

Village of Mantua, Ohio
ORDINANCE 2021-49

AN ORDINANCE ESTABLISHING THE APPOINTED POSITION OF VILLAGE FISCAL OFFICER IN ACCORDANCE WITH THE PROVISIONS OF OHIO REVISED CODE SECTION 733.262, AND ABOLISHING THE ELECTED POSITION OF VILLAGE CLERK-TREASURER.

WHEREAS, Ohio Revised Code section 733.262(B) provides that when a vacancy exists in the office of Village Clerk or Village Clerk-Treasurer, the village legislative authority may pass, by a two-thirds vote, an ordinance or resolution to combine the duties of the Clerk and the Treasurer into the appointed office of Village Fiscal officer, and that the change shall take effect on the effective date of the ordinance or resolution; and

WHEREAS, Jenny August, currently elected Clerk-Treasurer for the Village of Mantua, has notified the Village that she will be resigning from that position effective October 30, 2021; and

WHEREAS, the Council of the Village of Mantua has determined that the interests of the citizens of the Village will be best served through the creation of the appointed office of Village Fiscal Officer at such time as the vacancy occurs in the office of Clerk-Treasurer.

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Mantua, two-thirds or more of the members elected thereto concurring, that:

SECTION 1. In accordance with Ohio Revised Code section 733.262(B), the elected position of Clerk-Treasurer for the Village of Mantua is abolished, and there is hereby created the appointed position of Mantua Village Fiscal Officer, effective on the First day of November, 2021, that being the first business day following the resignation of elected Mantua Village Clerk-Treasurer, Jenny August.

SECTION 2. The Village Fiscal Officer shall perform the duties provided by law for the village clerk and treasurer and any other duties consistent with the nature of the office that are provided for by municipal ordinance.

SECTION 3. The Village Fiscal Officer shall be appointed by the Mayor of the Village, but that appointment does not become effective until it is approved by a majority vote of the Village Council.

SECTION 4. The Village Fiscal Officer need not be an elector of the Village or reside in the Village, and this provision shall satisfy the statutory requirement that an ordinance be passed approving the Fiscal Officer's residence outside of the Village.

SECTION 5. The Village Fiscal Officer may be removed without cause either by the Mayor with the consent of a majority of the members of the Village Council or by a three-fourths vote of the Village Council with or without the consent of the Mayor.

SECTION 6. The elected position of Clerk-Treasurer for the Village of Mantua is hereby abolished, and so that no election for the office of Village Clerk-Treasurer is held after

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the passage of this Ordinance, the Mantua Village Council shall file a certified copy of this Ordinance with the Portage County Board of Elections not less than one hundred twenty days before the next succeeding regular municipal election at which the Village Clerk-Treasurer is to be elected.

SECTION 7. The Village Fiscal Officer initially appointed pursuant to this Ordinance shall be considered a part-time employee of the Village, and shall be subject to all policies and provisions governing Village of Mantua employees as set forth in Ordinance 2010-24, the Village of Mantua, Portage County Employee Handbook, as enacted and subsequently amended.

SECTION 8. This Council reserves the right to re-evaluate the needs of the Village and convert the part-time position to full-time at a future date if deemed necessary.

SECTION 9. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

SECTION 10. This Ordinance shall be in full force and effect on the First day of November, 2021, that being the first business day following the resignation of the current elected Mantua Village Clerk-Treasurer.

PASSED in Council this 21st day of September, 2021.

ATTEST:

Linda Clark, Mayor

Jenny August, Clerk-Treasurer

I hereby certify the above Ordinance was posted at the five (5) public notice locations in the Village of Mantua, Ohio, on the ____ day of September, 2021.

Jenny August, Clerk-Treasurer

Approved as to Legal Form:

Michele Stuck, Solicitor