

EMERGENCY ORDINANCE NO. 2022-14

AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF AMENDMENTS TO SECTION 4.01 AND SECTION 4.06 OF THE CHARTER OF THE CITY OF MONROE ESTABLISHING TERM LIMITS FOR MEMBERS OF CITY COUNCIL, TO REDUCE UNEXCUSED ABSENCES FROM FOUR TO THREE CONSECUTIVE REGULAR MEETINGS, REQUIRE THE ATTENDANCE OF 66% OF REGULARLY SCHEDULED MEETINGS IN A CALENDAR YEAR, AND DECLARING AN EMERGENCY.

WHEREAS, a Charter Review Commission was appointed in accordance with the Charter of the City of Monroe; and

WHEREAS, this Commission has met and reviewed the Charter proposing certain changes to the Charter; and

WHEREAS, these proposed changes have been reviewed by City Council and a portion were accepted and placed on the 2021 General Election ballot; and

WHEREAS, Council has reconsidered the proposed changes and accepted the remaining recommendations by the Charter Review Commission.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MONROE, STATE OF OHIO, THAT:

SECTION 1: The question of certain amendments of the Charter of the City of Monroe be submitted to a vote of the qualified electors of the City at the general election to be held on November 8, 2022, at the regular places of voting within the City and during regular voting hours. Such ballot for said election shall at the top thereof, be entitled "City Charter Amendment Ballot – Attendance and Term Limits" and the question to be submitted on said ballot shall be in words following: "Shall the proposed amendment to Section 4.01 and Section 4.06 of the Charter of the City of Monroe to establish term limits for Council Members, reduce the unexcused absences from four to three consecutive regular meetings, and require the attendance of 66% of regularly scheduled meetings in a calendar year be adopted?" or such ballot language as the Office of the Secretary of State of the State of Ohio shall adopt pursuant to the authority granted in Revised Code Section 3505.06. To the left of said wording in boxes with appropriate place for marking, shall appear the words "Yes" and "No" and each voter shall indicate their vote by marking in the place so provided.

SECTION 2: Public notice of the time and place of holding such election shall be given by publication of notice thereof at least ten (10) days prior to the day of such election in a newspaper of general circulation in the City.

SECTION 3: The Clerk of Council be and is hereby directed to publish the full text of the proposed Charter Amendments as set forth in Exhibit "A" attached hereto and made a part hereof, once a week for not less than two consecutive weeks in the Journal-News, with the

first publication being at least fifteen (15) days prior to the election hereinbefore provided, all in accordance with Section 9 of Article XVIII, Ohio Constitution and Revised Code Section 731.211.

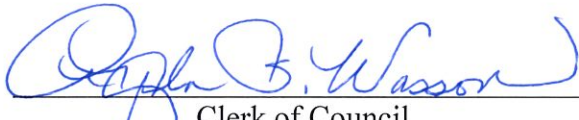
SECTION 4: To pay the costs related to the proposed Charter Amendments and submission thereof to the electors, there is hereby appropriated from the General Fund the sum of \$5,000, or so much thereof as may be needed.

SECTION 5: This measure is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that Council desires to submit the proposed Charter amendments to the Board of Elections to allow sufficient time for review and prior to the deadline set forth in the Ohio Revised Code. Therefore, this measure shall take effect and be in full force from and after its passage.

PASSED: June 28, 2022

ATTEST:

APPROVED:


Clerk of Council


Mayor

"I, the undersigned Clerk of Council of the city of Monroe, Ohio, hereby certify the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Sunshine Law, Section 121.22 of the Ohio Revised Code.



Clerk of Council
City of Monroe, Ohio

Exhibit "A" E Ord 2022-14

NOTICE TO VOTERS

In accordance with Section 12.05 of the Charter of Monroe, a Charter Review Commission was appointed. The following are the recommended changes for Section 4.01 and Section 4.06 of the Charter as submitted by the 2021 Charter Review Commission establishing term limits for Council members, reducing excused absences from four to three, and require the attendance of 66% of regularly scheduled meetings in a calendar year. The proposed additions appear in italics and items to be omitted are stricken through. The proposed changes are as follows:

Current Charter Language

Section 4.01 - Composition and Terms.

The Council shall consist of seven members, elected at large for a term of four years beginning on the first day of January next following their election. Four members of the Council shall be elected at the regular Municipal election in 1975 and every fourth year thereafter, and three members of the Council shall be elected at the regular Municipal election in 1977 and every fourth year thereafter.

Proposed Language

Section 4.01 - Composition and Terms.

The Council shall consist of seven members, elected at large for a term of four years beginning on the first day of January next following their election. Four members of the Council shall be elected at the regular Municipal election in 1975 and every fourth year thereafter, and three members of the Council shall be elected at the regular Municipal election in 1977 and every fourth year thereafter. *No person shall hold the office of member of Council for a period longer than two consecutive four year terms of the Council unless a period of at least two years has intervened without such person serving on the Council. The provisions of this amendment shall apply commencing January 1, 2024.*

In determining the eligibility of an individual to hold the office of member of Council in accordance with this article, time spent in the office of member of Council in fulfillment of a term to which another person was first elected shall not be considered.

Each provision of this amendment shall be deemed severable from the others, and a finding that a provision is invalid shall not affect the other provisions.

Current Charter Language

Section 4.06 - Removal.

The Council shall be the judge of the qualifications of its members. Council may, by two-thirds of its membership, expel or remove any member for failure to meet or maintain qualification of office, or for violation of his oath of office, or for the conviction of a felony or other crime involving moral turpitude, or for persistent failure to abide by the rules of Council. Prior to any such action by Council, the accused member shall be notified in writing of the charge against him at least fifteen days in advance of any hearing upon such charge, and he and counsel shall be given an opportunity to be heard, present evidence or examine under oath any witness in support of such charge. The accused member shall not vote on the question of his removal.

Proposed Amendment

Section 4.06 - Removal.

The Council shall be the judge of the qualifications of its members. Council may, by two-thirds of its membership, expel or remove any member for failure to meet or maintain qualification of office, or for violation of his oath of office, or for the conviction of a felony or other crime involving moral turpitude, or for persistent failure to abide by the rules of Council. Prior to any such action by Council, the accused member shall be notified in writing of the charge against him at least fifteen days in advance of any hearing upon such charge, and he and counsel shall be given an opportunity to be heard, present evidence or examine under oath any witness in support of such charge. The accused member shall not vote on the question of his removal.

A Councilman who is absent, without being excused by the majority of the other members of Council, from ~~four~~ *three* consecutive regular meetings of Council, shall automatically vacate his office on the Council.

Members of Council must attend 66% of the regularly scheduled meetings in a calendar year. Failure to meet this requirement such member shall vacate their office as Council member.