

COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2016-61

By Nick Haschka Sponsored By Mayor Cyril M. Kleem

AN ORDINANCE

PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF BEREA OF AN AMENDMENT TO THE CHARTER OF THE CITY OF BEREA TO MODIFY THE MANNER IN WHICH NOTICE OF MEETINGS MAY BE GIVEN, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Berea, Cuyahoga County, Ohio, two-thirds of all members concurring:

SECTION 1. That pursuant to Article XVIII, Section 9 of the Ohio Constitution and Section XVI, Item 4 of the Charter of the City of Berea, this Council hereby authorizes and directs the submission to the electors of the City of Berea at an election to be held at the usual places of voting in said City on the First Tuesday after the First Monday in November, 2016, the following proposal to amend the Charter of the City of Berea:

That existing Charter Section IV-4(c) be amended by allowing alternative methods of notice for meetings to be established by ordinance so that, as amended, Charter Section IV-4(c) will read as follows:

ITEM IV-4. MEETINGS.

(c) Special Meetings. Special meetings may be called by the Mayor or any three (3) Members of Council. There shall be given at least twenty-four (24) hours notice in writing of such special meeting, served personally on each Member of Council, as otherwise set forth by ordinance, or left at his usual place of residence. Such notice shall state the subjects to be considered at the meeting and no other subjects shall be considered prior to the disposition of those for which such meeting was called.

SECTION 2. That if the foregoing proposal receives the affirmative vote of a majority of electors voting thereon, then existing Section IV-4(c) shall be, and the same hereby is, amended, effective as of the date on which such amendment becomes effective.

SECTION 3. That it is the desire of the Council that the ballot for said question shall be in the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

Shall Section IV-4(c) of the Charter of the City of Berea be amended so as to allow Council to establish, by Ordinance, the method by which they are informed of Special Meetings.

[] Yes
[] No

COUNCIL CHAMBER

City of Berea, Ohio

Ordinance No. 2016-61

By Haschka Sponsored By Mayor Kleem

SECTION 4. That the Clerk of Council is hereby authorized and directed to forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County on or before August 1, 2016.

SECTION 5. That the Board of Elections of Cuyahoga County, Ohio, shall cause an appropriate notice to be duly given of the elections to be held on November 8, 2016, on the foregoing amendment to the Charter of the City of Berea, and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

SECTION 6. That the Clerk of this Council is hereby authorized and directed to cause the full text of such proposed Charter amendment to be published as set forth by law, with the first publication to be made at least fifteen days prior to the election to be held on November 8, 2016, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio and in Section 731.211 of the Ohio Revised Code.

SECTION 7. That there is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

SECTION 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 9. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that the City must act immediately for the purpose of consistency, clarity, and a standardization of City law. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: June 20, 2016



President of Council

ATTEST: Hyo Eun
Clerk of Council

APPROVED: June 24, 2016
Cape Kleem
Mayor

Approved as to Form:

Barbara
Director of Law