**ORDINANCE NO. 23-2019**

**REPEALING ORDINANCE NO. 8-2019 AND FURTHER AMENDING ORDINANCE NO. 5-2014, AS AMENDED, CREATING THE POSITION OF TAX ADMINISTRATOR FOR THE VILLAGE OF FAIRFAX, OHIO AND DECLARING AN EMERGENCY**

 **WHEREAS,** the Council of the Village of Fairfax (“Council”) previously adopted Ordinance No. 8-2019, modifying the pay reflected in the title hereof; and

 **WHEREAS,** certain pay rates made effective in Ordinance No. 8-2019 were understated, contrary to Council’s intention; and

 **WHEREAS,** it is necessary in this ordinance to correct such rates and provide for the full pay intended as of the pay period beginning March 31, 2019;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio that:

 **SECTION I:** Section VI of Ordinance No. 5-2014, as amended, is hereby amended further to read as follows:

SECTION VI: The Tax Administrator shall be paid at the rate of: (a) nineteen dollars and fifty two cents ($19.52) per hour for the first six months of service in that position; (b) twenty-one dollars and two cents ($21.02) per hour for the next six months of service in that position; and (c) twenty two dollars and fifty two cents ($22.52) per hour for all years following one year of service in that position. Additionally, the Mayor and Clerk-Treasurer shall establish criteria for, and administer, an annual performance evaluation of the Tax Administrator to be completed by January 31 of each calendar year. For each established criterion, the Tax Administrator shall receive a performance evaluation on a ten (10) point scale where a score of ten represents the highest level of performance, a score of five (5) represents acceptable performance, and a score of zero (0) represents the lowest level of performance. In addition to the foregoing regular pay, the Tax Administrator shall be paid a performance bonus of two hundred fifty dollars ($250.00) for a total average evaluation score of 5-6, seven hundred fifty dollars ($750.00) for a total average evaluation score of 7-8, or one thousand two hundred fifty dollars ($1,250.00) for a total average evaluation score of 9-10. Such performance bonus shall be paid during the first regular April pay period following the annual evaluation. In the event of an irreconcilable disagreement between the Mayor and Clerk-Treasurer as to the applicable criteria, scoring scale, or the scoring of such criteria during the evaluation process, the final decision shall be made by the Mayor.

 **SECTION II:** Section VI of Ordinance No. 5-2014, as amended above, shall take effect retroactive to the pay period beginning on March 31, 2019. The Clerk-Treasurer shall issue such back pay as is necessary to conform to the rates set forth herein.

 **SECTION III:** The hourly rate of pay for the Tax Administrator serving in that position when the foregoing amended Section VI of Ordinance No. 5-2014 takes effect shall be determined by his or her service time accumulated to date in that position.

 **SECTION IV:** Ordinance No. 8-2019 and the existing Section VI of Ordinance No. 5-2014, as amended, are repealed.

 **SECTION V:** This Ordinance is hereby declared to be an emergency measure for the preservation of the public peace, health, safety and general welfare and shall be effective immediately. The reason for said declaration of emergency is to make corrections to the 2019 pay rates for the Tax Administrator.

Passed this 20th day of May, 2019.

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 Mayor

ATTEST:

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Clerk-Treasurer

**CERTIFICATE**

I hereby certify this to be a true and correct copy of Ordinance No.23-2019, passed at a meeting of the Council of the Village of Fairfax on this 20th day of May, 2019.

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Pay rates inserted/reviewed by JK and RD; Ordinance reviewed/approved by AA