

ORDINANCE 2021-30

AN ORDINANCE ADOPTING A PLAN OF REORGANIZATION FOR THE VILLAGE OF COMMERCIAL POINT POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

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; and

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, on May 18, 2021, Village Council passed Ordinance 2021-12 adopting a plan of reorganization for the Village of Commercial Point Police Department; and

WHEREAS, since the enactment of Ordinance 2021-12, the operational and staffing needs have changed; and

WHEREAS, the Village Council desires to adopt an updated 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 and to attract high-quality and committed candidates to open positions within the Village of Commercial Point Police 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. Sergeant (full-time)
3. Officer (full-time)
4. Officer (full-time)
5. Officer (full-time)
6. Officer (full-time)
7. Officer (part-time)
8. Auxiliary Police Unit.

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

SECTION 3. One (1) Part-Time Officer Position Abolished. In accordance with the plan of reorganization in Section 1 of this Ordinance, the one (1) position of part-time Officer within the Village of Commercial Point Police Department that is currently vacant is hereby abolished.

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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.

SECTION 5. All Inconsistent Prior Legislation Repealed. All prior legislation that is inconsistent with this Ordinance is hereby repealed.

SECTION 6. 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 7. Declaration of Emergency and Effective Date. Because of the pressing need to reorganize the Village of Commercial Point Police Department in a manner that is responsive to the safety needs of the Village of Commercial Point, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, and health in the Village of Commercial Point and shall, therefore, take immediate effect upon passage.

Vote on Suspension of the Readings:

Motion by: Jason Thompson

2nd: Nancy Geiger

Roll Call:

Yes Jason Thompson

N/A Aaron Grassel

Yes Ryan Mitchem

Yes Nancy Geiger

Yes Tracy Joiner

Yes Laura Wolfe

Vote on Passage of the Ordinance:

Motion by: Laura Wolfe

2nd: Jason Thompson

Roll Call:

Yes Jason Thompson

N/A Aaron Grassel

Yes Ryan Mitchem

Yes Nancy Geiger

Yes Tracy Joiner

Yes Laura Wolfe

Adopted this 23rd day of August, 2021.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Joshua Cartee, Village Solicitor