

ORDINANCE NO. 20-01

ADOPTED: March 23 2020

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN EMPLOYMENT AGREEMENT WITH TRACI STURGILL AND DECLARING AN EMERGENCY

WHEREAS, in December 1995, with Ordinance 95-19, Council for the Village of Thornville abolished the Board of Public Affairs and created the position of Village Administrator in accordance with R.C. 735.271; and

WHEREAS, with Ordinance No. 12-05, Council for the Village of Thornville amended Ordinance 95-19, thereby amending the job duties, hours of work, and pay for the position of Village Administrator. The Village Administrator's salary is set forth in the current Compensation and Pay Schedule Ordinance; and

WHEREAS, on April 10, 2019, pursuant to R.C. 735.271, Council for the Village of Thornville approved and confirmed, via motion, the Mayor's appointment of Traci Sturgill to serve as the next Village Administrator. Following this appointment and confirmation, the Parties now want to enter into an Employment Agreement that memorialized the terms and conditions of Traci Sturgill's appointment; and

WHEREAS, nothing in the Employment Agreement is meant to, nor shall it be interpreted to, supersede Ohio statutory law governing the appointment, powers, duties, term, and/or removal of the Village Administrator. This Agreement is meant, and shall be interpreted, to supplement those statutes and the case law interpreting those statutes.

WHEREAS, Council for the Village of Thornville believes Traci Sturgill has performed exceptionally as Village Administrator. Her dedication to the Village and its residents is remarkable. Therefore, neither Council for the Village of Thornville nor the Mayor wants to initiate termination proceedings under R.C. 735.271. Instead they want to execute a new Agreement, and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Thornville, County of Perry, State of Ohio:


SECTION 1: Council for the Village of Thornville hereby authorizes and directs the Mayor, on behalf of the Village of Thornville, to execute an employment agreement, in substantially the same form and content as the Agreement attached hereto as Exhibit A and incorporated herein by reference, with Traci Sturgill.

SECTION 2: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent part thereof.

SECTION 3: It is hereby 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 any and all deliberations of this Council and any of its committees that resulted in such formal actions were in meeting open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 4: Council declares this to be an emergency measure immediately necessary for the preservation of the public peace, health, and safety of this municipality and the further reason that Council needs to execute this Agreement as soon as possible after Traci Sturgill's appointment on April 11, 2020. Wherefore, provided this Ordinance receives the required affirmative votes of Council, this Ordinance shall take effect and be in force immediately upon passage by Council.

Passed in Council this 23rd day of March 2020.



Dan Harmon, Mayor

ATTEST:



President Pro Tempore of Council

APPROVED:

Approved as to form this 27th day of January 2020:



Brian M. Zets, Esq.
Village Solicitor