

ORDINANCE NO. 2001-189

**AMENDING THE CODIFIED ORDINANCES OF THE CITY OF MASON
SECTION 121.01 COUNCIL MEETINGS REGARDING EXECUTIVE
SESSIONS**

WHEREAS, it is the desire of the City of Mason to have the City Code in compliance with State Code and current case law.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio,
Seven members elected thereto concurring:

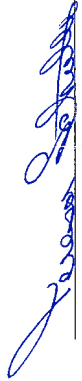
Section 1. That the Codified Ordinances of the City of Mason Section 121.01 regarding Executive Sessions shall be amended as set out in the attached Exhibit "A" which is incorporated herein be reference.

Section 2. That all other provisions of the Section shall remain unchanged.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Dated this 26th day of November, 2001.

Attest:


Clerk of Council


Mayor

EXHIBIT "A"

121.01 Council Meetings

- (a.) Council shall, except as otherwise provided in this section, meet in regular session in the Council Chamber at 7:00 p.m. on the second and fourth Monday of each month. Council may, by majority vote of those present and voting, establish such additional meetings as deemed necessary or waive any scheduled meeting. The Mayor or any three members may call special meetings upon at least twelve hours' notice to each member, served personally or left at the member's usual place of residence.
- (b.) All official action of the Council, and all deliberations on official business shall be conducted only in open meetings, except the members of council may hold an executive session only after a majority of a quorum of the public body determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of the consideration of any of the following matters:
 - (1) To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing. Except as otherwise provided by law, no public body shall hold an executive session for the discipline of an elected official for conduct related to the performance of the elected official's official duties or for the elected official's removal from office. If a public body holds an executive session pursuant to division (b)(1) of this section, the motion and vote to hold that executive session shall state which one or more of the approved purposes listed in division (b)(1) of this section are the purposes for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.
 - (2) To consider the purchase of property for public purposes, or for the sale of property at competitive bidding, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. No member of a public body shall use division (b)(2) of this section as a subterfuge for providing covert information to prospective buyers or sellers. A purchase or sale of public property is void if the seller or buyer of the public property has received covert information from a member of a public body that has not been disclosed to the general public in sufficient time for other prospective buyers and sellers to prepare and submit offers.

If the minutes of the public body show that all meetings and deliberations of the public body have been conducted in compliance with this section, any instrument executed by the public body purporting to convey, lease, or otherwise dispose of any right, title, or interest in any public property shall be conclusively presumed to have been executed in compliance with this section insofar as title or other interest of any bona fide purchasers, lessees, or transferees of the property is concerned.
 - (3) Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action.
 - (4) Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning the compensation or other terms and conditions of their employment.
 - (5) Matters required to be kept confidential by federal law or regulations or state statutes.
 - (6) Specialized details of security arrangements if disclosure of the matters discussed might reveal information that could be used for the purpose of committing, or avoiding prosecution for, a violation of the law.

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