

ORDINANCE NO. 2016-06__

AN ORDINANCE AUTHORIZING LOWELL ANDERSON, MAYOR, OR HIS DESIGNEE TO HIRE JOHN MARTIN AS VILLAGE ADMINISTRATOR FOR THE VILLAGE OF MOUNT STERLING, MADISON COUNTY, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, The Village Council of Mount Sterling has expressed its desire to hire John Martin as the Village Administrator; and,

WHEREAS, The Village of Mount Sterling desires to enter into a contract with John Martin, effective the 1st day of March, 2016.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF VILLAGE OF MOUNT STERLING, MADISON COUNTY, OHIO AS FOLLOWS:

SECTION I.

That the Village Council hereby agrees to employ the services of John Martin as Village Administrator for the Village of Mount Sterling according to the terms of the Personnel Rules of the Village of Mount Sterling and the conditions and stipulations contained in the Employment Contract hereinafter and incorporated by reference herein.

SECTION II.

That the provisions of this Ordinance shall be in full force and effect from and immediately after the passage of this Ordinance and its approval by the Mayor and majority of Council.

SECTION III.

That the Clerk of Council, pursuant to O.R.C §731.23, shall cause to be published in a manner required by law, this Ordinance.

SECTION IV.

This Ordinance is hereby declared to be an emergency measure and is necessary for the immediate preservation of the public peace, health and safety of the inhabitants of the Village of Mount Sterling. The emergency existing is the continued sound fiscal management of the Village's financial affairs. This Ordinance shall be in full force and effect upon the passage and signing by the Mayor.

PASSED:

ATTEST:

Bonnie Liff
Clerk of Council

Lowell Anderson
Mayor

Submitted to Mayor: _____

APPROVED:

Date of Approval: _____

Mark J. Pitstick, Law Director
Approved as to Form

I, Bonnie Liff, the Clerk of Council, hereby certify that the foregoing Ordinance No.2016-_____
_____ was published in the Madison Messenger for once a week for two consecutive weeks
beginning on the _____ day of _____, 2016 and ending on the _____ day
of _____, 2016.

Bonnie Liff, Clerk of Council

EMPLOYMENT CONTRACT

This agreement is made effective on the 1st day of March 2016, between the Council of the Village of Mount Sterling, Ohio, hereinafter referred to as "Village", and John Martin, hereinafter referred to as "Administrator". In consideration of the mutual convenience and agreements set forth below, the parties agree as follows:

TERMS OF EMPLOYMENT

Village employs the Administrator and Administrator accepts employment with Village for a period beginning on the 1st day March 2016, subject to a six (6) month probationary period. Upon the satisfactory completion of the probationary period and the concurrence of Village, a two year contract beginning on the 1st day of September, 2016 and ending on the 31day of August, 2018 shall be extended to Administrator.

DUTIES

The duties and services to be performed by Administrator are those set forth in the job description attached hereto as "Exhibit A", the Village of Mount Sterling and such additional duties as are from time to time determined appropriate by the Village Council.

Administrator shall devote his full time and best efforts of at least forty (40) hours per week to the performance of his duties on behalf of Village for the term of the agreement. Administrator shall not directly or indirectly render any services to any other person, organization, or political subdivision during the term of this agreement without the prior consent of the Village Council.

COMPENSATION

As compensation for services rendered under this agreement, Administrator shall be entitled to receive from Village, an annual salary of Sixty-Five Thousand and 00/100 Dollars, (\$65,000.00) beginning March 1, 2016. After the first year anniversary, the Mayor shall present to the Finance Committee an evaluation of Administrator's job performance. The Finance Committee shall make a recommendation as to compensation for Administrator to the full council at the next regularly scheduled council meeting.

SENIORITY

It is recognized that Administrator began his professional career with the Village on the 1st day of March, 2016/

VACATION PAY

Pursuant to the section of this contract, concerning seniority, Administrator shall be entitled to annual vacation with full pay according to seniority in the Village of Mount Sterling Personnel Policy Manual. Unused annual vacation time may accumulate and be carried over into the next year, so long as consistent with established Village guidelines. Subject to the approval of the Village Council, Administrator shall determine when to take vacation. Upon termination, retirement, or other separation, any unused vacation will be paid to Administrator.

SICK LEAVE

Administrator shall accumulate sick leave and be entitled to use it in accordance with the Village of Mount Sterling Personnel Policy Manual and laws of the State of Ohio. Further, Administrator shall be eligible to participate in the Village Health Insurance Program according to the terms and conditions existing for all employees of the Village of Mount Sterling,

PROFESSIONAL AND MEMBERSHIP DUES

Village shall pay the annual membership dues to the ICMA and one (1) service club of Administrator's choice.

PROFESSIONAL DEVELOPMENT

Village agrees to budget and provide funds for travel and attendance at seminars that are deemed beneficial to the continued professional development of Administrator and for the good of the Municipality.

EVALUATION

The Village agrees to conduct, at least semi-annually, a review of Administrator's performance. This evaluation will be discussed with Administrator in an effort to provide him with the opportunity to determine whether training, education, or other measures should be instituted to improve his abilities or performance of his duties.

TERMINATION

In accordance with the Codified Ordinances of the Village Mount Sterling and the laws of the State of Ohio, Administrator is employed at the pleasure of Village under the conditions herein agreed to. This agreement may be terminated by Administrator or by Village, by providing the other party to the agreement thirty (30) days written notice of such termination. At its discretion, Village may release the Administrator from the full completion of the thirty (30) days notice. In the event that Village chooses to terminate this agreement under this either provision, or decides not to renew the contract, Administrator shall, in all instances, be paid for any accumulated but unused vacation days through his last day of work.

Village further agrees that if Village terminates this contract, Administrator will be entitled to the equivalent of two months salary.

VILLAGE OF MOUNT STERLING

LOWELL ANDERSON, Mayor

Date

JOHN MARTIN, Village Administrator

Date

EXHIBIT "A"

Job Description

Village Administrator

735.273 Village administrator powers and duties.

The village 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.

The village 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.

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

The village 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.

The village 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.

The village 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.

The village 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.