

# RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30045

Resolution No.

2021-R-16

Passed

August 17<sup>th</sup>, 20

21

## VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO. 2021-R-16

A RESOLUTION CONFIRMING THE MAYOR'S PROBATIONARY APPOINTMENT OF KYLE KENNETH EITH TO THE GREENWICH POLICE DEPARTMENT AND DECLARING AN EMERGENCY RC 737.16

WHEREAS, Ohio Revised Code Section 737.16 provides that the mayor shall, when provided by the legislative authority of a village, and subject to its confirmation, appoint all police officers, and

WHEREAS, the Mayor was given legislative authority to appoint a police officer in Resolution No.: 2020-R-02 passed the 4<sup>th</sup> day of February 2020; and

WHEREAS, upon the recommendation of the Chief of Police, the Mayor has designated **Kyle Eith** as the potential probationary appointee to the Greenwich Police Department; and

WHEREAS, the Chief of Police reports that the designated probationary appointee has completed the necessary initial officer certification and training; and

WHEREAS, the Chief of Police further reports that the designated probationary appointee has, not more than sixty days prior to receiving this appointment, passed a physical examination required Section 737.16 of the Ohio Revised Code, showing that the person meets the physical requirements necessary to perform the duties of the position as established by the legislative authority; and

WHEREAS, the Chief of Police further reports that the designated probationary appointee has not been previously convicted of or has pleaded guilty to a felony [RC 737.162(B)(1)]; and

WHEREAS, if the position is full time, a copy of the physical results report for the designated probationary appointee has been filed with the Ohio Police Pension Fund on behalf of the appointing authority as required by Section 737.16 of the Ohio Revised Code; and

WHEREAS, the Chief of Police recommends that the Mayor's designated probationary appointee be confirmed.

THEREFORE, BE IT RESOLVED, by the Council, the legislative authority of the Village of Greenwich, State of Ohio, (RC 731.18) to wit:

**SECTION 1.** That the legislative authority of the Village of Greenwich hereby confirms as the Mayor's probationary appointment of **Kyle Eith** to the Greenwich Police Department.

**SECTION 2.** That such probationary appointment shall be for a **part time** position.

**SECTION 3.** That the probationary period and appointment shall begin the **25<sup>th</sup>** day of **August 2021**.

**SECTION 4.** That as required by Section 242.07(b) of the Greenwich Municipal Code, all Village patrolmen, whether full time or part time, shall serve a one-year continuous service Probationary period and none shall be finally hired until the appointee has satisfactorily served

the probationary period. [See also Section 737.17 of the Ohio Revised Code, See also Section 737.17 of the Ohio Revised Code.]

**SECTION 5.** That during the probationary period, the probationary patrolman shall receive the

Probationary rate of compensation plus any yearly increases as are awarded to other Village Employees. [Section 242.07(b) Greenwich Municipal Code, See also Section 737.17 of the Ohio Revised Code]

**SECTION 6.** That the Mayor and Chief of Police are hereby authorized to assure that the newly confirmed probationary police officer is properly sworn into office as required by law.

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**SECTION 7.** That the Chief of Police shall have exclusive authority over the stationing and transfer of this officer within the police department of the village, under the general rules that the mayor prescribes as provided by Section 737.19 of the Ohio Revised Code.

**SECTION 8.** That at the end of the probationary period, the Mayor shall transmit to Council a record of such probationary patrolman's service along with the mayor's recommendation thereof and the mayor may, with the concurrence of Council, remove or finally appoint the patrolman. [Section 242.07(b) of the Greenwich Municipal Code. See also Section 737.17 of the Ohio Revised Code.]

**SECTION 9. DISPENSE WITH THREE READINGS.** [R.C. 731.17(A)(2)] 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.

**SECTION 10. 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): *To assure a fully staffed police department due to recent leave of absence of a Full time officer position.*

**SECTION 11. 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 Resolution will be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 17<sup>th</sup> day of August, 2021.

## AUTHENTICATION and ATTESTATION

(RC 731.20)

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 Salter  
MAYOR

[Signature]  
FISCAL OFFICER

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: - ABSTAIN: -

First Reading: 08/17/2021  
Second Reading: waived (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))  
Third Reading: waived (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.*

[Signature]  
CLERK OF COUNCIL