

RESOLUTION NO.: 36-2014 (As Amended by Council, June 17, 2014)
INTRODUCED BY: Mayor Headen

**A RESOLUTION APPROVING THE APPOINTMENT BY THE MAYOR OF
NINO MONACO AS ACTING COMMISSIONER OF BUILDING, ZONING
AND HOUSING; AND DECLARING AN EMERGENCY.**

WHEREAS, Article VI, Section 4(e), of the Charter of the City of Richmond Heights provides that the Mayor shall appoint the Commissioner of Building, Zoning and Housing with the approval of a majority of the members of Council;

WHEREAS, the appointee holds the qualifications in licenses and certifications necessary to be a Commissioner of Building, Zoning, and Housing, including but not limited to: International Code Council (ICC) certifications as a building official, commercial building inspector, and a Class III inspection, State of Ohio Class I Building Official, Class III Building Inspector, Class III Commercial Building Inspector, Certified Plumbing Inspector, Certified Electrical Safety Inspector, Licensed Electrical, Plumbing, and HVAC contractor; State Certified Plumbing and Electrical Code Instructor; and

WHEREAS, the Mayor has appointed Nino Monaco to be the “Acting Commissioner of Building, Zoning and Housing” and the Mayor and has requested that his appointment be retroactively approved by this Council with an effective date as of June 10, 2014; and

WHEREAS, the position of “Acting Commissioner of Building, Zoning and Housing” has not been created by City Charter, ordinance or otherwise by law and is only being created temporarily by this Resolution for the within limited appointment of Mr. Monaco.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: This Council hereby approves the action of the Mayor with respect to her appointment of Nino Monaco as the “Acting Commissioner of Building, Zoning and Housing,” effective June 10, 2014. Council hereby creates the position of “Acting Commissioner of Building, Zoning and Housing” for the sole purpose of approving Mr. Monaco’s appointment, under the terms and conditions contained herein.

Section 2: As “Acting Commissioner of Building, Zoning and Housing,” Mr. Monaco shall be paid an annual salary of \$84,000 per year, payable bi-weekly and shall receive compensatory time at a rate of one hour of compensatory time for one hour worked over forty (40) hours in one week and as approved in advance in writing by the Mayor, provided that any compensatory time earned must be used prior to the termination of Mr. Monaco’s employment or the unused time will be forfeited, but he shall receive no other benefits that are provided to full-time employees of the City.

Section 3: The employment of Nino Monaco by the City as "Acting Commissioner of the Division of Building, Zoning and Housing" shall terminate upon the earlier of the following: the date upon which a Commissioner of said Division is duly appointed and approved by Council pursuant to Article VI-4 of the Charter of the City of Richmond Heights or sixty (60) days from the effective date of this Resolution; provided, however, Council may extend the sixty (60)-day period for a time certain by a majority vote of Council.

Section 4: It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 5: This Resolution is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare and for the further reason that it is immediately necessary for the Council to provide continuing services in the Division of Building, Zoning and Housing due to the impending resignation of the current head of that Division; therefore, provided this Resolution receives the affirmative vote of five members of the Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:_____

Miesha Wilson Headen, Mayor

APPROVED:_____

ATTEST:_____

Betsy Traben
Clerk of Council

David H. Roche
President of Council