

ORDINANCE NO. 22-13

ADOPTED: November 28, 2022

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A NEW 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 entered into an Employment Agreement that memorialized the terms and conditions of Traci Sturgill's appointment; and

WHEREAS, although the salary of the Village Administrator was set forth in the then-current Village of Thornville Compensation and Pay Schedule, the 2019 Employment Agreement contained a salary term. Consequently, a new Employment Agreement was executed in January 2020 to make clear the Village Administrator's annual salary could change annually, as set forth in the then-current Village of Thornville Compensation and Pay Schedule; and

WHEREAS, there currently exist vacancies in the position of Council Clerk, Mayor's Court Clerk, and Zoning Secretary; and

WHEREAS, Council for the Village of Thornville believes Traci Sturgill continues to perform exceptionally as Village Administrator. Her dedication to the Village and its residents is remarkable. Traci Sturgill has been helping the Village by performing the duties of the Council Clerk, Mayor's Court Clerk, and Zoning Secretary in addition to her duties and responsibilities as village administrator. Therefore, neither Council for the Village of Thornville nor the Mayor wants to initiate termination proceedings under R.C. 735.271. Instead, Council for the Village of Thornville wants to officially add these duties to Traci Sturgill's responsibilities; 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.

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

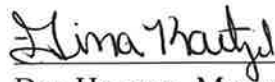
SECTION 1: Council for the Village of Thornville hereby authorizes and directs the Mayor, on behalf of the Village of Thornville, to execute an employment agreement, in substantially the same form and content as the Agreement attached hereto as Exhibit A and incorporated herein by reference, with Traci 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: This Ordinance is declared to be an emergency measure necessary for the health, safety and welfare of the residents of Thornville and the further reason that Council needs to formally give these additional duties and responsibilities to Traci Sturgill as soon as possible to make certain village government continues to run as efficiently as possible. 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 28th day of November, 2022.



Dan Harmon, Mayor
Council President

ATTEST:



Traci Sturgill, Clerk of Council

APPROVED:

Approved as to form this 2nd day of November 2022.



Brian M. Zets, Esq.
Village Solicitor