

RECORD OF RESOLUTIONS

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

Resolution No. 2023-R-27

Passed November 7, 2023

VILLAGE COUNCIL OF GREENWICH, OHIO RESOLUTION NO. 2023-R-27

A RESOLUTION CONCURRING WITH MAYOR'S REMOVAL OF ALEX J. RICHTER FROM THE GREENWICH POLICE DEPARTMENT AND DECLARING AN EMERGENCY

ORC 737.17 and GREENWICH CODE 242.07

WHEREAS, Section 737.17 of the Ohio Revised Code provides as follows:

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.

WHEREAS, locally, Section 242.07 of the Greenwich Codified Municipal Code of Ordinances requires as follows:

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.

(b) All full time Village patrolmen appointed after the effective date of this section, shall serve a one-year continuous service probationary period and none shall be finally appointed until the appointee has satisfactorily served the probationary period. All part time Village patrolmen appointed after the effective date of this section, shall serve no less than 2,080 hours and no less than a one-year continuous service probationary period and none shall be finally appointed until the appointee has satisfactorily served the probationary period. During such probationary period, the probationary patrolman shall receive the probationary rate of compensation plus any yearly increases as are awarded to other Village employees. At the end of the probationary period, the Mayor shall transmit to the Council a record of such probationary patrolman's service with his recommendation thereof and he may, with the concurrence Council, remove or finally appoint the patrolman.

(Ord. 1019. Passed 8-21-07; Ord. 2018-10. Passed 8-7-18.)

WHEREAS, Officer ALEX J. RICHTER obtained confirmation of Mayor's probationary appointment to the police department in Resolution No.:2023-R-23 beginning the 1st day of October 2023; and

WHEREAS, the Mayor has transmitted to Council a record of such probationary patrolman's service; as required by Section 737.17 of the Ohio Revised Code; and

WHEREAS, the Chief of Police reports that the probationary patrolman has NOT satisfactorily served the probationary period and recommends immediate REMOVAL; and

WHEREAS, the Mayor is requesting the concurrence of council for the immediate REMOVAL of the probationary officer.

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

SECTION 1. CONCURRENCE OF COUNCIL. REMOVAL. That after a review of the record of the probationary police officer, Council hereby concurs with the Mayor's REMOVAL of ALEX J. RICHTER from the Police Department effective IMMEDIATELY pursuant to ORC 737.17 and Section 242.07(b) of the Greenwich Codified Municipal Code of Ordinances.

SECTION 2. 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 3. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this legislation is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate

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preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

To permit the mayor to consider other qualified candidates for the position

SECTION 4. PUBLIC MEETING. That it is found and determined that all formal actions 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 shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 7 day of November, 2023.

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 Waller
MAYOR

Shelbie Chen
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:

November 7, 2023

Second Reading:

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

Third Reading:

Dispensed (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.

Shelbie Chen
CLERK OF COUNCIL