

VILLAGE COUNCIL OF WAKEMAN, OHIO
RESOLUTION NO. 2022-R-35

A RESOLUTION CONFIRMING THE MAYOR'S PROBATIONARY
APPOINTMENT OF ANTHONY ROCCO TO THE POLICE
DEPARTMENT AND DECLARING AN EMERGENCY

RC 737.16

WHEREAS, Ohio Revised Code Section 737.16 provides that the mayor shall, when provided by the legislative authority of a village, and subject to its confirmation, appoint all police officers, and

WHEREAS, the Mayor was given legislative authority to appoint a police officer(s) in Resolution No.: 2022-R-34 passed the 14th day of November, 2022; and

WHEREAS, upon the recommendation of the Chief of Police, the Mayor has designated the following as the potential probationary appointee to the Police Department:

ANTHONY ROCCO
Wakeman Auxiliary / Reserve Police Officer since September 13, 2021,

WHEREAS, the Chief of Police reports that the designated probationary appointee has completed the necessary initial officer certification and training; 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 [RC 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; and

WHEREAS, the Chief of Police recommends that the Mayor's designated probationary appointee be confirmed.

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

SECTION 1. That the legislative authority of the Village hereby confirms as the mayor's probationary appointment of the following to the Police Department.

ANTHONY ROCCO

SECTION 2. That such probationary appointment shall be for a part-time position.

SECTION 3. That the probationary period and appointment shall begin the 24th day of October, 2022.

SECTION 4. That as required by Section 737.17 of the Ohio Revised Code, the newly appointed probationary officer shall serve a probationary period of six months' continuous service, and none shall be finally made until the appointee has satisfactorily served his probationary period. [Section 737.17 of the Ohio Revised Code.]

SECTION 5. 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 6. 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 7. 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 8. 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 9. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution 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 assure a fully staffed police department due to recent resignation.

SECTION 10. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance 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 Resolution will be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 14 day of November, 2022.

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.


MAYOR


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: 5 NAYS: 0 ABSTAIN: 0

First Reading:

November 14, 2022

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)]:

SP (LPT)
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF POSTING
(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) Wakeman Public Library, 18 East Abbott Street; and
- 2) Electronically online at official Village website; and
- 3) Wakeman Post Office, 17 West Main Street; and
- 4) Village of Wakeman Municipal Building, 59 Hyde Street; and
- 5) Mickey Mart, 52 West Main Street.


FISCAL OFFICER/COUNCIL CLERK