

RECORD OF RESOLUTIONS

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

Resolution No. 2023-R-18

Passed Sept 5, 20 23

VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO. 2023-R-18

CONCURRENCE OF FINAL APPOINTMENT VILLAGE MARSHALL, DESIGNATED CHIEF OF POLICE ORC 737.15, 737.17

A RESOLUTION CONCURRING WITH THE MAYOR'S FINAL APPOINTMENT OF **PATRICK FOX** AS VILLAGE MARSHALL, DESIGNATED AS CHIEF OF POLICE

WHEREAS, Ohio Revised Code, Section 737.15 provides in part:

*Ohio R.C. Section 737.15 | Appointment of village marshal.
Each village shall have a marshal, designated chief of police, appointed by the mayor with the advice and consent of the legislative authority of the village, who need not be a resident of the village at the time of appointment but shall become a resident thereof within six months after appointment by the mayor and confirmation by the legislative authority unless such residence requirement is waived by ordinance, and who shall continue in office until removed therefrom as provided by section 737.171 of the Revised Code.*

WHEREAS, **PATRICK FOX** obtained confirmation of the Mayor's Probationary Appointment as Chief of Police in Resolution No.: **2022-R-14** passed **September 20, 2022**, effective the **3rd** day of **October 2022**; and

WHEREAS, the Mayor reports that **PATRICK FOX** has satisfactorily served his probationary period as required by Ohio R.C. Section 737.17 (six months) and Greenwich Codified Municipal Code of Ordinances Section 242.07(a) (1 year); and

*Ohio R.C. Section 737.17 | Probationary period - final appointment.
All appointments made under sections 737.15 and 737.16 of the Revised Code shall be for a probationary period of six months' continuous service, and none shall be finally made until the appointee has satisfactorily served his probationary period. At the end of the probationary period the mayor shall transmit to the legislative authority of the village a record of such employee's service with his recommendations thereon and he may, with the concurrence of the legislative authority, remove or finally appoint the employee.*

Greenwich 242.07 PROBATIONARY PERIOD.

(a) Any new Chief of Police appointed after the effective date of this section, whether full or part time, shall serve a one year continuous service probationary period and none shall be finally appointed until the appointee has satisfactorily served the probationary period. At the end of the probationary period, the Mayor shall transmit to the Council a record of the probationary Chief of Police's service with his recommendation thereof and he may, with the concurrence Council, remove or finally appoint the Chief of Police.

WHEREAS, the mayor has transmitted to council a record of the employee's service as required by Ohio R.C. 737.17; and

WHEREAS, the Mayor recommends that **PATRICK FOX** be finally appointed and seeks concurrence of village council as provided by Ohio R.C. 737.17.

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

SECTION 1. CONCURRENCE WITH FINAL APPOINTMENT. That Village Council hereby concurs with the mayor's final appointment of **PATRICK FOX** as Village Marshal, designated as Chief of Police.

SECTION 2. RESIDENCY WAIVED. That the Village of Greenwich previously waived, by ordinance, the residency requirements of ORC Section 737.15 that requires the Chief of Police must reside within three miles of the Village no later than six months upon the completion of the probationary period and final appointment or the Chief shall be disqualified from office and forfeit the position. See Greenwich Codified Municipal Code of Ordinances Section 242.02

Greenwich 242.02 RESIDENCY OF CHIEF.

*Any law or ordinance that requires the Village Marshal or Chief of Police to live within the Village is hereby waived. However, if the Chief does reside outside the Village, he or she must reside within three miles of the Village. The Chief of Police must comply with this section no later than six months upon the completion of the probationary period and final appointment or the Chief shall be disqualified from office and forfeit the position.
(Ord. 903. Passed 11-17-98; Ord. 1019. Passed 8-21-07.)*

SECTION 3. BOND. That pursuant to Greenwich, OH., Code Section 242.04, the Chief of Police of the Village shall be bonded for one thousand dollars (\$1,000.00). The Village shall pay the cost of such bond.

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Greenwich 242.04 CHIEF OF POLICE; BOND.

The Chief of Police of the Village shall be bonded for one thousand dollars (\$1,000.00). The Village shall pay the cost of such bond.

SECTION 4. EFFECTIVE DATE. The final appointment and concurrence herein shall be effective beginning the 3rd day of October 2023.

SECTION 5. CONTINUE IN OFFICE. That upon the final appointment by the mayor with the concurrence of council, the Chief of Police shall continue in office until removed therefrom as provided by Section 737.171 of the Ohio Revised Code.

SECTION 6. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this legislation 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 will be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 5 day of September, 2023.

ATTESTATION

(RC 731.20)

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

Wesley Sallee
MAYOR

Shelley Chy
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: 0 ABSTAIN: 0

First Reading:

Second Reading:

Third Reading:

Aug 1, 2023

Aug 15, 2023

Sept 5, 2023

[may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2)]

[may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2)]

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

Steve Palmer
VILLAGE SOLICITOR, Steve Palmer

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

Shelley Chy
CLERK OF COUNCIL