

**Notice of Election
City of Wyoming, OH**

Notice is hereby given that the following amendments to the Charter of the City of Wyoming, OH shall be submitted to the electors of the City of Wyoming, OH at the General Election to be held on November 2, 2021 at the regular places of voting in said City as established by the Board of Elections.

ORDINANCE #03-2021

ORDINANCE AUTHORIZING PLACEMENT OF PROPOSED REVISIONS TO THE CHARTER OF THE CITY OF WYOMING ON THE NOVEMBER 2, 2021 BALLOT AND DECLARING AN EMERGENCY

WHEREAS, The City of Wyoming Charter Review Commission (the "Commission") has reviewed the Charter of the City of Wyoming and has recommended revisions to the Charter in order to continue to improve the operations of the City and expand the scope of the City's Home Rule authority to regulate matters that are local in nature; and

WHEREAS, The Commission has recommended an amendment to Section 3.02 QUALIFICATION, in order to make the provisions of this section gender-neutral; and

WHEREAS, The Commission has recommended an amendment to Section 3.07 COUNCIL MEETINGS in order to allow City Council to conduct any regular or special council meeting by virtual means during any declared state of emergency or when circumstances are such that it would not be prudent to conduct a meeting in-person; and

WHEREAS, The Commission has recommended an amendment to Section 3.09 REMOVAL AND VACANCIES in order to use consistent terminology throughout the Charter and delete unnecessary verbiage; and

WHEREAS, The Commission has recommended an amendment to Section 4.07 REMOVAL in order to clarify that no appeal is available from a decision of City Council to remove the City Manager and to use consistent terminology throughout the Charter; and

WHEREAS, The Commission has recommended the addition of Section 11.08 MEETINGS OF BOARD, COMMITTEES, AND COMMISSIONS THROUGH VIRTUAL MEANS to permit City boards, committees, and commissions to conduct any meeting through virtual means during a declared state of emergency or when circumstances are such that it would not be prudent to conduct a meeting in-person;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WYOMING, HAMILTON COUNTY, OHIO:

Section 1. That the following proposed revisions to the Charter of the City of Wyoming as hereinafter stated are hereby approved for placing on the November 2, 2021 general election ballot for vote by the electorate by the City of Wyoming, and the City Manager is directed to take all steps necessary to place such proposed revisions to the Charter on such ballot and to advise the electorate of the City of Wyoming as prescribed by law. Such revisions shall read as follows:

SECTION 3.02 QUALIFICATION.

All members of Council shall have been qualified electors and residents of the City for at least one year immediately prior to the time of filing for office, and shall continue to be qualified electors of the City during their respective terms of office. No member of Council shall hold any other office or employment with the City, except as otherwise allowed by this Charter or by ordinance of the Council.

Any member of Council who shall cease to possess or who violates any of the qualifications of office herein provided; who is finally convicted of a crime involving moral turpitude; or who fails to attend three consecutive regular meetings of the Council, unless such absence is excused by a majority vote of the members present at such meeting or a subsequent meeting of the Council, shall be subject to forfeiture of their office in the manner provided by Section 3.09 of this Charter. A member of Council shall not vote upon the question of their removal or whether their absence from a regular meeting should be excused. Failure to maintain such qualifications shall not render void or ineffective any action of the Council in which such member participated.

SECTION 3.07 COUNCIL MEETINGS

Council shall hold not less than 12 regular meetings per year at such time and place as designated by ordinance. An organizational meeting shall be held December 1st of each election year. Special meetings may be called by the Mayor or by any three (3) council members on twenty-four (24) hours written notice served on each member personally, or left at the members' usual place of residence. The purpose of the special meeting shall be stated in the notice, and no other business shall be transacted at such meeting. Council may conduct any regular or special meeting through virtual means, such as electronic, teleconference, web, or video conference, during a declared state of emergency or when circumstances are such that it is prudent for Council to not hold an in-person meeting. All members of Council attending a meeting held through virtual means shall be considered present, shall be counted towards a quorum, and may vote on all matters coming before Council during the meeting.

A majority of the members of Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time. The vote of at least a majority of the members present, except as otherwise prescribed in this Charter, shall be necessary for the passage of any measure, and all votes shall be taken by yeas and nays entered upon the journal.

All meetings of Council shall be open to the public, except as allowed by the laws of the State of Ohio and as Council may provide by ordinance for matters declared in such ordinance to require confidentiality.

SECTION 3.09 REMOVAL AND VACANCIES.

If any member persistently fails to abide by the rules of Council, or becomes disabled so as not to be able to perform the duties of a council member, such seat may be declared vacant by resolution of Council, five (5) members concurring. Any member who shall cease to be a resident or qualified elector of the City, or shall cease to possess any of the qualifications set out in Section 3.02 of this Charter or is recalled shall forfeit such office, and Council shall by majority vote declare the seat vacant. The remaining members of Council shall, by majority vote, elect a successor to fill any vacancy however caused. The power of Council to fill the vacancy shall lapse after thirty (30) days, and the Mayor shall fill the vacancy by appointment. Any appointee under this section shall qualify under the provisions of this Charter and shall hold office and serve for the unexpired term and until such successor is elected and qualified.

SECTION 4.07 REMOVAL

Council may remove the City Manager by a majority vote 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 said removal. The City Manager may reply in writing and may request a public hearing before Council which public hearing shall be held not earlier than twenty (20) days not later than thirty (30) days after the public filing of such request, which request shall be filed with the Clerk of Council within five (5) days of the City Manager being notified of such termination. After such public

hearing if one is requested, and after full consideration, Council by a majority vote of its members may adopt a final resolution of removal, which decision is final and is not subject to appeal by any party or person.

SECTION 11.08 MEETINGS OF BOARDS, COMMITTEES, AND COMMISSIONS THROUGH VIRTUAL MEANS

All City boards, committees, and commissions may conduct any meeting through virtual means, such as electronic, teleconference, web, or video conference, during a declared state of emergency or when circumstances are such that it is prudent for the board, committee, or commission to not hold an in-person meeting. All members attending a meeting held through virtual means shall be considered present, shall be counted towards a quorum, and may vote on all matters coming before the board, committee, or commission during the meeting.

Section 2. This ordinance is hereby determined to be an emergency measure that is necessary for the immediate preservation of the public peace, prosperity, health, safety, and welfare of the City of Wyoming, and further is necessary in order that it can be transmitted to the Hamilton County Board of Elections at the earliest date possible in order to placed on the November 2, 2021 general election ballot, and shall go into effect at the earliest possible date by the affirmative vote of five of the seven members elected to Council in accordance with the Charter of the City of Wyoming, Ohio.

PASSED IN THE COUNCIL CHAMBERS OF THE CITY OF WYOMING, OHIO, THIS 19th DAY OF JULY, 2021.

/S/Thaddeus Hoffmeister
Thaddeus Hoffmeister, Mayor

ATTEST:

/S/Karen Zeilman
Clerk of Council

APPROVED AS TO FORM:
/S/Emily Supinger
Emily Supinger, City Solicitor

STATE OF OHIO)
) SS:
COUNTY OF HAMILTON)

I, Clerk of Council of the City of Wyoming, Ohio, within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be set, do hereby certify that the foregoing is taken and copies from the original Ordinance No. 03-2021 now on file, that the foregoing has been compared by me with said original document and that the same is a true and correct copy thereof.

WITNESS my signature this 19th day of July, 2021.

/S/Karen Zeilman
Clerk of Council

Publish one time: Tri County Press on Wednesday, October 6, 2021
Tri County Press on Wednesday, October 13, 2021