

FIRST READING: 6.8.20  
SECOND READING: 6.22.20  
THIRD READING: 7.13.20

ORDINANCE NO. 38-20

BY: ALL MEMBERS OF COUNCIL

AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION  
TO THE ELECTORS A PROPOSAL TO AMEND SECTION 6 OF ARTICLE X OF  
THE CHARTER OF THE CITY OF ROCKY RIVER BY PROVIDING THAT  
DISCUSSION OF ECONOMIC DEVELOPMENT MATTERS ARE CONFIDENTIAL  
AND AN EXCEPTION TO OPEN MEETINGS, AND DECLARING AN  
EMERGENCY

WHEREAS, Council has received the recommendation of the 2020 Rocky River  
Charter Review Commission, appointed pursuant to the Charter of the City of Rocky  
River, to amend the Charter as herein provided, and Council is obligated to submit such  
proposed amendment to the Electors of the City at the General Election to be held  
November 3, 2020.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY  
OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

**Section 1.** That this Council hereby authorizes and directs the submission to the  
Electors of the City of Rocky River at the General Election to be held at the usual places  
of voting of said City on Tuesday, November 3, 2020, between the hours as provided by  
law, the following proposal to amend Section 6 of Article X of the Charter of the City of  
Rocky River to read as follows:

ARTICLE X  
GENERAL

SECTION 6. OPEN MEETINGS.

(7) To consider confidential information related to the marketing plans,  
specific business strategy, production techniques, trade secrets, or personal financial  
statements of an applicant for economic development assistance, or to negotiations  
with other political subdivisions respecting requests for economic development  
assistance when the information is directly related to a request for economic  
development assistance that is available under the general laws of Ohio, or that  
involves public infrastructure improvements or the extension of utility services that  
are directly related to an economic development project, and when it is determined by  
the public body that the executive session is necessary to protect the interests of the  
applicant or the possible investment or expenditure of public funds to be made in  
connection with the economic development project.

**Section 2.** That the foregoing proposed amendment upon receiving at least a majority of  
the votes cast thereon at the November 3, 2020, General Election shall become effective  
immediately upon its adoption.

**Section 3.** That the ballot submitting the question of the adoption of the aforesaid  
amendment shall read substantially as follows:

PROPOSED CHARTER AMENDMENT

CITY OF ROCKY RIVER

A majority affirmative vote is necessary for passage.

Shall Article X, Section 6 of the Charter be amended by  
adding a provision to designate confidential discussion by  
the City of economic development matters as an exception  
to open meetings?

**Section 4.** That the Clerk of this Council is hereby authorized and directed promptly to  
forward a certified copy of this Ordinance to the Board of Elections of Cuyahoga County.

I, the undersigned clerk of council of the city of Rocky River,  
State of Ohio, do hereby certify that publication of the  
foregoing ordinance was duly made by posting a true copy  
thereof in the lobby of the Rocky River City Hall, in  
accordance with the charter of Rocky River, commencing on  
the 13<sup>th</sup> day of July, 20 20.

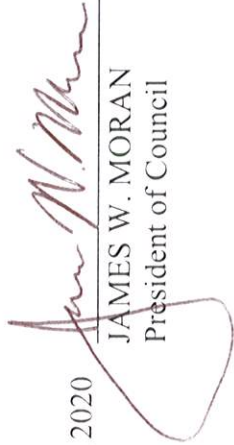
Andrew A. Pearce

Clerk of Council of the City of Rocky River, Ohio

**Section 5.** That the Board of Elections of Cuyahoga County shall cause an appropriate notice to be given of the Election to be held on November 3, 2020, on the foregoing amendment to the Charter of this City 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 once a week for two consecutive weeks in a newspaper of general circulation in the City of Rocky River, with the first publication to be made at least fifteen days prior to the General Election to be held on November 3, 2020, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio and Ohio Revised Code Section 731.211.

**Section 7.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in that it is necessary that it become effective and be certified to the election authorities immediately in order for the question to appear on the ballot at the General Election to be held on November 3, 2020; wherefore, this Ordinance shall go into effect immediately upon its passage.

PASSED: July 13<sup>th</sup>, 2020   
JAMES W. MORAN  
President of Council

PRESENTED TO  
MAYOR: July 13<sup>th</sup>, 2020 APPROVED: July 13<sup>th</sup>, 2020

ATTEST:

  
SUSAN G. PEASE  
Clerk of Council

  
PAMELA E. BOBST  
Mayor

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City of Rocky River } ss  
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 38-26 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 13<sup>th</sup> DAY OF July, 2020 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW, THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 38-20

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 13<sup>th</sup> DAY OF July, 2020.

  
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO