

ORDINANCE NO. 029-21

AN ORDINANCE APPOINTING CITY MANAGER JOEL L. MAZUR AS ACTING FINANCE DIRECTOR FOR THE CITY OF NAPOLEON, OHIO BEGINNING JULY 16, 2021; AND DECLARING AN EMERGENCY

WHEREAS, the current Finance Director for the City of Napoleon, Kelly O'Boyle, has resigned effective at 2:00pm on July 16, 2021 with her last day as Finance Director being July 16, 2021; and,

WHEREAS, the City of Napoleon is currently in the process of hiring a full-time Finance Director to replace Ms. O'Boyle, but has not yet completed the hiring process; and,

WHEREAS, Section 4.07 of the Charter of the City of Napoleon requires a Department of Finance to be in place for the City of Napoleon; and,

WHEREAS, City Council intends to have a contract in place with Schonhardt & Associates to provide third party oversight services to the Acting Finance Director and the Finance Department during the interim period; and,

WHEREAS, City Council intends to have the Acting Finance Director provide an update related to the general business of the Finance Department to City Council at each Council meeting; and,

WHEREAS, the powers granted to City Council as found in Section 2.14 paragraph 13 of the City's Charter permit Council to appoint an "Acting Finance Director;" **Now Therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, City Manager Joel L. Mazur, is hereby appointed "Acting Finance Director" beginning on July 20, 2021 at 12:01am, and effective until such time as a permanent Finance Director for the City of Napoleon, Ohio has been recommended to and approved by Council.

Section 2. That, the Acting Finance Director as referenced in Section 1 of the Ordinance shall have those powers and perform those duties currently held and performed by the Finance Director, including those duties as listed in Section 4.07 of the Charter of the City of Napoleon, Ohio.

Section 3. That, the Acting Finance Director as referenced in Section 1 of this Ordinance shall be considered a "Temporary Appointment;" therefore, notwithstanding any other provision found in Ordinance, Resolution, the Personnel Code, Employee Policy Manual, or Rule to the contrary, the position shall not be entitled to any fringe benefit unless the same is mandated by a Federal or State Law that may not be superseded by this Ordinance.

Section 4. That, the appointment of Joel L. Mazur as Acting Finance Director shall be in addition to his regular duties as City Manager with additional compensation paid of five hundred dollars (\$500) per week.

Section 5. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon, Ohio.

Section 6. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 7. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for the appointment of an Acting Finance Director, such position required for public peace, health or safety; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: July 19, 2021



Joseph D. Bialorucki, Council President

Approved: July 19, 2021


Jason P. Maassel, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:


Roxanne Dietrich, Clerk of Council

I, Roxanne Dietrich, ~~interim~~ Clerk of Council of the City of Napoleon, do hereby certify that the foregoing Ordinance No. 028-21 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 22nd day of July, 2021; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon, Ohio and the laws of the State of Ohio pertaining to Public Meetings.


Roxanne Dietrich, Clerk of Council

STATE OF OHIO
COUNTY OF HENRY

Sally Heaston, being first duly sworn, states that she is the General Manager of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 22 day of July, 2021.

Sally Heaston

Sally Heaston

Subscribed and sworn to before me this

22 day of July, 2021

Kristi Clark

Kristi Clark
Notary Public,
State of Ohio
My Commission
Expires October 25, 2025



Printer's Fee: \$150⁰⁰
Notary Fee: \$ 3⁰⁰

**Summary of Ordinance No. 029-21
and Resolution No. 028-21**

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 029-21

AN ORDINANCE APPOINTING CITY MANAGER JOEL L. MAZUR AS ACTING FINANCE DIRECTOR FOR THE CITY OF NAPOLEON, OHIO BEGINNING JULY 16, 2021; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon appointed Joel Mazur as acting Finance Director for the City beginning July 16, 2021.

Resolution No. 028-21

A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS AND AN AGREEMENT FOR FINANCIAL CONSULTANT PROFESSIONAL SERVICES WITH SCHONHARDT AND ASSOCIATES; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon authorized an agreement for financial consultant services with Schonhardt and Associates.