (and their employees) and except as he or she may authorize the head of a department or office to appoint and remove subordinates in such department or office; (2) prepare the budget annually and submit it to the Council and be responsible for its administration after adoption; (3) prepare and submit to Council as of the end of the fiscal year a complete report on the finances and administrative activities of the Municipality for the preceding year; (4) keep Council advised of the financial condition and future needs of the Municipality and make such recommendations as may seem to him or her desirable; (5) perform such other duties as may be prescribed by this Charter or required of him or her by Council, not inconsistent with this Charter; (6) attend all meetings of Council except as excused by Council.

The City Manager shall not serve as a member of any board or commission of the Municipality except in an advisory capacity. He or she may attend any or all meetings of such boards and commissions and may enter into the discussions of those boards and commissions but may not vote.

(Amended Nov. 8, 1994)

C. Salary, Oath, Bond, Seal. The City Manager shall receive such salary as fixed by the Council. Such part of the salary of the City Manager as the Council deems proper shall be paid from the income of any publicly owned utility operated by the Municipality. Before entering upon the duties of the City Manager, he or she shall take the oath required and shall execute bond in favor of the Municipal Corporation for the faithful performance of his or her duties, such bond to be fixed and paid by the Municipality. The City Manager shall be furnished with the corporate seal of the



Municipal Corporation.

SECTION XV. CLERK.

Council shall appoint a Clerk to serve at Council's pleasure who shall act as Clerk of the Council, keep its records, make annual reports on Council proceedings and perform such other duties as are required by ordinance or resolution. The duties and office of Clerk may be combined by ordinances with that of Treasurer or Finance Director.

(Amended Nov. 2, 2004)

SECTION XVI. FINANCE DIRECTOR.

Council shall appoint a Finance Director to serve at Council's pleasure who shall act as the City's chief accountant and auditor, preparing financial statements and budgets in consultation with the City Manager. The Finance Director shall issue warrants to the Treasurer for paying out municipal funds and shall keep an accurate account of all taxes and assessments, and of all money due, all receipts and disbursements by, and of all assets and liabilities of the Municipal Corporation and of all appropriations made by Council. The Finance Director shall at the end of each fiscal year, and more often if required by Council, audit the accounts of the several departments and officers and shall audit all accounts in which the Municipal Corporation is interested. The Finance Director may prescribe the form of reports to be rendered to his or her department, and the method of keeping accounts by all other departments, and he or she shall require daily reports, showing all money received and disposition thereof, to be made to him or her by each department. The Finance Director shall, upon the death, resignation, removal or expiration of the term of any officer, audit the accounts of such officer, and if such officer is found indebted to the Municipal Corporation, the Finance Director shall immediately give notice to Council and the Law Director.

(Amended Nov. 2, 2004)

SECTION XVII. TREASURER.

Council shall appoint a Treasurer to serve at Council's pleasure who shall be custodian of all municipal funds and shall keep the monies in such manner and in such place as is determined by Council. He or she shall pay out money only on warrants issued by the Finance Director. The office of Treasurer may be combined with that of Clerk or City Manager but not that of Finance Director. (Amended Nov. 2, 2004)

SECTION XVIII. 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.

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.

(Amended Nov. 4, 2014)

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 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.

(Amended Nov. 4, 2014)

B. All boards and commissions shall consist of five (5) members with terms of three (3) years, except the members first appointed to five (5) year terms. No member shall be appointed to more than three (3) consecutive terms. Any vacancy during the unexpired term of an appointed member shall be filled by Council for the remainder of the term. All members appointed to boards and commissions shall be residents and registered and qualified electors of the Municipality at the time of their appointment. Change of residence to outside the corporate limits of the Municipality shall automatically end the term of any board or commission member. Boards and commissions shall establish their own organization, procedure, rules and regulations subject to Council approval, and shall serve without compensation and incur no expenses, except as provided by Council. Agendas, minutes and annual reports are to



be submitted to the Clerk of Council.

C. Zoning Board of Appeals. Council shall appoint a Zoning Board of Appeals. The Zoning Board of Appeals 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 appeals of refusals of building permits, and shall have the authority to permit exceptions to or variations from the Zoning Code.

D. Public Utilities Commission. Council shall appoint a Public Utilities Commission. The Public Utilities Commission shall serve as an advisory body to the Council on any and all questions concerning the financing, maintenance, operation and improvement of the public utilities serving the Municipality, both privately and municipally owned.

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. (Amended 11-4-14)

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. (Amended Nov. 4, 2014)

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 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.
(Amended Nov. 4, 2014)

1. Probation. An appointment or promotion shall not be deemed complete until a period of probation not to exceed one (1) year has elapsed, and a probationer may be discharged or reduced in rank or pay at any time within the probationary period upon the recommendation of the head of the department in which said probationer is employed.

2. Discharge or Reduction. An employee shall not be discharged or reduced in rank or pay until he or she has been presented with reasons for such discharge or reduction, specifically stated in writing, and has been given an opportunity to be heard



in his or her own defense. The reason for such discharge or reduction, and any reply in writing shall be filed with the Commission.

3. Appeal to the Commission. Any employee of any department in the City in the Classified Service who is suspended, reduced in rank or dismissed from a department by the director of that department or the City Manager may appeal the decision of such officer to the Civil Service Commission, and such Commission shall define the manner, time, and place by which such appeal shall be heard. The judgment of the Commission shall be final.

4. No Discrimination. All employment and promotion shall be solely on the basis of merit whether for classified or unclassified positions or temporary employment. There shall be no discrimination against individuals with respect to race, color, creed, gender, age, disability, sexual orientation, political affiliation or place of national origin for employment, rates of pay or promotion.

5. Present Civil Service Employees. All persons in the employ of the Municipality holding positions in the Classified Service as established by this Charter at the time it takes effect, shall, unless their positions be abolished, retain same until discharged, reduced, promoted or transferred. (Amended Nov. 8, 1994)

SECTION XX. TAXATION - LIMITATION ON RATE OF TAXATION.

A. The aggregate amount of taxes that may be levied by the taxing authority of the City of Oberlin without a vote of the people, on any taxable property assessed and listed for taxation according to value, shall not in any one year exceed the amount currently authorized by the Ohio Constitution to be so levied, plus an additional 2.60 mills for each dollar of assessed valuation. The additional 2.60 mills as specified above shall be exclusively used for the following purposes:

1. Within the maximum levy provided for in Section A. herein, the Council may levy an amount not to exceed 1.80 mills for the purpose of providing funds for the payment of Police Pension Fund requirements.
2. Within the maximum levy provided for in Section A. herein, the Council may levy an amount not to exceed 0.80 mills for the purpose of providing funds for the payment of Fire Pension Fund requirements.



B. The limitation upon power of Council to levy taxes as specified herein shall not operate as a limitation upon the power of Council to levy taxes upon such other subjects and for such other purposes as may be lawful under the Constitution and laws of this State.

(Added November 2, 2010.)

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 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 XXII. TIME OF TAKING EFFECT.

For the purpose of electing Council members this Charter shall take effect on the first day of January, 1955, and an election shall be held the first Tuesday of November, 1955. Council members previously elected to serve beyond the first day of January, 1956, shall complete the unexpired term to which they were elected. In 1955 there shall be four (4) Council members elected and three (3) Council members having unexpired terms. In 1957 seven (7) Council members shall be elected. Council members elected in 1955 shall take office on the first Monday of January, 1956, and for all other purposes this Charter shall be deemed to be in effect on the first day of January, 1956.

SECTION XXIII. FRANCHISE.

Council may by ordinance grant permission to any person, firm or corporation to construct and operate a public utility in, on, under or above any public street or ground



within the Municipality. It may prescribe in the ordinance the kind and quality of service or product to be furnished, the rate or rates to be charged therefor, and any other terms conducive to the public interest. Such grant may be amended or renewed in the same manner and subject to the provisions established by this section for original grants. Such grant, amendment or renewal shall be for such period of time as Council may determine, but shall not exceed a period of fifteen (15) years.

(Amended June 7, 1983.)

SECTION XXIV. INITIATIVE AND REFERENDUM.

The rights of initiative and referendum upon ordinances and action taken by Council as prescribed in the Constitution of the State of Ohio, and as set forth in the revised laws of the State of Ohio, are hereby reserved to the people and shall be carried out according to the Constitution of the State of Ohio and the laws of the State of Ohio.

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 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 election 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.

(Amended Nov. 4, 2014)

SECTION XXVI. PARTIAL INVALIDITY.

The determination that any section or part thereof of this Charter is invalid shall not invalidate or impair the force or effect of any other section or part thereof, except to the extent that such other section or part thereof is dependent for its operation upon the part declared invalid.

SECTION XXVII. EFFECT OF CHARTER.

The taking effect of this Charter shall not affect any pre-existing rights of this Municipality, nor any right or liability or pending suit or provision, either on behalf of or against the Municipality, nor any contract entered into by the Municipality, nor pending proceedings for the authorization of public improvements or the levy of assessments therefor.

SECTION XXVIII. CHARTER REVIEW COMMITTEE.

At the second meeting of Council in January, 2003, and each ten (10) years thereafter, a Charter Review Committee of eleven (11) members shall be appointed to study, appraise and evaluate the operation of this Charter. No later than the first Council meeting in March of the following year, the Committee shall submit to Council all recommendations with respect to changes or alterations of this Charter.

Council shall review any recommendations submitted by the Charter Review Committee and shall approve or disapprove each separate recommendation. Council thereafter shall submit to the electorate the changes or alterations it has approved,



together with any other Charter issues Council determines to submit to the electorate, pursuant to Article XVIII, Paragraph 9, of the Constitution of the State of Ohio.

Council should endeavor to recruit as members of the Charter Review Committee persons representative of Oberlin's population. No more than two (2) members of the seated Council may serve on the Committee; if no Council member is appointed to serve as a member of the Committee, Council shall appoint at least one sitting member of Council to act as liaison between the Council and the Committee.

(Enacted Nov. 8, 1994)

SECTION XXIX. REPRINTING OF CHARTER.

Following any election at which any amendment to this Charter is adopted, the Clerk, with the approval of the Law Director and Council, may, prior to any reprinting or republication of this Charter, make such changes therein, including grammatical, syntactical, or stylistic changes, or changes to the numbers, titles, or arrangement of sections and subsections hereof, as may be necessary or desirable to maintain or enhance logic and consistency, but no such change shall in any way affect the substance or meaning of this Charter or any part thereof or amendment thereto.

In preparing the Charter for republication or reprinting after the general election of November 8, 1994, the Clerk shall make changes in the language of the Charter to remove any suggestion of discrimination on the basis of sex.

(Amended Nov. 2, 2004)



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PROCEDURE FOR PASSAGE OF ORDINANCE OR RESOLUTION



Ohio's Sunshine Law 101

What Newly Elected Officials Need to Know...and Understand about Open Meetings and Public Records

Aimee W. Lane

Once the post-election adrenaline subsides, many newly elected officials find themselves overwhelmed by all that they need to learn when they take office. They quickly discover that being a mayor, councilmember or trustee isn't as simple as it looks from outside City Hall.

While all new city council members know that they make laws, they may not realize that they also have to follow laws during this process. Most states have statutes that require public lawmakers to hold open meetings and handle public record requests in an appropriate manner. In Ohio, the most notable law that governs municipal bodies to this effect is the Sunshine Law.

Ohio's Sunshine Law is comprised of two facets — the Open Meeting Law and the Public Records Law. As a public official, you will deal with open meeting and public records issues on a regular basis so it is important to be familiar with the general principles of these laws.

Defining a public meeting

The Open Meeting Law requires all meetings of a public body to be open to the public at all times. A member of a public body, such as a member of council, must be

present in person at a public meeting to be considered present or to vote and for purposes of determining whether a quorum is present.

As a note, the Ohio Revised Code (ORC) defines the term "meeting" as "any prearranged discussion of the public business of the public body by a majority of its members."

Issuing meeting notices and preparing meeting minutes

Under the Open Meeting Law, a public body must establish a procedure for providing notice of its regularly scheduled meetings, special meetings and emergency meetings. There are different requirements for each type of notice. Familiarize yourself with your municipality's notice requirements because pressing matters or emergencies can arise at any time requiring swift action.

A notice of a regularly scheduled meeting must include the time and place of the meeting. A notice of a special meeting must be issued at least 24 hours before the meeting and include the time, place and purpose of the meeting, while a notice of an emergency meeting must be issued immediately to the news

media that have requested notice and include the time, place and purpose of the meeting.

The Sunshine Law also governs meeting minutes. The minutes of regular or special meetings must be prepared promptly, maintained by the public body, and made available for public inspection. Meeting minutes must contain sufficient detail so that the public understands the rationale behind the decisions reflected in the minutes.

Holding executive sessions

Executive sessions are the most common exception to the Open Meeting Law, as outlined in the Ohio Revised Code. Certain guidelines, however, dictate when and how such sessions are held.

A public body may hold an executive session only after a majority of a quorum of the public body determines, by roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of considering the following matters:

- Discussing employment or personnel
- Preparing for and engaging in collective bargaining sessions
- Talking about the purchase

or sale of property for public purposes

- Discussing matters required to be kept confidential by law
- Discussing details of the security arrangements and emergency response protocols

of a public body, if disclosure of those matters could jeopardize the security of the public body

- Conferring with legal counsel about pending or imminent court action involving the public body
- Discussing trade secrets of a

county hospital, joint township hospital or municipal hospital.


According to the ORC, when a public body holds an executive session to discuss employment matters, the motion to enter into the executive session must specify the purpose for holding the executive session, such as discussing the compensation of the finance director.

The Ohio Supreme Court has held that council minutes referring to executive sessions held for the purposes of "personnel and finances," "personnel," and "personnel matters" did not comply with the law. However, at least one Ohio court of appeals has found that holding an executive session for discussing the compensation of a specific category of employees (i.e., exempt city employees) does comply with the law.

Executive sessions do not require meeting minutes. Instead, the meeting minutes of the regular or special meeting during which an executive session takes place need only reflect the general subject matter discussed in the executive session.

Some municipalities have charter provisions requiring all council meetings or meetings of other public bodies to be open to the public but also have municipal ordinances authorizing council or other public bodies to hold executive sessions for the purposes stated above.

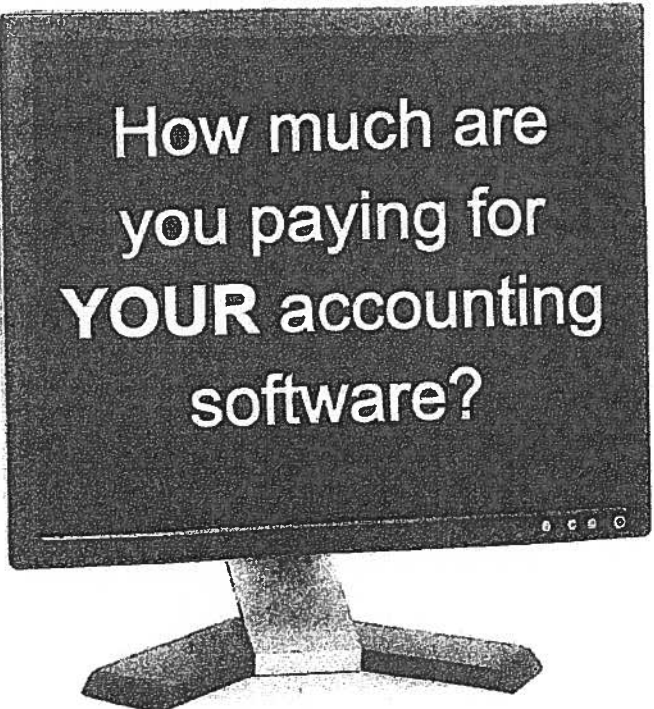
Be aware that the Ohio Supreme Court has interpreted charter provisions requiring all council meetings to be open to the public and making no refer-



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ence to executive sessions as *prohibiting* a public body from holding executive sessions pursuant to a municipal ordinance or the Open Meeting Law.

If your municipality is a charter municipality, you should determine whether the charter contains such a provision. If it does, your municipality may consider amending the charter to permit executive sessions.

Following the requirements of the Open Meeting Law is crucial in that any formal action taken by a public body that is found to have violated this law is invalid and, as a result, the public body must retake the action at a proper public meeting or executive session.

What constitutes a "meeting?"

At times, it can be difficult to determine whether a meeting is, in fact, a "meeting" that must be held open to the public. As mentioned above, to be considered a "meeting" requires the following:

- A prearranged discussion
- A discussion of the public business of the public body
- The presence at the discussion of a majority of the members of the public body.

Therefore, the first step in determining whether a meeting is subject to the Open Meeting Law is to determine if the gathering of a majority of members of a public body is prearranged. Simply stated, any advanced planning and means of notification prior to the time the gathering takes place is a prearranged discussion.

The second question in deter-

mining whether a gathering of public officials constitutes a "meeting" is whether the members of the public body engage in a discussion of public business. This is a fact-specific question that requires a determination of whether a discussion

took place and whether that discussion involved public business.

Ohio law fails to define the term "public business," but based on the definition of each term in the 6th Edition of Black's Law

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Dictionary, "public business" may be defined as a "principal serious concern or interest...relating to, or affecting ... an entire community."

In determining whether a "discussion" has taken place by members of a public body, the Ohio Supreme Court has

required deliberation of public issues in a public forum. Deliberation is "the act of weighing and examining the reasons for and against a choice or measure" or "a discussion and consideration by a number of persons of the reasons for and against a measure, as defined by Webster's Dictionary.

Deliberations involve more than information gathering, investigation, or fact-finding.

Ohio's courts have recognized that information gathering and fact-finding are essential functions of any board, and that the gathering of facts and information for ministerial purposes does not constitute a violation of the Sunshine Law. Based on this, in order to constitute a discussion, the members of the public body must do more than gather information for a ministerial purpose. There must be an exchange of "words, comments or ideas" regarding public business.

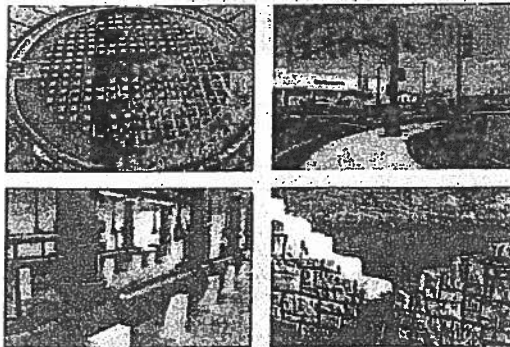
Illustrative cases

In the 2005 Ohio court of appeals case, *Piekutowski v. South Central Ohio Educational Service Ctr. Governing Bd.*, a school board adopted a resolution establishing a school district. Prior to adopting this resolution, the board entered into an executive session to obtain information from the Ohio Department of Education and to conduct a question and answer session with the representative from the Department of Education. A party filed suit claiming that during the executive session the board deliberated on the school district issue by sharing their opinions.

The testimony of the board members revealed that during the question and answer session the board members did interact with each other and share their opinions. Based on this testimony, the court held that the board deliberated in executive session on a matter of



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public business, thus invalidating the board's resolution.

In *DeVere v. Miami Univ. Bd. of Trustees* in 1986, an Ohio court of appeals found that an informational session held by the board of trustees of a state university did not constitute the discussion of public business when:

- The university president presented previously known factual information about a proposed capital improvement
- One board member indicated he did not support the project and would vote against it
- Another board member advised that board member to stop any discussion of the proposal.

The court further found that the meeting did not result in the adoption of the resolution, as the issue at hand had been a matter of concern for many years rather than being new business under consideration.

Finally, in another 1986 case, *McIntyre v. Bd. of Cty. Commrs. of Ashtabula Cty., et al.*, an Ohio court of appeals found that county commissioners in attendance at a plant tour with utility compa-

ny officials for the purpose of acquainting the commissioners with the operation and progress of the facility were "passive observers in a ministerial, fact-gathering capacity." The gathering did not constitute a "meeting."

The final question in determining if a gathering constitutes a "meeting" is whether a majority of the members of the public body attended the gathering. The Ohio Supreme Court has held that municipalities and other public entities cannot circumvent the Open Meeting Law by holding back-to-back meetings on the same topic where, in total, a majority of the public body's members have attended.

Also, bear in mind that workshops or retreats attended by a majority of a public body's members and at which public business is discussed are considered to be public meetings and are subject to the Open Meeting Law. Finally, the Ohio Supreme Court has found that the Open Meeting Law does not permit the deliberation of public business to be conducted during private one-on-one conversations

where, in total, the matter has been discussed by a majority of the members of the public body.

Violations and consequences

There are real consequences for failing to comply with the Open Meeting Law. Any person may bring an action to enforce the Open Meeting Law and has up to two years after the date of the alleged violation to do so.

Upon proof of a violation, a court will issue an order known as an injunction that requires the members of the public body to comply with the Open Meeting Law. If an injunction is issued, the court also will order the public body to pay the party that sought the injunction \$500 and to pay all court costs and reasonable attorney's fees.

If the court determines that the bringing of the action was frivolous conduct, the court will award the public body court costs and reasonable attorney's fees.

See *Sunshine Law* on page 13

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Sunshine Law from page 11

The other half: public records

Ohio's Public Records Law, the second facet of the state's Sunshine Law, has become rather sophisticated due to recent changes in the law, so it is important to contact your law director if you have any questions about a public records request received by your municipality or whether a document is, in fact, a public record.

"Public records" are broadly defined in the ORC as "records kept by any public office." Every

municipality must have a public records policy that establishes standard procedures for responding to public records requests.

The policy must include identifying an individual who will serve as the municipality's records custodian. Additionally, a poster describing the public records policy must be displayed in a conspicuous location. Elected officials or an appropriate designee also must attend three hours of public records law training approved by the Ohio Attorney General for every term of office.

It's important to note that courts interpret the provisions of Ohio's Public Records Law in favor of broad access and narrowly construe the exceptions discussed below.

Responding to public records requests

Public entities must follow specific requirements for responding to a public records request. Upon receipt of such a request, a municipality must promptly locate the responsive records and make them available for inspection to the requester during regular business hours. The time needed to respond to a



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public records request will depend on the particular circumstances, such as:

- The time needed to locate the records (i.e., off-site)
- The time needed to review the records (i.e., legal review, if necessary)
- The time needed to redact or remove confidential or privileged information (i.e., social security numbers).

If the request involves a large number of records, the municipality has the option to disclose the records on a "rolling" release. For example, if legal counsel needs to review 500 requested records prior to disclosure, you may offer to disclose the records in groups of 100.

If you anticipate that it will take a considerable amount of time to respond to a request, send the requester a letter or e-mail, confirming receipt of the request. The letter also should outline the anticipated timeframe for response, advise the requester of any costs (i.e., copies, postage) and, if some records are available, enclose those records.

Under the ORC, you may ask the requester to submit the request in writing, to identify himself/herself, and inquire about the intended use of the public records *but* only after disclosing to the requester that a written request is not mandatory and that the requester may decline to

reveal his or her identity or intended use of the records.

If a requested public record contains information that is exempt from disclosure, such as social security numbers or attorney-client privileged communications, the public office must make available all information within the public record that is not exempt from disclosure. The public office must advise the requester of any redactions or the redactions must be plainly visible in the document.

Many times, a request can be vague or too broad or the requester cannot reasonably identify the public records being requested. In such cases, you

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may deny the request and advise the requester of the manner in which your municipality maintains and accesses its records. You then must give the requester an opportunity to revise and resubmit the request.

If you deny request in whole or in part, you must provide the requester with an explanation, including legal authority, setting forth why the request was denied. The explanation must be in writing if the request was received in writing.

Preparing the records

A public office is not required to produce a complete duplication of an entire database. For example, the mayor's court of one of our municipal clients received a public records request for the case information of all criminal and traffic cases for an unspecified period of time.

We inquired with the court's database software provider and learned that a summary sheet could be printed for each case. This summary contained most of the information the requester wanted. The requester was satisfied with this summary sheet. We also asked the requester to limit the request to a specific timeframe. These efforts saved the municipality a lot of time and money.

A public office also is not required to create a document in response to a public records request. Similarly, a public office does not have to create a new document by searching for and compiling information from existing records. Also a "standing" public records request (i.e., next month's council meeting min-

utes) is not a request for public records, because it is a request for records that do not exist.

It is a best practice to document everything your municipality does in response to a public records request in case the requester files a lawsuit. Be sure to document the date you received the request, the name of the employee assigned to handle it, the format in which the records were requested, if requester wanted copies and the cost and contacts you've made with your legal department.

You also should keep a copy of the records you give the requester and send a final letter to the requester documenting that the public records request has been fulfilled.

If the requester wants copies of the records, the public office has the option to charge the person the "actual cost" (not including the cost of labor) of copying the records and require that the copy costs be paid in advance. When a requester asks for duplication of a large number of public records, the public office may have the copies made by a private contractor (i.e., Kinkos) and charge the requester for the costs.

Additionally, if a requester asks to receive the records by mail, you may require him or her to pay the cost of mailing, in advance, whether sent by the U.S. postal service or some other means.

Electronic records requests

It is important to remember that electronic records should be treated the same as a paper

record. Electronic records are considered to be public records if they document the functions of the public office, even if they are received or sent on the personal computer of a public official or employee.

It is not uncommon as part of a Sunshine Law public records request for a public official to have to scour his or her personal computer for e-mail correspondence concerning municipal business. To avoid this situation, it is a best practice to have municipal e-mail addresses issued to public officials and employees solely for the discussion of municipal business.

When dealing with overbroad requests, such as all e-mails received or sent by the police chief in 2009, try to negotiate with the requester in an attempt to narrow the request. This can be accomplished by advising the requester of the manner in which the records are maintained or giving the requester a copy of the records retention schedule in order to help that individual better understand the manner in which the municipality's records are maintained.

Exceptions to the rule

The Public Records Law has 27 exceptions. The most common exceptions are as follows:

- Medical records
- Confidential law enforcement investigatory records
- Peace officer, parole officer, prosecuting attorney, assistant prosecuting attorney, correctional employee, youth services employee, firefighter, or EMT residential and familial information
- Information pertaining to the

recreational activities of a person under the age of 18

- Records in which the release of is prohibited by state or federal law (i.e., social security numbers; attorney-client privileged documents; LEADS reports.)

Determining if an exception applies to a certain record or group of records can be a tricky task, so it is best to seek the advice of your law director prior to making such a determination.

Failing to comply

There are real consequences for violations of the Public Records Law. If a requester believes a municipality has failed to make public records promptly available, he or she may file a lawsuit known as a *mandamus action*. Through this, the court may then order your records custodian to produce the records or otherwise comply with the Public Records Law and to require your office to pay courts costs and reasonable attorney's fees.

If the requester submitted a written request for public records by hand delivery or certified mail

that fairly described the records sought, and the court determines that the public office failed to comply with the Public Records Law, the requester is entitled to recover statutory damages. Calculation of these damages, in the amount of \$100 per day, begins with the day on which the requester filed the lawsuit, up to a maximum of \$1000. A court may reduce an award of statutory damages under certain circumstances.

Letting the sunshine in

Education and planning are the key steps to accurately following Ohio's Sunshine Law. Being informed of the basic principles — the Open Meeting Law and the Public Records Law — will serve you well as you serve your municipality and will alert you as to when you need to seek the advice of your law director.


As you settle into your newly elected position, be sure to familiarize yourself with this important law. While the process of addressing a request can be time consuming, violations can be costly, so it's best to start your

term in office knowing what to do if, more likely — when, a request comes your way.

About the author:

Aimee W. Lane is an associate with Walter & Haverfield LLP, where she is a member of the Firm's Municipal Law, Public Law, Education Law and Litigation Services practice groups. Aimee has considerable experience representing public entities, including cities, villages, townships and school boards and districts, in the areas of land use, planning and zoning, code enforcement, storm water management, including U.S. EPA and Ohio EPA mandates, public improvement projects, nuisance abatement, eminent domain, records retention, Ohio's Sunshine Laws, election issues and more.

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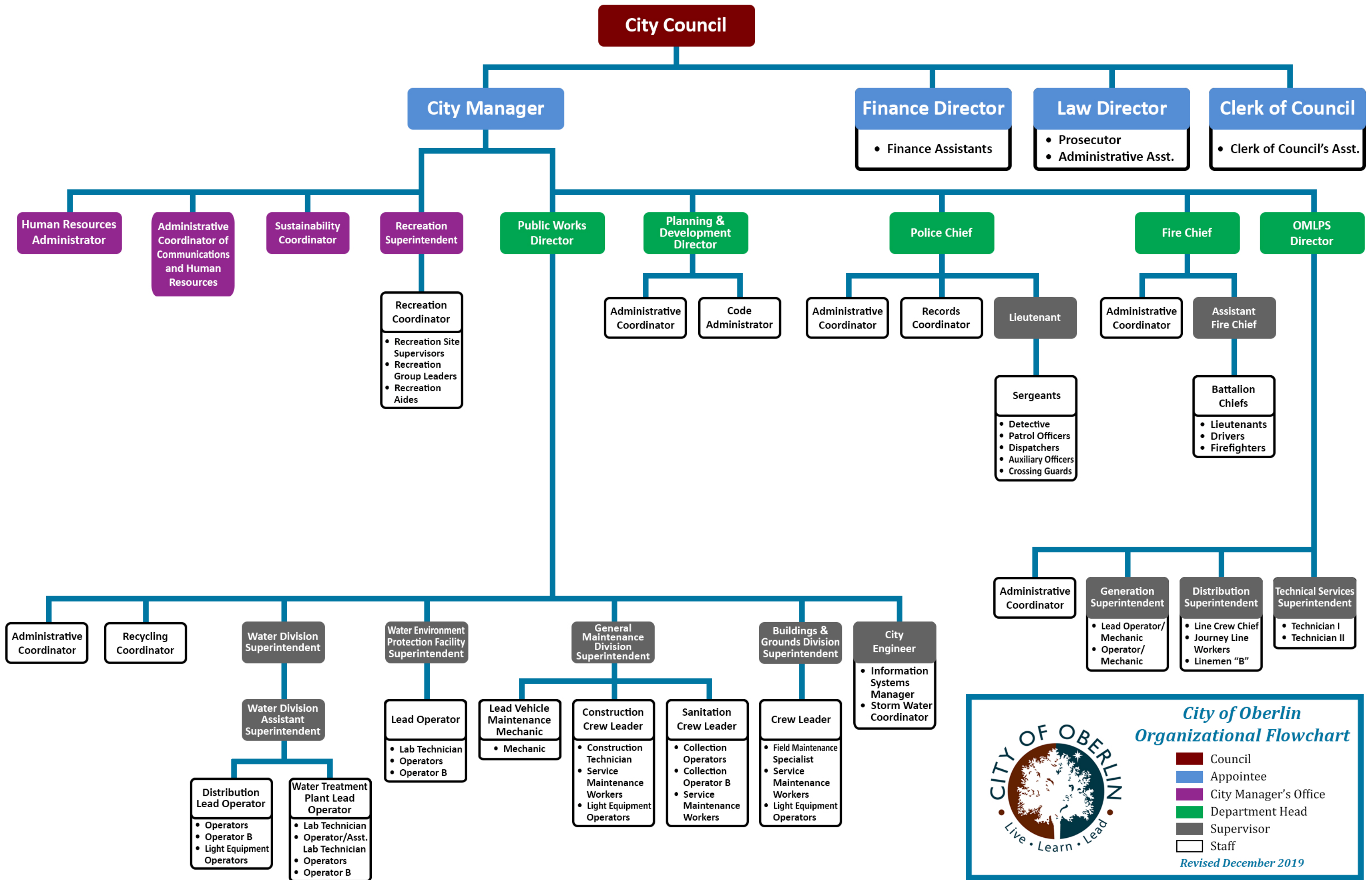


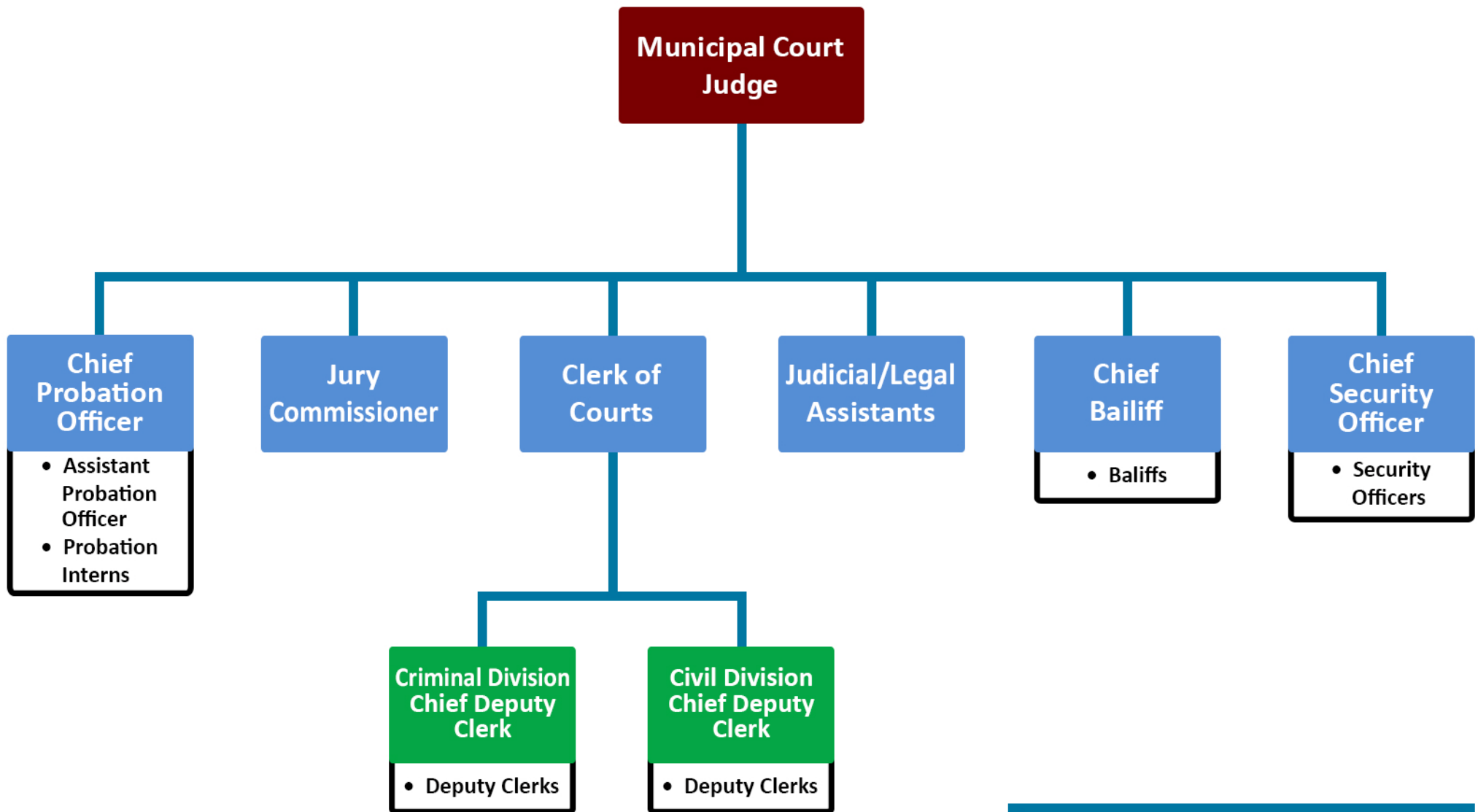
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2020 REGULAR CITY COUNCIL MEETING SCHEDULE

January

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YELLOW: Council Dates **RED:** Monday meeting rescheduled to Tuesday due to City Holiday. Meetings begin at 7:00 p.m. Meeting Dates established by Charter Section 3(F) and Council Rules of Order R18-15 CMS.

CITY OF OBERLIN, OHIO

RESOLUTION No. R18-15 CMS

A RESOLUTION AMENDING PROCEDURAL RULES RELATING TO MEETINGS OF OBERLIN CITY COUNCIL AND DECLARING AN EMERGENCY

BE IT RESOLVED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That the Procedural Rules Relating to Meetings of the Oberlin City Council as established and adopted pursuant to resolution No. R04-15 CMS be and are hereby amended to read as is set forth on Exhibit A attached hereto and incorporated herein by reference.

SECTION 2. That the rules as amended herein shall be effective as of January 1, 2019.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and 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 4. That this Resolution 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 be in effect as is provided in Section 2 and to amend the Resolution accordingly.

PASSED: 1st Reading: November 5, 2018

2nd Reading: November 19, 2018 (A)

3rd Reading: December 3, 2018 (A)(E)

ATTEST:


BELINDA B. ANDERSON MMC
CLERK OF COUNCIL


BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 12/04/2018

EFFECTIVE DATE: 12/03/2018

PROCEDURAL RULES RELATING TO OBERLIN CITY COUNCIL

Article I: Purpose

The purpose of these rules is to provide procedures for the Oberlin City Council that are clear, concise, and appropriate to Oberlin.

Article II: Duration

Once adopted by a duly passed Resolution of the Oberlin City Council, these rules are of a continuing nature and shall remain in effect unless altered, amended, rescinded or supplemented pursuant to the procedures set forth in Article III hereinafter. However, these rules may be temporarily suspended for the duration of any one (1) meeting of City Council by a five-sevenths (5/7) vote of the members of Council approved at that meeting.

Article III: Procedure to Amend

Any proposal to alter, amend, supplement or rescind these rules shall be submitted in writing at a regular or special meeting of the City Council. The proposal will then be placed on the calendar for the next regular meeting of the Council under the order of "New Business" in the form of a Resolution.

Article IV: Robert's Rules of Order

In regard to matters that are not covered by these rules, or where these rules do not appear to give clear guidance, the latest edition of Robert's Rules of Order shall govern.

Article V: Place of Meetings

Unless otherwise provided by advance notice, Council shall arrange for its regular public meetings to occur at the Council Chambers of the Municipality. Regular meetings of Council shall be held on the first and third Monday of each month at 7:00 p.m. Where a regular meeting falls on a holiday, such regular meeting shall be held at 7:00 p.m. on the following day. Pursuant to Section III (F) of the Charter, the second regular meeting in July and the first regular meeting in August shall be dispensed with. Otherwise Council shall meet at such times as may be prescribed by the Charter, its rules and applicable ordinances.

Article VI: Procedure at First Meeting Following Election

1. The duly elected members of Council shall be sworn into office by the Oberlin Municipal Court Judge, the Law Director, or otherwise in accordance with law.
2. The President shall be elected as the first order of business on the first City Council meeting in January following a municipal election. The Clerk of Council shall serve as the President Pro Tem.
 - a. The President Pro Tem shall ask for nominations for Council President.
 - b. After nominations are closed, the President Pro Tem shall call for a voice vote. Four votes shall be required to elect the President.
 - c. If the first vote results in no nominee receiving four votes, the nominee with the least number of votes shall be stricken from the ballot and a new vote shall be taken.
 - d. If nominees tie for the least votes, a coin toss shall determine which nominee shall be stricken from the subsequent ballot. The side of the coin that emerges face up from the toss shall determine the nominee who is to be stricken. "Heads" shall be ascribed to the nominee who is the subject of the first vote that results in the tie.
 - e. At the conclusion of the election, the newly-elected President shall, from that point on, preside over the meeting.
 - f. The newly-elected President shall then conduct the election of the Vice-President, employing the same procedure as followed during the election of the President.

Article VII: Responsibilities of the President of Council

The primary responsibility of the President is to facilitate the decision-making process, relying on an adopted set of rules. Those rules recognize the right of the majority ultimately to rule, the right of the minority to be heard, and the right of the individual to participate in the decision-making process. To that end, the President shall:

1. Convene all meetings, call the members to order, and ascertain whether a quorum exists.

2. Cancel meetings of Council where, inclement weather, emergency or other good cause makes it necessary to do so.
3. Announce the business before the Council pursuant to the Order of Business.
4. Assign the floor and recognize members to speak.
5. Enforce all rules, including rules of debate, and maintain order and decorum.
6. Maintain personal impartiality when conducting the meeting.
7. Attempt to alternate between pro and con when conducting the debate.
8. Close discussion when all sides have been represented.
9. Keep at hand the bylaws, rules of order, standing rules, and other documents to facilitate the transaction of business (such as a roster of all committees and their members).
10. Authenticate by signature any documents relevant to the Council.
11. Represent the Council at various meetings and report to the Council the content of those meetings.
12. State and put to vote all motions in order.
13. Initiate general consent when appropriate.
14. Vote on all matters before Council.
15. Refrain from dominating or allowing others to dominate the discussion or to direct the outcome of issues before the Council.
16. Set the agenda for the Council meeting with the participation of the City Manager and the Vice-President of Council and in consultation with other Council appointees.

17. Adjourn the meeting.
18. Perform all other duties that the President of Council is required to do pursuant to the Charter, Ordinances, and Resolutions of the City of Oberlin.

Article VIII: Order of Business for City Council Meetings

The order of business for the meetings of Oberlin City Council shall be as follows:

1. Council Business:
 - a. Call meeting to order and roll call.
 - b. Approval of previous Council Minutes.
 - c. Motions for approval.
 - d. Proclamations.
 - e. Announcements that are of interest to the general public.
2. Concerns that are not on the Agenda (from Council members or other members of the public). Remarks of members of the public shall be limited to three minutes.
3. Old Business (continuing Ordinances and Resolutions).
4. New Business:
 - a. New Ordinances.
 - b. New Resolutions.
 - c. Other.
5. Council Communications:
 - a. Referrals - allows for discussion or debate of items that Council would like city administration to pursue
 - b. Advocacy
 - c. Correspondence
 - d. Liaison reports from commission meetings
6. City Manager's Report.

7. Opportunity for other Appointees to report.
8. Additional public participation.
9. Adjournment.

Article IX: Rules and Guidelines Applicable to City Council
Meeting Discussion and Voting

1. Council members must be recognized by the President and direct their comments to the President.
2. Council members must refrain from speaking to an issue more than once until each member has been given a chance to speak.
3. Council members present are required to vote in ayes or no (yea or nay) in the order called by the Clerk of Council unless precluded by reason of conflict of interest. In such a case, the member must state verbally or in writing to the President the reason for not voting. The Clerk of Council shall include this reason in the minutes of the meeting. During the discussion of the issue, the member shall recuse them self from the meeting. Only as a result of a conflict of interest relating to a matter is a member allowed to not register a vote on an issue. Abstentions are specifically not recognized.
4. Pursuant to the Charter of the City of Oberlin, a vote of four (4) out of seven (7) members shall be required for passage of a Motion, Ordinance, Proclamation, or Resolution. In special cases to be determined by Council, or as required by the City Charter, state law, or City Code, a five/sevenths (5/7) vote of the members of Council may be required.
5. In the event that Council intends that an ordinance or resolution is to go into immediate effect, the motion elevating such ordinance or resolution to emergency shall contain the reason for its elevation.

Article X: Placing items on Council Agenda

1. A member of Council may contact the President of Council to request and discuss the inclusion of a matter on a future Council agenda which may be considered in accordance with Section VII (16) of these rules.

2. A Member of Council may request the inclusion of a matter on a future Council meeting agenda as a referral pursuant to Section VIII (5) (a) of these Rules.

Article XI: Rules and Guidelines for Public Participation

1. Members of the public may speak at three (3) times during a City Council Meeting:
 - a. Under Item 2 in the order of business of the meeting - "Concerns not on the agenda..."
 - b. After Council members have all had a chance to address an Ordinance, Resolution, or issue.
 - c. Under Item 8 in the order of business of the meeting - "Additional public participation".
2. Each speaker from the public shall first be recognized by the President.
3. Each speaker from the public shall approach the microphone and state their name and address
4. Members of the public must address their comments to the President.
5. Limit comments to subject under discussion (if speaking on an agenda item).
6. Members of the public must each limit their comments to a maximum of three (3) minutes.
7. Members of the public must refrain from speaking a second time until all other members of the public desiring to speak have spoken.
8. The presiding officer shall be responsible for ensuring that order and decorum are maintained. Conduct that is unlawful, unreasonably loud, or disruptive shall be cause for removal from the Council meeting.

Article XI: Leadership Succession

In the absence of both the President and Vice-President of Council at a meeting, a President Pro Tem shall be designated by a majority vote of those members present for the meeting to act for the duration of that meeting

Article XII: Issues of Absence

Members of Council are expected to attend all meetings of Council subject to removal pursuant to Section III C. of the City Charter.

Article XIII: Boards and Commissions

Council is empowered to create City boards and commissions, in addition to those established by the City Charter. Council may make appointments to City boards and commissions by a majority vote and otherwise in accordance with the procedures set forth in the City of Oberlin Board and Commission Handbook, City Charter or Ordinance Adopted by Council

Article XIV: Role of Council Liaisons

The role of the Council Liaison to a Commission, Board or Committee is to serve as an informational bridge between Council and that group. The Council member may participate in discussions, but he or she should make no attempt to control the discussion or subsequent votes. The Council member does not vote at the Commission, Board, or Committee meetings.

Any Council liaison who is unable to attend a scheduled commission meeting will contact the presiding officer 72 hours prior to the meeting or, in the event of illness or other emergency, prior to the commencement of the meeting.

Article XV: Executive Session - Attendance and Confidentiality

The electronic participation in an executive session by a member of Council or an invitee is expressly permitted.

Discussions had or information obtained in an executive session are confidential. Unless required by law, no member of Council shall make public or otherwise disclose such confidential discussions or information. Invitees to an executive session shall be advised of the necessity for confidentiality. Council may censure a member who violates this Rule, or if warranted, cause the removal of such member from office in accordance with Section III (C) of the Oberlin City Charter.



OBERLIN CITY COUNCIL

OATH OF OFFICE

2020-2021

I, _____ **Swear or Affirm That:**

- I will support the Constitution of the United States and of this State and the Charter and Ordinances of the City of Oberlin, County of Lorain, and State of Ohio.
- I will not be influenced by any consideration except that of merit and fitness in the appointment or discharge of employees.
- I will not make or authorize the expenditure of public money otherwise than for adequate consideration and efficient service to the Municipal Corporation.
- I will faithfully, in all other respects, discharge the duties of my position or office.

Mary Price
Oberlin City Council

Sworn to before me and subscribed in my presence this 17th day of December 2019.

Jon D. Clark
City of Oberlin Law Director



OBERLIN CITY COUNCIL

OATH OF OFFICE

2020-2021

I, _____ **Swear or Affirm That:**

- I will support the Constitution of the United States and of this State and the Charter and Ordinances of the City of Oberlin, County of Lorain, and State of Ohio.
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- I will not make or authorize the expenditure of public money otherwise than for adequate consideration and efficient service to the Municipal Corporation.
- I will faithfully, in all other respects, discharge the duties of my position or office.

Kelley Singleton
Oberlin City Council

Sworn to before me and subscribed in my presence this 6th day of January 2020.

Jon D. Clark
City of Oberlin Law Director



OBERLIN CITY COUNCIL

OATH OF OFFICE

2020-2021

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Ray English
Oberlin City Council

Sworn to before me and subscribed in my presence this 6th day of January 2020.

Jon D. Clark
City of Oberlin Law Director



OBERLIN CITY COUNCIL

OATH OF OFFICE

2020-2021

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Elizabeth Meadows
Oberlin City Council

Sworn to before me and subscribed in my presence this 6th day of January 2020.

Jon Clark
City of Oberlin Law Director



OBERLIN CITY COUNCIL

OATH OF OFFICE

2020-2021

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- I will faithfully, in all other respects, discharge the duties of my position or office.

Linda Slocum
Oberlin City Council

Sworn to before me and subscribed in my presence this 6th day of January 2020.

Jon D. Clark
City of Oberlin Law Director



OBERLIN CITY COUNCIL

OATH OF OFFICE

2020-2021

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- I will not make or authorize the expenditure of public money otherwise than for adequate consideration and efficient service to the Municipal Corporation.
- I will faithfully, in all other respects, discharge the duties of my position or office.

Kristin Peterson
Oberlin City Council

Sworn to before me and subscribed in my presence this 6th day of January 2020.

Jon D. Clark
City of Oberlin Law Director



OBERLIN CITY COUNCIL

OATH OF OFFICE

2020-2021

I, _____ **Swear or Affirm That:**

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- I will not be influenced by any consideration except that of merit and fitness in the appointment or discharge of employees.
- I will not make or authorize the expenditure of public money otherwise than for adequate consideration and efficient service to the Municipal Corporation.
- I will faithfully, in all other respects, discharge the duties of my position or office.

Heather Adelman
Oberlin City Council

Sworn to before me and subscribed in my presence this 6th day of January 2020..

Jon D. Clark
City of Oberlin Law Director

**CITY OF OBERLIN, OHIO
BOARDS, COMMISSIONS & COMMITTEES**

2020-2022 (DRAFT)

CITY GOVERNMENT: BOARDS, COMMISSIONS & COMMITTEES LISTING UPDATED 1/22/20

Central Lorain County Joint Ambulance District (One-Year Term)			
Member	Address	Phone	End of Term
Kristin Peterson (Primary)	65 Glenhurst Drive	440-775-4652	December 31, 2020
Kelley Singleton (Alternate)	260 Oak Street	440-707-6550	December 31, 2020
Marilyn Siekeres, Fiscal Officer	55 South Main St. #119	440-823-2061	Fiscal Officer

City Records Commission – Five member commission provides rules for retention and disposal of records of the City corporation and to review applications for one – time disposal and schedules of records retention and disposition submitted by City offices. Meets on a bi-annual basis, at 85 S. Main Street in Conference Room 1 @ 10:00 a.m. (Full Term 3 years)

Member	Address	Phone	End of Term
Belinda Anderson, Chair	85 S. Main Street	440-775-7203	Unlimited
Gerard T. Findlan	125 Pyle Road	440-724-3148	December 31, 2021
Tammy Stanley, CM Designee	85 S. Main Street	440-774-1061	Unlimited
Jon D. Clark, Law Director	5 South Main Street Suite 100	440-774-8519	Unlimited
Sal Talarico, Finance Director	69 S. Main Street	440-775-7210	Unlimited
Mary Price	355 W. College Street	440-320-6188	Council Liaison
Briana Reynolds	85 S. Main Street	440-776-4817	Secretary

Civil Service Commission – Five member commission conducts practical and impartial examinations, provide a list of eligible employees and arrange for promotions to positions within the Classified Service and hears appeals on disciplinary matters involving Oberlin municipal employees. Meets the first Wednesday of every other month, at 85 S. Main Street in Conference Room 1 @ 5:30 p.m. (Staggered Terms, Full Term 3 years)

Member	Address	Phone	End of Term
Robert Graves	360 Edgemoor Pl	440-774-7422	December 31, 2022
Heidi Freas	318 W. Lorain Street	440-213-1199	December 31, 2020
Larry Barbee	10 Nantucket Cr.	440-774-4757	December 31, 2021
William Miller	207 Eastern Avenue	440-774-1616	December 31, 2020
Tony Mealy	328 S. Professor Street	440-221-5005	December 31, 2022
Ray English	83 Cedar Street	440-775-4582	Council Liaison
Rosalind Watson, HR Administrator	85 S. Main Street	440-775-7205	Staff Support
Diane Ramos	85 S. Main Street	440-775-7217	Secretary

Fire Code Board of Appeals – Three member board hears and decides appeals of orders, decisions, or determinations made by the Fire Chief or any Municipal Fire Safety Inspector relative to the application and interpretation of the Fire Prevention Code. Meets on an “as needed” basis. (Annual Term)

Member	Address	Phone	End of Term
Robert Hillard, City Manager	69 S. Main Street	440-775-7206	December 31, 2020
Linda Slocum, Council President	104 Woodhaven Place	440-935-0487	December 31, 2020
Duane Anderson, Public Member	358 Washington Circle	440-281-0028	December 31, 2020
Robert Hanmer, Fire Chief	430 S. Main Street	440-774-3211	December 31, 2020
Diane Ramos	85 S. Main Street	440-775-7217	Secretary

Firefighter's Dependents Fund Board – Five member board authorized to make all necessary rules and regulations for the handling and processing of claims which may be submitted to it and shall perform all such other duties as may be necessary to carry out the provisions of this chapter and the provisions of Ohio Revised Code Chapter 146. Meets on an “as needed” basis. (One-Year Term)

Member	Address	Phone	End of Term
Kelley Singleton, Chair	260 Oak Street	440-707-6550	December 31, 2020
Linda Slocum	104 Woodhaven Place	440-935-0487	December 31, 2020
Mike Streator	430 S. Main Street	440-774-3211	December 31, 2020
Sue Hiesser	397 S. Professor Street	440-785-7472	December 31, 2020
Ben Ryba	430 S. Main Street	440-774-3211	Secretary

Historic Preservation Commission – Five member commission protects and promotes the historic character of the City and oversees the appearance of construction and renovation projects and recommends to City Council the designation of landmarks and historic districts. Meets the third Tuesday of every other month, at 85 S. Main Street in Conference Room 2, @ 4:00 p.m. (Staggered Terms, Full Term 3 Years)

Member	Address	Phone	End of Term
Michael McFarlin, Chair	23 Union Street	419-357-2386	December 31, 2020
James Young	355 Reamer Place	440-774-4680	December 31, 2020
Maren McKee, Vice Chair	211 N. Professor Street	630-730-3179	December 31, 2022
Cynthia Comer	74 S. Cedar Street	440-775-7676 440-387-2200 (c)	December 31, 2022
Phyllis Yarber Hogan	18 Willowbrook Drive	440-574-1394	December 31, 2020
Kristin Peterson	65 Glenhurst Drive	440-775-4652	Council Liaison
Carrie Handy, Planning/ Dev. Director	69 S. Main Street	440-775-7250	Staff Support
Saundra Phillips	69 S. Main Street	440-774-3428	Secretary

Housing Renewal Commission – Five member commission hears and decides appeals resulting from any order of decision made by a city administrative office in enforcing housing ordinances. The commission may also authorize variances, provided they do not conflict with the public interest. Meets on an “as needed” basis. (Staggered Term, Full Term 3 Years)

Member	Address	Phone	End of Term
Alexander Kosman	61 Glenhurst Drive	440-336-0483	December 31, 2022
Alan Campbell	413 East College Street	440-775-3702 440-315-9197 (c)	December 31, 2021
Scott Broadwell, Chair	39 King Street	440-775-4241	December 31, 2020
David Snyder	233 Forest Street	440-574-9501	December 31, 2022
Gina Makris, Vice Chair	18 South Street	707-245-9696	December 31, 2020
Heather Adelman	240 Elm Street	440-707-6228	Council Liaison
Chris Yates, Code Administrator	69 S. Main Street	440-775-7250	Staff Support/Secretary

Human Relations Commission – Five member commission works toward a wholesome attitude of mutual respect and understanding among all people and organizations within the City. The commission may enter into any alleged disputes, disagreements, misunderstandings or acts which involve the unlawful or unfair infringement upon basic human rights or freedoms guaranteed by law and investigate them, presenting reports, facts, findings and recommendations to Council, and serves in an advisory and consultative capacity to the City and to the City administration. Meets the First Tuesday of the month, at 85 S. Main Street in Conference Room 1 @ 5:00 p.m. (Staggered Terms, Full Term 3 years)

Member	Address	Phone	End of Term
Katie Allen	147 Morgan Street	440-552-7534	December 31, 2021
Anthony Wilgus	35 N. Park Street	419-306-3799	December 31, 2020
Marion Parker, Vice Chair	POB 295	470-242-1421	December 31, 2020
Michael Henle	74 S. Cedar Street	440-775-7676 440-387-2719 (c)	December 31, 2022
Eboni Johnson, Chair	54 N. Prospect Street	614-625-7776	December 31, 2022
Mary Price	355 W. College Street	440-320-6188	Council Liaison
Chris Yates, Code Administrator	69 S. Main Street	440-775-7251	Staff Support/Secretary

Income Tax Board of Review – Three member board hears appeals made by any person dissatisfied with any ruling or decision of the income Tax Administrator. Meets on an “as needed” basis. (2-Year Term)

Member	Address	Phone	End of Term
David Ashenhurst	260 Sumner Street	440-935-0370	December 31, 2021
Gerard Findlan	125 Pyle Road	440-724-3148	December 31, 2021
Jeff Baumann, CM Appointee	85 S. Main Street	440-775-7204	December 31, 2021
Sal Talarico, Finance Director	69 S. Main Street	440-775-7210	Staff Liaison

Library Board of Trustees – Appointments made by City Council in accordance with the Ohio Revised Code – Members serve four-year terms which are staggered with three member terms ending 2 years earlier than the other three.

Member	Address	Phone	End of Term
Bethany Baker	43837 Albrecht Rd Elyria, OH 44035	440-452-2086	December 31, 2022
Anita Lock	40 Colony Drive	440-774-1529 440-506-6384 (c)	December 31, 2022
Meredith Gadsby	283 Morgan Street	440-774-4278 440-935-0170(c)	December 31, 2020
Marcia Peterson	32 Canterbury Circle	440-774-3118 860-539-0851 (c)	December 31, 2022
James Peake, Vice President	30 W. Vine Street	615-513-7372	December 31, 2020
Audrey Kolb, President	12573 Route 58	440-774-4914	December 31, 2020
Jeanne McKibben	94 Oberlin Rd.	440-775-0696 440-221-8487 (c)	December 31, 2020

Lorain County General Health District (5 year term-jointly Appointed by Amherst and Oberlin in 2014)

Member	Address	Phone	End of Term
Edward Von Hofen	110 Charles Avenue Amherst, OH 44001	440-775-0696	March 31, 2024

Oberlin Community Improvement Corporation (OCIC) Board - Oberlin Community Improvement Corporation is a non-profit corporation formed under Chapters 1702 and 1724 of the Ohio Revised Code for the sole purpose of advancing, encouraging, and promoting industrial, economic, commercial and civic development within the City of Oberlin. Meets Monthly the Second Wednesday of the month, at 85 S. Main Street in Conference Room 1@8:00 a.m.

Public Sector Members - (2 year Staggered Terms)

Member	Address	Phone	End of Term
Heather Adelman	240 Elm Street	440-707-6228	December 31, 2021
Sylvan Long, Vice President	223 Eastern Avenue	440-225-6593	December 31, 2020
Jill Sawyer	55 S. Main Street Apt. 158	206-250-3454	December 31, 2021
Scott Broadwell	39 King Street	440-775-4241	December 31, 2021
Sal Talarico	69 S. Main Street	440-775-7210	December 31, 2020
Rob Hillard	69 S. Main Street	440-775-7206	December 31, 2020
Kelley Singleton, Chair	260 Oak Street	440-707-6550	December 31, 2021

Private Sector Members – (3 Year Staggered Terms)

Member	Address	Phone	End of Term
Leo Braido	85 Oberlin Road	740-296-8681	December 31, 2021
Jason Williams	189 W. College Street Apt. C	440-381-6698	December 31, 2022
Janet K. Haar	7009 Barton Road North Olmsted, Ohio 44070	440-503-5031	December 31, 2022
Mari Pravlik	49 S. Main Street	440-775-1361	December 31, 2020
Jon Clark, Legal Counsel	5 S. Main Street Suite 100	440-774-8519	Legal Counsel
Sal Talarico, Finance Director	69 S. Main Street	440-775-7210	Treasurer
Carrie Handy, Planning/ Dev. Director	69 S. Main Street	440-775-7250	Staff Support/ Secretary

Ohio Municipal Electric Association – 16 member board is legislative liaison for eighty – one (81) Ohio municipal electric systems and serves to protect the independence and constitutional rights of these municipal electric systems. The OMEA also serves as the legislative liaison to AMP and represents both the State and Federal legislative interests for AMP member systems. Meets four times a year (4-year Term)

Member	Address	Phone	End of Term
Kristin Peterson	65 Glenhurst Drive	440-775-4652	December 31, 2021

Open Space & Visual Environment Commission – Five member commission serves as an advisory body to City Council and shall cooperate with all other City, County and State agencies which are active in the area of open space development and preservation. Meets the fourth Tuesday of the month, at 85 S. Main Street in conference Room 2 @ 5:00 p.m. (Staggered Terms, Full 3 Year Terms)

Member	Address	Phone	End of Term
Carl Gerber	147 Kendal Drive	440-774-6488	December 31, 2020
Larry Dunn	202 Kendal Drive	440-420-9624	December 31, 2020
Sylvan Long	223 Eastern Avenue	440-225-6593	December 31, 2020
Jill Sawyer	55 S. Main Street Apt #158	206-250-3454	December 31, 2022
Melissa Reed	94 Kendal Drive	440-984-8130	December 31, 2022
Elizabeth J. Meadows	343 S. Pleasant Street	440-223-8144	Council Liaison
Jeff Baumann, Public Works Director	85 S. Main Street	440-775-7204	Staff Support
Sheri Runals	85 S. Main Street	440-775-7218	Secretary

Planning Commission – Five member commission holds public hearings pertaining 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 City for any lawful purpose. The Commission endeavors to formulate plans for the future physical development of the City. Meets the first Wednesday of the month, at 85 S. Main Street in Conference Room 2 @ 4:30 p.m. (Staggered Term, Full Term 3 Years)

Member	Address	Phone	End of Term
Matt Adelman, Chair	240 Elm Street	440-773-9094	December 31, 2020
Eric Gaines, Vice Chair	335 N. Prospect St.	440-775-1484	December 31, 2021
Peter Crowley	134 W. Lincoln Street	440-396-6237	December 31, 2020
William Miller	207 Eastern Avenue	440-774-1616	December 31, 2022
Bryan Burgess	560 E. College Street	440-653-7478	December 31, 2022
Ray English	83 Cedar Street	440-775-4582	Council Liaison
Carrie Handy, Planning/ Dev. Director	69 S. Main Street	440-775-7250	Staff Support/Secretary

Public Utilities Commission – Five member commission serves as an advisory body to the City Council on any and all questions concerning the maintenance, operation and improvement of the public utilities serving the City, both privately and municipally owned. Meets the second Tuesday of the month, at 85 S. Main Street in Conference Room 1 @ 6:00 p.m. (Staggered Terms, Full Term 3 Years)

Member	Address	Phone	End of Term
Jonathan Rice	310 Reamer Place	440-935-4637	December 31, 2022
R. Peter Richards	154 Morgan Street	440-775-3412	December 31, 2021
Heather Elmer	69 Spring Street	440-574-7478	December 31, 2020
Brent R. Smith	318 Reamer Pl.	440-669-5460	December 31, 2022
Eugene Matthews	39 Colony Drive	440-774-4642	December 31, 2020
Kristin Peterson	65 Glenhurst Drive	440-775-4652	Council Liaison
Doug McMillan, OMLPS Director	289 S. Professor St.	440-775-7286	Staff Support
Cindy Simons	289 S. Professor St.	440-775-7260	Secretary

Recreation Commission – Five member commission serves as an advisory body to the Council on any and all questions concerning the operation and improvement of City recreation programs. Meets the third Tuesday on a bi-monthly basis (excluding summer months), at 85 S. Main Street in Conference Room 2 @ 7:00 p.m. (Staggered Terms, Full Term 3 Years)

Member	Address	Phone	End of Term
Tanya Rosen-Jones	273 Oak Street	440-774-5104	December 31, 2022
Peter Comings	237 E. College Street	440-752-6422	December 31, 2022
Michael Schmid	255 Oak Street	440-774-4718	December 31, 2020
Mary McDaniel	495 E. College Street	440-935-5509	December 31, 2021
Michael Gaines	138 S. Main Street Apt. # 402	440-935-7444	December 31, 2020
Kelley Singleton	260 Oak Street	440-707-6550	Council Liaison
Ian Yarber, Recreation Coordinator	69 S. Main Street	440-775-7254	Staff Support, Secretary

Resource Conservation & Recovery Commission- Five member commission reviews proposed rules and advises City Council regarding the City's refuse, recyclable materials and yard waste collection program. Meets the fourth Tuesday of every other month, at 85 S. Main Street in Conference Room 2 @ 6:30 p.m. (Staggered Terms, Full Term 3 Years)

Member	Address	Phone	End of Term
Martin Buck	60 N. Cedar Street	440-775-0556	December 31, 2020
Rebecca Bandy	25 Glenhurst Drive	440-774-1081	December 31, 2022
Wayne Wood	555 E. College Street	214-316-1025	December 31, 2020
Kimberly Davidson	555 E. College Street Apt #1	440-935-7880	December 31, 2022
Gina Makris	18 South Street	707-245-9696	December 31, 2021
Heather Adelman	240 Elm Street	440-707-6228	Council Liaison
Jeff Baumann, Public Works Director	85 S. Main Street	440-775-7204	Staff Support
Sheri Runals	85 S. Main Street	440-775-7218	Secretary

Underground Railroad Implementation Team Committee – 5-9 member committee serves as the primary advisory body to the City Council during the design, fundraising, construction, and implementation phases of the Underground Railroad Center Project. Meets the second Wednesday of the month, at 85 S. Main Street in Conference Room 1 @ 3:00 p.m. (Unlimited Terms)

Member	Address	Phone	End of Term
Russell Walker	359 S. Pleasant Street	440-452-1948	Unlimited Terms
Tony Mealy	328 S. Professor Street	440-221-5005	Unlimited Terms
Barbara Mehwald	285 E. College Street	440-775-7051	Unlimited Terms
Jessie Reeder, Chair	133 Smith Street	440-774-2074	Unlimited Terms
Lester A. Allen III, Vice Chair	44989 E. Hamilton Street	440-774-0278	Unlimited Terms
Joseph L. Peek	355 W. Lorain St.	440-935-4096	Unlimited Terms
Paul Lipke- Benn	319 Reamer Place	440-774-2961	Unlimited Terms
Elizabeth J. Meadows	343 S. Pleasant Street	440-223-8144	Council Liaison
Chris Yates, Code Administrator	69 S. Main Street	440-775-7251	Staff Support/Secretary

Zoning Board of Appeals – Five member board hears and decides appeals resulting from any order or decision made by a city administrative officer in enforcing zoning ordinances. The board may also authorize zoning variances, provided they do not conflict with the public interest. Meets on an “as needed” basis. (Staggered Terms, Full Term 3 Years)

Member	Address	Phone	End of Term
Don Bryant	230 Morgan Street	216-287-8385	December 31, 2021
Gregg Wilson, Vice Chair	250 Reserve Avenue	216-894-5345	December 31, 2020
Kurt Sarringhaus, Chair	663 Beech Street	440-774-3271	December 31, 2021
Gerard Findlan	125 Pyle Rd	440-724-3148	December 31, 2022
Alan Campbell	413 East College Street	440-775-3702 440-315-9197 (c)	December 31, 2020
Linda Slocum	104 Woodhaven Place	440-935-0487	Council Liaison
Carrie Handy, Planning/ Dev. Director	69 S. Main Street	440-775-7250	Staff Support/ Secretary