

ORDINANCE 2021-12

AN ORDINANCE ADOPTING A PLAN OF REORGANIZATION FOR THE VILLAGE OF COMMERCIAL POINT POLICE DEPARTMENT AND AMENDING SECTION 236.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF COMMERCIAL POINT.

WHEREAS, the Village Council has the authority to provide for the creation of all deputy marshal, police officer, night guard, and special police officer positions within the Village of Commercial Point Police Department pursuant to Ohio Revised Code Section 737.16; and

WHEREAS, also pursuant to Ohio Revised Code Section 737.16, the Mayor has the authority to appoint qualified individuals to the positions within the Village of Commercial Point Police Department that are established by the Village Council.

WHEREAS, each individual appointed to a position not previously held within the Village of Commercial Point Police Department must successfully complete the six-month probationary period and be subject to the Village Council's final confirmation pursuant to Ohio Revised Code Section 737.17, and as described by the Ohio Supreme Court in *State ex rel. DeMatteo v. Allen*, 170 Ohio St. 375, 379, 165 N.E.2d 644 (1960); and

WHEREAS, the Village of Commercial Point has recently experienced rapid residential and commercial growth, which is expected to increase in the coming years, necessitating greater police presence within the Village for the health, safety, and welfare of the residents of the Village; and

WHEREAS, the Village Council desires to adopt a plan of reorganization for the Village of Commercial Point Police Department to enhance the economy of various positions within the Department and increase the public services provided by the Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, STATE OF OHIO, THAT:

SECTION 1. Plan of Reorganization. The Village Council hereby reaffirms and/or establishes the following positions within the Village of Commercial Point Police Department:

1. Police Chief (full-time)
2. Captain (part-time)
3. Sergeant (full-time)
4. Officer (full-time)
5. Officer (full-time)
6. Officer (full-time)
7. Officer (part-time)
8. Officer (part-time)
9. Auxiliary Police Unit.

SECTION 2. Part-Time Sergeant Position Abolished. In accordance with the plan of reorganization in Section 1 of this Ordinance, the position of part-time Sergeant within the Village of Commercial Point Police Department is hereby abolished.

SECTION 3. Full-Time Sergeant Position Established. In accordance with the plan of reorganization in Section 1 of this Ordinance, the position of full-time Sergeant is hereby established within the Village of Commercial Point Police Department. The individual who holds the position of full-time Sergeant shall be expected to work forty (40) hours per week.

SECTION 4. Full-Time Officer Position Established. In accordance with the plan of reorganization in Section 1 of this Ordinance, the position of full-time Officer is hereby established within the Village of Commercial Point Police Department, in addition to those full-time and part-time Officer positions previously established by the Village Council and as reaffirmed in Section 1 of this Ordinance. The individual who holds the position of full-time Officer shall be expected to work forty (40) hours per week.

ORDINANCE 2021-12

SECTION 5. All Inconsistent Prior Legislation Repealed. All prior legislation that is inconsistent with this Ordinance is hereby repealed. In particular, but without limitation, Section 236.01 of the Codified Ordinances of the Village of Commercial Point is hereby amended as follows and effective retroactively to the date of the commencement of full-time duties by the Chief of Police:

§ 236.01 POSITION OF CHIEF OF POLICE ESTABLISHED.

There is hereby established the position of Chief of Police for the Village of Commercial Point which shall be classified as a part full-time position within the Police Department of the Village of Commercial Point.

SECTION 6. Sense of Village Council. It is the sense of Village Council that one part-time Officer position should remain unfilled at this time, subject to a future increase in appropriations sufficient to fund said part-time Officer position and taking into account the needs of the Village. It is further the sense of Village Council that all other positions listed in Section 1 of this Ordinance should be filled or remain filled in accordance with all applicable Ohio laws, rules, and regulations. In addition, the Mayor, in accordance with Section 236.04 of the Codified Ordinances of the Village of Commercial Point and Ohio Revised Code Section 737.161, may in the reasonable exercise of his discretion, staff the auxiliary police unit within the Village of Commercial Point Police Department.

SECTION 7. Open Meetings Certification. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any other committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 8. Effective Date. This Ordinance shall take effect and be in force from the first day of the next full pay period after 30 days have elapsed from the date of the passage of this Ordinance. For example, if this Ordinance is enacted at the April 5, 2021 Regular Meeting of Village Council, then the Ordinance would take effect on May 15, 2021.

Vote on Passage of the Ordinance:

Motion by: Jason Thompson

2nd: Aaron Grassel

Roll Call:

Yes Jason Thompson

Yes Aaron Grassel

No Ryan Mitchem

Yes Nancy Geiger

No Tracy Joiner

Yes Laura Wolfe

Adopted this 18th day of May, 2021.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Joshua Cartee, Village Solicitor