

VILLAGE COUNCIL OF WAKEMAN, OHIO
RESOLUTION NO. 2020-R-9

A RESOLUTION CONCURRING WITH MAYOR'S FINAL
APPOINTMENT OF **TIMOTHY J. STARKS** TO WAKEMAN POLICE
DEPARTMENT AND DECLARING AN EMERGENCY

RC 737.17

WHEREAS, Section 737.17 of the Ohio Revised Code provides that all appointments made to the police department 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; and

WHEREAS, Section 737.17 of the Ohio Revised Code further provides that 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, *The Chief of Police believes that* Officer **TIMOTHY J. STARKS** obtained [*defacto*] Confirmation of Mayor's Probationary Appointment to the police department ~~in Resolution No.:~~ ~~n/a,~~ passed on the 12th day of March 2018 by mentioning the matter to council (See Council minutes); and

WHEREAS, the Chief of Police reports that Officer **TIMOTHY J. STARKS** began his probationary appointment in a PART TIME position on the 7th day of April 2018; and

WHEREAS, it is the opinion of the Chief of Police that the probationary patrolman has satisfactorily served the probationary period of six months' continuous service and requests that the Mayor finally appoint the employee; and

WHEREAS, pursuant to Section 737.17 of the Ohio Revised Code, the Mayor has transmitted to Council a record of such probationary patrolman's service and recommends, with the concurrence of council, the FINAL APPOINTMENT of the employee.

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

SECTION 1. CONCURRENCE OF FINAL APPOINTMENT. That after a review of the record of the probationary patrolman service submitted by the Mayor, Council hereby concurs with the Mayor's final appointment of **TIMOTHY J. STARKS** to the Wakeman Police Department.

SECTION 2. That upon concurrence of council for final appointment, this officer shall continue in office until removed therefrom for cause and in a manner provided by Section 737.19 of the Revised Code. [See also RC 737.16]

SECTION 3. 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 4. 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): *Chief of Police reports that the Officer's six month continuous probationary period was completed in 2019.*

SECTION 5. 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.

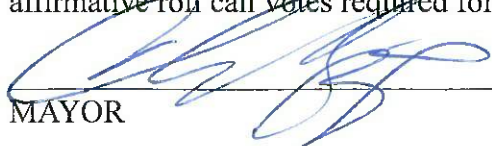
WHEREFORE, this Resolution will be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 9 day of March, 2020.

AUTHENTICATION and 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: 6 NAYS: 0 ABSTAIN: 0

First Reading: dispensed

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)]

APPROVED AS TO FORM:


VILLAGE SOLICITOR Steve Palmer, Esq.

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 St.; and 4) Village of Wakeman Municipal Building, 59 Hyde Street; and 5) Mickey Mart, 52 West Main Street.


FISCAL OFFICER