

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-110

INTRODUCED BY: Antoskiewicz, Nickell, Petrusky, Willey,
Marnecheck, Muller, Kasaris, Mayor Stefanik

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF NORTH ROYALTON OF A CERTAIN AMENDMENT TO ARTICLE III THE COUNCIL, SUBSECTION (f) MEETINGS, OF THE CHARTER OF THE CITY OF NORTH ROYALTON TO STATE THAT ALL EXECUTIVE SESSIONS SHALL BE HELD IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, OR THE LAWS OF THE STATE OF OHIO, AND DECLARING AN EMERGENCY

WHEREAS: The laws of the State of Ohio provide that municipal governments may hold Executive Sessions under a very specific and limited set of circumstances; and

WHEREAS: The City desires to reassure its residents that all Executive Sessions are held in strict compliance with the laws of the City of North Royalton and the State of Ohio; and

WHEREAS: The 2012 North Royalton Charter Review Commission has determined to recommend the addition of language stating that all Executive Sessions shall be held in accordance with the provisions set forth in the Codified Ordinances of the City of North Royalton, or the laws of the State of Ohio; and

WHEREAS: In order to provide for the above, it is necessary to recommend amending Article III The Council, Subsection (f) Meetings, of the Charter of the City of North Royalton; and

WHEREAS: Pursuant to Article XVIII, Subsection (f) of the Charter, the Council is obligated to submit the Charter Review Commission recommendations to the electors.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Pursuant to Article XVIII, Section 9 of the Ohio Constitution and Article XVIII, Subsection (e) of the Charter of the City of North Royalton, the Council hereby authorizes and directs the submission to the electors of the City of North Royalton, at an election to be held in usual places of voting in said City on November 6, 2012, an amendment to Article III The Council, Subsection (f) Meetings, of the Charter of the City of North Royalton which shall upon adoption read as follows:

(f) MEETINGS.

The Council shall meet at the Municipal Building of the Municipality at such time as may be prescribed by ordinance or resolution, but shall meet at least twice each month, except that the Council may designate one month in the summer season for vacation. Meetings of the Council shall be open to the public in accordance with State law, *with the exception of Executive Sessions, which shall only be permitted in accordance with the provisions set forth in the Codified Ordinances of the City of North Royalton, or in the laws of the State of Ohio.*

Section 2. The ballot for said question shall be in substantially the following form:

PROPOSED CHARTER AMENDMENT

A majority affirmative vote is necessary for passage.

SHALL THE CHARTER OF THE CITY OF NORTH ROYALTON BE AMENDED TO STATE THAT ALL EXECUTIVE SESSIONS SHALL BE HELD IN ACCORDANCE WITH THE PROVISIONS SET FORTH IN THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, OR IN THE LAWS OF THE STATE OF OHIO.

	YES
	NO

Section 3. The foregoing proposed amendment, if approved by a majority of the electors voting thereon at the aforesaid election to be held on November 6, 2012, shall become a part of the Charter of this City and shall be effective as of the date that said amendment or amendments have been certified by the Cuyahoga County Board of Elections as having been approved by a majority of the voters.

Section 4. The Director of Legislative Services in her capacity as Clerk of Council is hereby authorized and directed to deliver immediately to the Board of Elections a certified copy of this Ordinance.

Section 5. The Director of Legislative Services in her capacity as Clerk of Council is hereby authorized and directed, pursuant to laws passed by the General Assembly, to give notice of these proposed amendments by newspaper advertising.

Section 6. There shall be and hereby is appropriated from the General Fund a sufficient sum of money to pay the cost of printing and mailing copies of said proposed Charter amendment to the electors for publishing such election notice, and other costs incidental to carrying out the terms of this Ordinance.

Section 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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.

Section 8. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that this Ordinance must be effective immediately in order to permit necessary arrangements to be made in sufficient time for said election.

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.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: July 3, 2012

DATE APPROVED: July 5, 2012

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading July 3, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey
Marnecheck, Muller, Kasaris

NAYS: none