

Ordinance No. 10-2021

AN ORDINANCE AMENDING THE VILLAGE OF PLAIN CITY CODIFIED ORDINANCE CHAPTER 133 ESTABLISHING A VILLAGE ADMINISTRATOR FORM OF GOVERNMENT AND THE DUTIES OF THE ADMINISTRATOR PURSUANT TO THE PASSAGE OF THE MUNICIPAL CHARTER

WHEREAS, the Village of Plain City residents elected to have the Charter adopted at a Special Election on March 9, 2021, and

WHEREAS, the Village of Plain City Council is required to enact the legislation adopted within the Charter, and

WHEREAS, Chapter 133 of the Village of Plain City Code of Ordinances establishes the Village Administrator position and compensation, and powers and duties.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. Village Council hereby amends Village Codified Ordinance Chapter 133 as set forth and written as follows:

133.01 POSITION ESTABLISHED.

In accordance with Ohio R.C. 735.271 and the Municipal Charter there is hereby created the position of the Village Administrator.

133.01(a) APPOINTMENTS AND QUALIFICATIONS

(A) The Administrator shall be appointed by the Council and shall serve as the chief administrative officer of the Municipality. The Administrator shall be responsible to the Council for the administration of all affairs of the Municipality placed in the Administrator's charge by or under this Charter, the legislation of the Council, and the laws of the State of Ohio.

(B) The Administrator shall be appointed on the basis of education and experience in the accepted competencies of the office. The Administrator need not be a resident of the Municipality.

(C) The Administrator shall, in all respects, be subject to the control, direction, and supervision of the Council. The Administrator shall not hold any elective public office or other public or private employment, unless approved by a majority vote of the Council.

133.02 POWERS AND DUTIES.

(A) Without limitation of the powers and duties prescribed in Section 6.01(A), the Administrator or designee shall:

- (1) hire, appoint, promote, suspend, remove, or otherwise discipline any employee of the Municipality, except those within the Departments of the Director of Law, Director of Finance, and Police Department or as otherwise provided by or under this Charter or by law;
- (2) direct and supervise the administration of all departments, offices, and agencies of the Municipality, except as otherwise provided by the Charter or by law;
- (3) attend all regular and special Council meetings with the right to participate in discussions and introduce ordinances and resolutions, but not vote;
- (4) assist as needed to enforce within the Municipality all laws, provisions of this Charter, and legislation of the Municipality;
- (5) provide staff support services for the Council, the Mayor, and the Municipality's boards, commissions, and committees;
- (6) prepare and submit budgets and capital programs to the Council, and implement the final budget approved by the Council;
- (7) keep the Council fully advised as to the financial condition and future operating capital needs of the Municipality and make such recommendations to the Council concerning the affairs of the Municipality as the Administrator deems desirable;
- (8) make other reports as the Council may require concerning the operation of departments, divisions, offices, boards, commissions, bureaus, and agencies of the Municipality;
- (9) make other reports as the Council may require concerning the operation of departments, divisions, offices, boards, commissions, bureaus, and agencies of the Municipality;
- (10) execute on behalf of the Municipality all contracts, leases, deeds, easements, conveyances, and agreements;
- (11) delegate to subordinate employees of the Municipality any duties conferred upon the Administrator by the Charter or by Council action, and hold them responsible for the faithful discharge of such duties; and

(12) perform such other powers, duties, and functions as are conferred or required by the Charter, the Council, or by the laws of the State of Ohio.

133.03 COMPENSATION

The Council shall determine the compensation of the Administrator.

133.04 ADMINISTRATION OF EMPLOYEES

No elected official of the Municipality shall, in any manner, direct or demand the hiring or termination of any Municipality employee whom the Administrator is empowered to hire, appoint, promote, suspend, remove, or otherwise discipline. Council may express its views and fully and freely discuss with the Administrator anything pertaining to hiring and termination of such employees.

133.05 ACTING ADMINISTRATOR

The Administrator shall designate by letter, filed with the Clerk of Council, an employee of the Municipality to exercise the powers and perform the duties of the Administrator during a temporary absence or disability of the Administrator. If such designation has not been made and the Administrator is unable to perform their duties or to make such a designation, the Mayor may appoint, subject to the consent and approval of the Council, a qualified candidate to serve as the Acting Administrator until the Administrator resumes their duties. The Council may, at any time, revoke any designation of Acting Administrator previously approved by the Council or made by the Administrator. If the designation of the Acting Administrator is revoked, the Council shall appoint another qualified candidate, subject to the consent and approval of the Council, to serve as the Acting Administrator.

133.06 PROCEDURE TO REMOVE THE ADMINISTRATOR

The Council may propose to suspend or remove the Administrator by resolution of the Council that sets forth the reasons for suspension or removal. A copy of the resolution shall be served immediately upon the Administrator. The Administrator shall have five days from the date of receipt of the resolution to reply in writing and request a public hearing. Upon the request for a hearing, the Administrator shall be afforded a public hearing, which shall occur not earlier than 10 days but no later than 30 days after the request for a hearing. If the Administrator fails to request a hearing, no hearing shall be held. After the public hearing, if requested, and after full consideration, the Council may adopt a final resolution of suspension or removal. The decision of the Council to suspend or remove the Administrator shall be in the sole discretion of the Council. If the Administrator is suspended from duty as provided under this Section, the Council shall appoint an Acting Administrator as provided under Section 6.05.

133.07 BUILDING REGULATION DEPARTMENT.

(a) The Building Regulation Department is hereby established under the office of the Village Administrator.

(b) The Building Regulation Department shall operate through a contract with the Village of West Jefferson and shall enforce all laws, statutes and regulations regarding the erection, construction, repair, alteration, and maintenance of buildings as provided and authorized in the Ohio Revised Code and the Ohio Administrative Code, pursuant to the certification approved by the Ohio Board of Building Standards.

133.08 LOWEST RESPONSIVE AND RESPONSIBLE BIDDER.

The Village hereby adopts a policy, pursuant to the authority of Ohio R.C. 9.312(C), that all contracts required by law to be awarded by competitive bidding shall be required to be awarded to the lowest responsive and responsible bidder in accordance with Ohio R.C. 9.312. The Administrator may solicit bids without passage of ordinance. Council must pass ordinance to allow Village to enter into contract with lowest responsive and responsible bidder in accordance with Ohio R.C. 9.312, except for contract for professional services, including engineering, surveying, testing, technology, legal, etc. if the budget provides for sufficient funding.

Section 2. 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 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 laws of the State of Ohio.

Section 3. All prior legislation, or any part thereof, which is/are inconsistent with this Ordinance are hereby repealed as to the inconsistent parts thereto.

Section 4. This Ordinance shall take effect on July 1, 2021.

Passed: June 14, 2021.

Attest: Renee Bonnell
Village Fiscal Officer

Jody Carney
Mayor

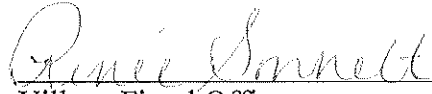
First reading: May 10, 2021. Vote: yea nay abstain

Second reading: May 24, 2021. Vote: yea nay abstain

Third reading: June 14, 2021. Vote: 6 yea 0 nay abstain

The undersigned, being Village Fiscal Officer of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 123.01 of the Codified Ordinances. The posting was done from 4-15-21, 2021 to 6-30-21, 2021 at the Village Offices at 800 Village Boulevard; ~~the Plain City Public Library located at 305 W. Main Street; the Middlefield Banking Company at 490 S Jefferson Ave; the Richwood Banking Co. located at 601 W. Main Street,~~ all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: June 15, 2021


Village Fiscal Officer

