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ORDINANCE NO. 17 – 1155

AN ORDINANCE ESTABLISHING THE POSITION OF VILLAGE ADMINISTRATOR IN THE VILLAGE OF RUSSELLS POINT, LOGAN COUNTY, OHIO

WHEREAS, this Council is committed to providing Village residents with the most efficient and modernized government; and

WHEREAS, establishing a Village Administrator to fulfill every day operations is an efficient and modern way to operate the Village; and

WHEREAS, a Village Administrator may be established under Ohio Revised Code Section 735.271; and

WHEREAS, upon the establishment of the position of Village Administrator and appointment by the mayor and confirmation by this Council, the board of trustees of public affairs shall be abolished and the term of office of members of such board shall terminate; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Russells Point, Logan County, Ohio, that:

SECTION I: That Chapter 147 of the Village of Russells Point Codified Ordinances now shall be enacted and written as follows:

147.01 VILLAGE ADMINISTRATOR ESTABLISHED

(A) Pursuant to the Ohio R.C. 735.271 the position of Village Administrator is hereby established.

(B) The Village Administrator shall be chosen on the basis of executive, administrative and academic qualifications with special reference to actual experience in and knowledge of accepted practices in respect to the duties of that position as hereinafter set forth. He or she shall have responsible administrative experience.

147.02 POWERS AND DUTIES

(A) The Administrator appointed under section 735.271 of the Revised Code shall manage, conduct, and control the water works, electric light plants, artificial or natural gas plants, or other similar public utilities, furnish supplies of water, electricity, or gas, and collect all water, electric, and gas rents.

(B) The Administrator may make such bylaws and regulations as it deems necessary for the safe, economical, and efficient management and protection of such works, plants, and public utilities. Such bylaws and regulations, when not repugnant to municipal ordinances and resolutions or to the constitution of this state, shall have the same validity as ordinances.

(C) The Administrator shall have the same powers and perform the same duties as are provided in sections 743.05 to 743.07, inclusive, 743.10, 743.11, 743.18, and 743.24 of the Revised Code, and all powers and duties relating to water works in any of such sections shall extend to and include electric light, power, and gas plants, and other similar public utilities.

(D) The Administrator shall supervise the improvement and repair of streets, avenues, alleys, lands, lanes, squares, landings, market houses, bridges, viaducts, sidewalks, sewers, drains, ditches, culverts, ship channels, streams, and water courses as well as the lighting, sprinkling, and cleaning of all streets, alleys, and public buildings and places.

(E) The Administrator shall appoint officers, employees, agents, clerks, and assistants, provided such positions are first authorized by the legislative authority of the village; but such appointments shall be subject to approval by the mayor. Such appointments and the mayor's approval thereof shall be in writing, and shall be filed with the village clerk.

(F) The Administrator shall be under the general supervision and control of the mayor, and shall have such other powers and duties as are prescribed by ordinance or by law and which are not inconsistent herewith. The village administrator shall perform all duties and shall have all powers of boards of public affairs and street commissioners as prescribed by law, except as otherwise provided by this section and in sections 735.271 and 735.272 of the Revised Code.

(G) When directed to do so by Council, the Administrator shall coordinate Council functions with those of other Village agencies, such as Council Committee meetings, Planning and Zoning, and other meetings as directed by Council, or with outside public agencies such as fire protection and sanitary districts, public schools, park districts, other municipalities, the county and the State, thus keeping Council informed of the major activities, internal problems and/or problem areas.

(H) The Administrator shall provide staff services to all departments of the Village government, in such areas as those services are from time to time needed, including, but not limited to the following: position classification; pay plans development and administration; positive recruitment and selection; performance evaluation; including recommendations for merit increases for individual employees; employee training and utilization; employee relations; labor negotiations; personnel actions and facets of public personnel administration; accounting; purchasing; space and other facilities and public relations.

(I) The Administrator shall assist and coordinate with the department heads, preparation of both long and short-term programs for all departments and agencies, and the budget estimates to support them; to evaluate the resulting programs for all departments and agencies, and the budget estimates to support them; to evaluate the resulting programs and budget estimates, and to make recommendations for cuts and/or other adjustments for the consideration of the Mayor and Council.

(J) Under the supervision and in cooperation with the Mayor, the Administrator shall prepare and submit to Council, within thirty days after the end of each fiscal year, a complete report on the finances and administrative activities of the Village for the preceding year.

(K) The Administrator shall observe, review and evaluate the work of department heads, except the Chief of Police, and recommend to the Mayor and Council the hiring or appointment or the termination, suspension or removal of all Village employees and offices except the Village Solicitor, the Police Chief and police personnel, unless such hiring, appointment, termination, suspension, or removal is otherwise expressly provided for by applicable statute.

(L) Except as otherwise required by law, the Administrator shall be responsible for the handling of complaints, suggestions, requests, applications except those for business licenses, building permits or zoning permits and relief from the requirements of the Village zoning ordinances, and whenever possible, shall take action immediately to adjust such matters in accordance with law.

(M) The Administrator shall assist Clerk/Fiscal Officer in preparation of a preliminary agenda for the Village Council meetings, while the agenda is being prepared. The Village Administrator shall keep the Mayor and Council informed concerning the background and possible problems pertaining to major items scheduled for Council consideration.

(N) As directed by the Mayor or Council, the Administrator shall conduct research and prepare reports concerning functions and activities for which the Mayor or Council are responsible.

(O) The Administrator shall coordinate and direct the preparation of the departmental, administrative, and clerical procedural manuals and forms, to keep them up-to-date, and to see that they are promptly distributed to Village officials and employees.

(P) The Administrator shall attend all meetings of Council, except executive sessions, unless invited to attend, with the right to take part in the discussions, but with no right to vote.

(Q) The Administrator shall recommend to the Mayor or Council adoption of such policies or measures as the Administrator may deem necessary or expedient.

(R) The Administrator and/or the designee of the Mayor is authorized to terminate water service to those property owners and/or tenants of property owners who are delinquent in accordance with Section 919.06 of the Codified Ordinances.

(S) To the extent not inconsistent herewith, the Administrator shall perform other duties as are assigned from time to time by the Mayor and Council.

(T) The Administrator shall comply fully with all ethics and conflict of interest provisions as set forth in the Ohio Revised Code.

(U) The Administrator may be the initial contact person for the Village with real estate developers for projects within the Village of Russells Point. The Administrator will then direct said developers to the Planning and Zoning Commission to discuss development projects within the Village. The Administrator will be responsible for keeping other Village officials informed regarding said contracts from developers, including the Mayor, Village Council, Planning and Zoning Commission, Zoning Inspector and/or Zoning Clerk, and the Master Plan Committee as the Village Administrator deems prudent.

(V) The authority of the Administrator to execute contracts and authorize expenditures under Ohio R.C. 731.141 shall be limited to contracts or expenditures less than one thousand dollars (\$1,000) in value.

(W) The rates for service and charges for municipally owned utilities shall be determined by the legislative authority of the village.

147.03 APPOINTMENT AND REMOVAL OF VILLAGE ADMINISTRATOR

(A) The Mayor shall prepare a job description for the position of Village Administrator consistent with the obligations and duties as outlined in this Chapter and as may be approved from time to time by Council. Such job description shall be affirmed by Council at the time the position is posted as a vacancy.

(B) The Administrator shall be appointed by the mayor, but shall not take office unless the appointment has been approved by a majority vote of the members elected to the legislative authority of the village.

(C) The Administrator shall not be an elected official of the village at the time of appointment or during tenure in office. The Administrator shall serve at the pleasure of the mayor and legislative authority of the village and may be removed without cause by the mayor with the consent of a majority of the members elected to the legislative authority of the village; or may be removed without cause by the affirmative vote of three-fourths of the members elected to the legislative authority of the village, without the consent of the mayor. The legislative authority of the village may abolish the position of village administrator by ordinance.

(D) The salary and benefits of the Administrator shall be set forth by Council.

(E) The Administrator may designate, by letter filed with the Mayor, a qualified Department Head or other Administrative Director of the Village to perform his duties during his temporary absence or disability for a period not exceeding 30 days. In the event that such a designation has not been made, or in the event that a temporary absence or disability exceeds 30 days, Council may by Resolution upon recommendation of the Mayor, appoint a qualified Department Head or Administrative Director of the Village, or other qualified person, to perform the duties of the Administrator until he/she shall return or until any disability shall cease. In the event of a temporary absence of the Village Administrator, if no designation is in place, the Mayor may appoint for a period not to exceed 72 hours a qualified Department Head or Administrative Director of the Village to serve as the acting Administrator. No additional compensation shall be paid to a temporary designee or temporary appointee unless otherwise approved by Council.

(F) The Administrator shall serve at the pleasure of the Mayor and the Council. The Mayor is authorized to set a probationary period with the appointment of the Administrator for a period not to exceed six months during which in the Mayor's discretion the Administrator may be terminated. The Administrator may be removed after the probationary period without cause by the Mayor with the consent of the majority of the members of Council. The Administrator may be removed without cause after the probationary period by the affirmative vote of three-fourths of the members of Council without consent of the Mayor.

147.04 RESIDENCY REQUIREMENT WAIVED.

The provisions of Ohio R.C. 735.271 which require residency for the Village Administrator are hereby waived.

SECTION II: The Village Administrator position shall begin January 1, 2018 and the Board of Public Affairs is hereby abolished on that same date. The Fiscal Officer is hereby directed to inform OPERS of this change in the structures of the Village at the appropriate time.

SECTION III: Any reference to the Board of Public Affairs or the Street Commissioner in the Codified Ordinances shall be synonymous with the term Village Administrator.

SECTION IV: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this council and that all deliberations of this Council, and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of the Ohio Revised Code.

SECTION V: That this ordinance shall, therefore, be in force and take effect upon its passage and signature by the Mayor at the earliest date allowed by law.

John Huffman, President Pro Tem

Robin Reames, Mayor

Attested: _____
Jeff Weidner, Fiscal Officer

Approved as to Form:
Rob Eshenbaugh, Village Solicitor

October 2, 2017

Died for lack of motion

