VILLAGE COUNCIL OF GREENWICH, OHIO
RESOLUTION NO.: 20**26**-R-17

AUTHORITY TO APPOINT POLICE OFFICER
ORC 737.16
G.C. 242.01
CONFIRMATION OF PROBATIONARY APPOINTMENT
ORC 737.17

LOGAN S. WHITEHEAD

A RESOLUTION PROVIDING THE MAYOR AUTHORITY TO APPOINT AN ADDITIONAL POLICE OFFICER AND CONFIRMING THE MAYOR'S PROBATIONARY APPOINTMENT TO THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY

WHEREAS, Section 737.16 of the Ohio Revised Code provides for the appointment of village deputy marshals and police officers as follows:

ORC Section 737.16 | Appointment of deputy marshals, police officers, night guards and special police officers.
The mayor shall, when provided for by the legislative authority of a village, and subject to its confirmation, appoint all deputy marshals, police officers, night guards, and special police officers. All such officers shall continue in office until removed therefrom for the cause and in the manner provided by section 737.19 of the Revised Code.

WHEREAS, Section 737.17 of the Ohio Revised Code provides for the probationary period and final appointment of village deputy marshals, also known as police officers, as follows:

ORC 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, Section 109.77(B)(1)(a) requires that no person shall receive an original appointment as a village police officer unless the person successfully completed the Ohio peace officer training which reads in part as follows:

ORC Section 109.77 | Certificate of completion of basic training program necessary for appointment.
*****
(B)(1) Notwithstanding any general, special, or local law or charter to the contrary, and except as otherwise provided in this section, no person shall receive an original appointment on a permanent basis as any of the following unless the person previously has been awarded a certificate by the executive director of the Ohio peace officer training commission attesting to the person's satisfactory completion of an approved state, county, municipal, or department of natural resources peace officer basic training program:

(a) A peace officer of any county, township, municipal corporation, regional transit authority, or metropolitan housing authority;

WHEREAS, Section 242.01 of the Greenwich Codified Municipal Code of Ordinances requires that the Police Department shall consist of such other officers as determined by Village Council and reads:

G.C. 242.01 ESTABLISHMENT; COMPOSITION.
There is hereby established in and for the Village a Police Department. Such Department shall consist of a Chief of Police and such other officers and personnel as determined from time to time by Council.

WHEREAS, the Chief of Police reports the following:

The Chief of Police reports that it is necessary to add an additional police officer for: ***FULL TIME***

WHEREAS, the Chief of Police further reports that the Police Department is presently staffed as follows:

Full time: ***2***
Part time: ***5***

WHEREAS, the Chief of Police further reports that the Police Department may utilize Village AUXILIARY Police Officers (also known as "Reserves") appointed pursuant to Section 737.161 of the Ohio Revised Code and Section 242.06 of the Greenwich Codified Municipal Code of Ordinances. The Police Department is currently staffed with the following Auxiliary Police Officers:

Auxiliary: ***0***

WHEREAS, the Chief of Police respectfully submits that the current staffing is insufficient to adequately assure proper police protection to the village; and

WHEREAS, the Chief of Police has requested that the mayor be provided with Council's authority to appoint an additional deputy marshal / police officer; and

WHEREAS, upon the recommendation of the Chief of Police, the Mayor has designated a potential probationary appointee to the department identified herein; and:

WHEREAS, the Chief of Police reports that the designated probationary appointee has completed the necessary initial Ohio peace officer certification and training required by ORC 109.77(B)(1)(a); 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 *[ORC 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.

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

SECTION 1. AUTHORITY. That Council hereby provides the mayor with the authority to appoint an additional deputy marshal / police officer to the police department pursuant to ORC 737.16 and Greenwich Code 242.01.

SECTION 2. CONFIRMATION. That Council hereby confirms the mayor's probationary appointment of the following deputy marshal / police officer to the Police Department:

LOGAN S. WHITEHEAD
Ashland, Ohio

SECTION 3. PROBATION. That pursuant to Section 737.17 of the Ohio Revised Code, the probationary appointment shall be for a probationary period of six months' continuous service. Probation shall continue until the mayor and council concur on either removing or finally appointing the officer. *(See ORC 737.17)*

SECTION 4. That the probationary appointment shall be for a ***FULL-TIME*** position**.**

SECTION 5. EFFECT. That the probationary period and appointment shall begin: **September 2, 2026**.

SECTION 6. OATH. 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.

SECTION 7. STATIONING. 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. COMPENSATION. That compensation shall be fixed by Council pursuant to ORC 731.13.

SECTION 9. PERSONNEL FILE. That the Chief of Police and the Fiscal Officer are hereby instructed and directed to cause A COPY OF this CONFIRMATION OF APPOINTMENT LEGISLATION to be added to and maintained in the probationary appointee's personnel file.

SECTION 10. SERVICE RECORD. 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. *[See Section 737.17 of the Ohio Revised Code.]*

SECTION 11. REMOVAL OR FINAL APPOINTMENT. That no appointments shall be finally made until the appointee has satisfactorily served his probationary period. Probation shall continue until the mayor and council concur with either removing or finally appointing the officer. *(See ORC. 737.17)*

SECTION 12. DISPENSE WITH THREE READINGS. *[ORC 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 13. 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 preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s):

To immediately replace police department staff lost due to recent department personnel turnover.

SECTION 14. 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 shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this _____day of _____, 20**26**.

ATTESTATION
(ORC 731.20)

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

_____ _____
MAYOR FISCAL OFFICER

LEGISLATION READINGS
ORC 731.17(A)

(1) Each ordinance and resolution shall be read by title only, provided the legislative authority may require any reading to be in full by a majority vote of its members.
(2) Each ordinance or resolution shall be read on three different days, provided the legislative authority may dispense with this rule by a vote of at least three-fourths of its members.

First Reading:_____ Second Reading:_____Third Reading:_____

ROLL CALL VOTE
ORC 731.17(A)(3)

The vote on the passage was taken by yeas and nays and entered upon the journal. Each ordinance or resolution shall be passed, except as otherwise provided by law, by a vote of at least a majority of all the members of the legislative authority. Yeas, nays, abstentions, excused or absent votes were recorded as follows:

Randy Wilson	Lynne Phillips	Jason Hunter
Dorene Beverly	Larry Risner	Randy Stephens

Prepared by and approved as to legal form *[See also ORC 731.21(B)]:*

_____
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF PUBLICATION
ORC 731.21 and 731.22

Pursuant to ORC 731.21(A)(3), I hereby certify that a succinct summary of the above legislation was/will be published using the following method: **ON THE WEBSITE AND SOCIAL MEDIA ACCOUNT OF THE MUNICIPAL CORPORATION**
The succinct summary was reviewed by the village solicitor as required by ORC 731.21(B). Publication was/will be made at least once a week for two consecutive weeks as required by ORC 731.22.

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FISCAL OFFICER