

# RECORD OF RESOLUTIONS

Government Forms and Supplies (844) 224-3338 FORM NO. 30045

Resolution No. 2023-R-08

Passed April 12, 2023

## VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO.: 2023-R-08

A RESOLUTION CONSENTING TO THE MAYOR'S REMOVAL OF THE FISCAL OFFICER WITHOUT CAUSE PURSUANT TO SECTION 733.262(D) OF THE OHIO REVISED CODE AND SECTION 236.015(c) OF THE GREENWICH CODIFIED MUNICIPAL CODE OF ORDINANCES AND DECLARING AN EMERGENCY

WHEREAS, Section 733.262(D) of the Ohio Revised Code provides in part that:

*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 legislative authority or by a three-fourths vote of the village legislative authority with or without the consent of the mayor.*

WHEREAS, Section 236.015(c) of the Greenwich Codified Municipal Code of Ordinances provides that:

*(c) The Clerk-Treasurer may be removed from the position without cause by the Mayor with consent of a majority of the Village Council or a three-fourths vote of Council without the consent of the Mayor.*

WHEREAS, it is the intention of the Mayor to remove the current Fiscal Officer without cause with the consent of a majority of the members of the village council.

NOW THEREFORE, BE IT RESOLVED, BY THE LEGISLATIVE AUTHORITY OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (RC 731.18)

SECTION 1. That Council hereby consents to the mayor's removal of Fiscal Officer Jennifer Meyers without cause pursuant to ORC 733.262(D) and Greenwich Codified Code of Ordinances Section 236.015(c) effective immediately.

SECTION 2. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 705.15 and 731.17(A)(2)]

SECTION 3. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): *The immediate effectiveness is necessary to assure an immediate transition of the fiscal operations of the village.*

SECTION 4. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 12<sup>th</sup> day of April, 2023.

ATTESTATION  
(RC 731.20)

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We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Wesley Lallee  
MAYOR

Shellie Cherry  
FISCAL OFFICER (INTERIM)

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 6 NAYS: 0 ABSTAIN: 0

First Reading: April 12, 23  
Second Reading: Dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))  
Third Reading: Dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

#### CERTIFICATE OF PUBLICATION RC 731.24

I hereby certify that a succinct summary of the above legislation was/will be published *once a week for two consecutive weeks* as required by RC 731.21 and 731.22(A) in the following newspaper(s) of general circulation: *Shopper's Helper North, 211 Myrtle Ave., P.O. Box 368, Willard, OH 44890, 419.935.0184.*

Shellie Cherry  
CLERK OF COUNCIL