

**Village of Windham  
Ohio  
Ordinance O-2013-34**

AN ORDINANCE ESTABLISHING THE RATE OF PAY  
FOR THE PRESIDENT OF COUNCIL OF THE VILLAGE OF WINDHAM AND DECLARING AN  
EMERGENCY

WHEREAS, the Village of Windham has decided to establish a new rate of pay for the Council President; and

WHEREAS, pursuant to Section 121.01(c)(1) of the Windham Codified Ordinances the individual serving as the President of the Windham Village Council (identified as "President Pro-Tempore" in the Village Code) is elected to that position for a term of one year, which term coincides with the calendar year, with the electors being those individuals who are Members of the Village Council and present at the annual organizational meeting of the Council, which organizational meeting is held as early in each calendar year as it can be scheduled; and

WHEREAS, Ohio Revised Code Section 731.13 requires that the compensation for an ensuing term of office be established at a meeting held not later than five days prior to the last day fixed by law for filing as a candidate for such office, and no Member of Council can file, or be considered for, the position of Council President before the Council is seated for the 2014 calendar year, so it is essential that this legislation be enacted at minimum five days before January 1, 2014; and

WHEREAS, in conformity with Ohio Revised Code Section 731.13, the rate of pay established in this ordinance shall be prospective in nature only, and shall take effect on and after January 1, 2014, because the election for the next Council President will take place at the 2014 organizational meeting of the Village of Windham Council, which will of necessity be after January 1<sup>st</sup>, 2014.

NOW THEREFORE, be it ordained, two thirds or more of the members of the Council of the Village of Windham, County of Portage and State of Ohio, concurring that:

SECTION 1. The pay for the President of Council of the Village of Windham is hereby established at the rate of \$300.00 per month, regardless of the number of meetings of Council or of Committees of Council attended.

SECTION 2. This ordinance will take effect on January 1, 2014.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this 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, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is declared to be an emergency measure effective immediately on passage and execution by the Mayor, in order to advance the health, safety and general welfare of the Village of Windham, and so that compensation can be established for the position of Council President of the Windham Village Council ("President Pro-Tempore") at least five days in advance of the date for which candidates for the office can file or otherwise be considered for the position.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_

Effective: \_\_\_\_\_

By: \_\_\_\_\_

Robert Donham, Mayor

Passed by Council as an emergency on the 17<sup>th</sup> day of December, 2013.

Vote of Council: Ayes: Mr. Garrett, Mrs. Prem, Mr. Snyder, Ms. Blewitt, Mrs. Miranda

Nays: Mrs. Barrett

ATTEST:

\_\_\_\_\_  
Lloyd Billman,

Village Fiscal Officer and Clerk of Council

I, Lloyd Billman, Fiscal Officer of the Village of Windham, Ohio, hereby certify that this Ordinance was duly published by public posting at predesignated posting places.

\_\_\_\_\_  
Lloyd Billman

Windham Village Fiscal Officer

Approved as to legal form by:

\_\_\_\_\_  
Thomas Reitz, Village Solicitor