

**COUNCIL OF THE  
VILLAGE OF HIGHLAND HILLS**

**ORDINANCE NO. 2024-17**

For the February 14, 2024  
Council Meeting

Introduced by: Mayor Michael L. Booker  
Supported by:

**AN ORDINANCE APPROVING THE EXPENDITURE OF FUNDS TO THE  
ESTATE OF FORMER MAYOR ROBERT L. NASH FOR PAYMENT OF  
ACCUMULATED VACATION, AND DECLARING AN EMERGENCY.**

**WHEREAS**, Robert L. Nash was the first elected Mayor of the Village of Highland Hills in May, 1990 and also served as Safety Director, and

**WHEREAS**, Council adopted a Personnel Manual that provided full-time employees with vacation as a benefit, among other benefits, and Section 10.3 of the Manual provides for the payout of the value of vacation accrued to the family or estate of the employee if the employee dies while employed with the Village, and

**WHEREAS**, Former Mayor Nash served this community as Mayor and as Safety Director and in that capacity, was entitled to vacation time. Mayor Nash's longevity entitled him to five (5) weeks of vacation for each year of service beyond his 20<sup>th</sup> year of service and Mayor Nash had 28 years of service, and

**WHEREAS**, Mayor Nash died in October, 2018 and his estate presented a claim to the Village to payout his unused vacation time, and

**WHEREAS**, Mayor Michael L. Booker succeeded Mayor Nash in office and was presented the claim of the Estate of Robert L. Nash, and in review of the records of the Village, found few if any records to document the amount of vacation earned and not used by the former Mayor, and

**WHEREAS**, The Village Personnel Manual had a limitation of the amount of vacation that could be carried over from year to year, which was limited to one week, and

**WHEREAS**, In review of the facts, it was determined by Mayor Booker that former Mayor Nash, as Safety Director would have been entitled to five (5) weeks of vacation for calendar year 2018, the year of his death, and based on that fact, determined that the Estate of Robert L. Nash could have a claim that exceeded five (5) weeks of vacation time, and Mayor Booker reached a resolution of the disputed amount with the Estate of Robert L. Nash, and

**WHEREAS,** The result of the resolution was the agreement that the Village would pay out to the Estate of Robert L. Nash the amount of \$5,493.00 which represented five (5) weeks of vacation (twenty – (20) days of vacation) at the last hourly rate of pay of the Mayor’s salary, and same was accepted by the Estate of Robert L. Nash, and

**WHEREAS,** Council desires to approve this expenditure in light of the recent proposed finding for recovery issued by the State Auditor’s Office for this expenditure.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF HIGHLAND HILLS, OHIO:**

Section 1: The preamble of this Ordinance set forth above is hereby incorporated herein by reference. Council hereby approves the expenditure of funds in the amount of \$5,493.00 to the Estate of Robert L. Nash, former Mayor and Safety Director of Highland Hills and notes that the Village did not have a Human Resource Department prior to 2022, nor during the time of this expenditure. Council finds the determination by Mayor Michael Booker that Robert L. Nash, as Mayor and Safety Director would be entitled to five (5) weeks of vacation to be accurate and reasonable given the circumstances, and hereby approves that calculation and payout of the vacation accrual as per Village policy.

Section 2: Council finds and determines that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an orderly meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were conducted in meetings open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: This Ordinance is declared to be an emergency measure necessary to provide for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of Highland Hills, and for the reason that it is immediately necessary to approve the expenditure of funds to the Estate of Robert L. Nash, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage, otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

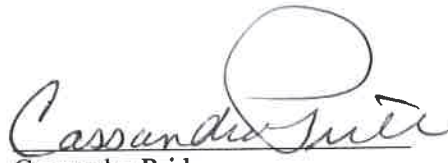
Passed in Council this 14th day of February, 2024.

First Reading ☒ Second Reading \_\_\_\_\_ Third Reading \_\_\_\_\_


Vote: Pride ☒ yea \_\_\_ nay Greene ☒ yea \_\_\_ nay Mills ☒ yea \_\_\_ nay

McManus ☒ yea \_\_\_ nay Wright ☒ yea \_\_\_ nay

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Cassandra Pride  
President of Council


2/14/24  
Date

Attest:   
Margaret Sikon, Clerk of Council

2/14/24  
Date

Filed with the Mayor: 

2/14/24  
Date

Approved By:   
Michael L. Booker, Mayor

2/14/24  
Date

2024-17