

RECORD OF ORDINANCE

Ordinance No. 23-16

Date Passed Dec. 13 20 16

TO AMEND SECTIONS 5 AND 6 OF ORDINANCE 02-15, AND TO DECLARE AN EMERGENCY

WHEREAS, there is no provision of Ohio law requiring that a Village Mayor be a full time employee of the Village; and

WHEREAS, there is no provision of Ohio law prohibiting a Village Mayor from holding other part time or full time employment; and

WHEREAS, there is no provision of Ohio law prohibiting a Village Council member from holding other part time or full time employment; and

WHEREAS, typical Council members in other Ohio Villages, including most of the Council members of the Lithopolis Village Council, have other full time employment; and

WHEREAS, Revised Code section 731.10 provides that Council must elect one of its members to serve as President Pro Tempore who shall then serve as Mayor in the Mayor's absence; and

WHEREAS, Revised Code section 733.25 provides that in the case of the resignation of the Mayor, the President Pro Tempore "shall become the Mayor and shall hold the office until his successor is elected"; and

WHEREAS, unlike the typical position of Village Mayor in most Ohio Villages, Ordinance 02-15 described the position of the Mayor of Lithopolis as being a full time position; and

WHEREAS, Council finds and determines that a Mayor, or a President Pro Tempore acting as Mayor, can properly and fully perform all the statutory functions required of a Village Mayor without the office of Mayor being a full time position; and

WHEREAS, Council finds and determines that a Mayor, or a President Pro Tempore acting as Mayor, can properly and fully perform all the statutory functions required of a Village Mayor while holding other part time or full time employment; and

WHEREAS, Council finds and determines that the provisions of Ordinance 02-15, requiring the Lithopolis Mayor to be a full time position are not in the best interest of the Village;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LITHOPOLIS, FAIRFIELD COUNTY, STATE OF OHIO;

Section 1. That Sections 5 and 6 of existing Ordinance 02-15 are repealed and hereby amended in their entirety so that Ordinance 02-15 reads in its entirety as follows:

"Section 1. Council-members shall continue receiving \$300 per year until the end of their current terms.

Section 2. The Mayor shall continue to receive the current rate (\$30.05 per hour) and shall be paid and receive all benefits as a Full Time Village employee unless modified by Council through a separate ordinance.

Section 3. Effective after the expiration of their current terms, Council shall be paid \$600.00 per year payable at the last public meeting of the year.

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Section 4. Such pay shall be prorated based on the number of scheduled meetings, attendance at such meetings and a quorum being present. The number of paid meeting shall be calculated as twenty-four (24) meetings during a calendar year. All other meetings shall be uncompensated.

Section 5. The Mayor shall perform all the statutory functions of a Village Mayor as such are specified in the Ohio Revised Code. The Mayor shall represent the Village at meetings of the all governmental commissions, boards or committees on which the village has a seat. The Mayor shall be responsible for the day-to-day operations of the Village ~~and shall maintain regular office hours and availability to the public during normal business hours.~~

Section 6. ~~The Mayor shall not have other full/part time employment that conflicts with the regular village work day or conflicts with the interests of the Village.~~ The Mayor may have other part time or full time employment."

Section 2. That this Ordinance is declared an emergency measure immediately necessary for the preservation of the public health, safety, and welfare of the Village, and for the further reason that this Ordinance is required to be immediately effective to provide for the transition of an otherwise fully employed President Pro Tempore of Council to accept and perform the duties of Village Mayor in the event of the resignation of the Mayor; wherefore this Ordinance shall take effect and be in force immediately upon passage.

DATE PASSED: Dec. 13, 2016

ATTESTED: [Signature]
CLERK

SIGNED: [Signature]
MAYOR

APPROVED AS TO FORM:
[Signature]
VILLAGE SOLICITOR

Introduced by:
[Signature]
Council Member Marianne Daily