

VILLAGE OF PENINSULA, OHIO

RESOLUTION NO.: 11-2012

REQUESTED BY: Village Fiscal Officer John Stiegel

INTRODUCED BY: Police Legislative Liaison and President Pro Tempore Doug Anderson

DATE PASSED: March 13, 2012

**A RESOLUTION INCREASING THE COMPENSATION OF FULL TIME VILLAGE OF PENINSULA POLICE DEPARTMENT POSITION DESIGNATED MARSHALL, OTHERWISE KNOWN AS THE CHIEF OF POLICE AND DECLARING AN EMERGENCY.**

**WHEREAS**, the duly elected Village Council of the Village of Peninsula, Summit County, Ohio, has been advised by representatives of the Village of Peninsula Police Department and their respective legislative liaison, that in order to retain the best qualified, well trained, and properly equipped Police Chief, or Village Marshall, that the proposed payment for said individual should be increased; and,

**WHEREAS**, the various executive agencies and agents of the Village of Peninsula, including the Village Fiscal Officer, have engaged in preliminary discussions to facilitate that increase; and,

**WHEREAS**, the Mayor of the Village of Peninsula also sanctions said increase in payment; and,

**WHEREAS**, the duly elected Village Council of the Village of Peninsula, Ohio, deems it necessary and proper to approve said increases to ensure the proper administration of the law within the Village of Peninsula;

**NOW THEREFORE, BE IT RESOLVED BY THE DULY ELECTED COUNCIL OF THE VILLAGE OF PENINSULA, OHIO, TO WIT:**

Section 1: Purpose: The Village Council hereby expresses its intent to increase the full time compensation for any officer serving as the Village Marshall or Village Police Chief of the Village Police Department; to provide for the administration of criminal justice within the due bounds of the Village of Peninsula, Ohio.

Section 2: Authorization: The Village Council of Peninsula, Ohio hereby acknowledges, accepts, adopts, and ratifies a wage increase and shall hereby and hereon direct that any officer hereafter filling the position of Village Marshal shall receive a rate of pay fixed at \$19.34 per hour.

Section 3: Terms: As detailed in Exhibit A, the terms of payment shall be set forth in the police officer's contract, the Village of Peninsula Police Officers handbook, and otherwise governed by all applicable state

same, at the nearest practicable time, as required in the terms of the agreement.

Section 5: Reservations: Neither the corpus of this legislation, nor any part thereof, nor any exhibit or appendix thereto, shall be construed as creating or otherwise giving rise to a contract or contractual obligation. This is a resolution authorizing a prospective legislative expenditure only. It does not impose on the Village of Peninsula, any primary or reciprocal contractual duty or obligation, nor is it a recognition or endorsement of the same. Further, this SHALL NOT APPLY to any person serving as acting chief or Marshall, rather it shall have force and effect for the officer properly designated under the Ohio Revised Code as Village Marshall. All current or pending employment agreements between the Village and its employees shall remain in effect, notwithstanding this Resolution.

Section 6: Severability: This Resolution and the various parts, sentences, paragraphs, sections, and clauses thereof are hereby declared to be severable. Should any part, sentence, paragraph, section, or clause be declared unconstitutional, null, or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining parts, sentences, paragraphs, sections, and clauses of this Resolution.

Section 7: Open Meeting: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its 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.

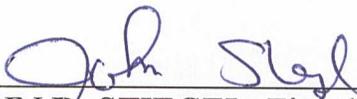
Section 8: Emergency: That this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, comfort, convenience and general welfare of the inhabitants, to provide for the immediate administration of criminal justice with the due bounds of the Village; and for the safe, consistent, and timely management of the Village's Police Department and Emergency Services; thereby, promoting the public peace, health, safety, comfort, convenience and general welfare of the inhabitants of the Village of Peninsula and that the Resolution receives the necessary number of votes to take effect and be enforced from and after its passage as it shall take effect and be enforced from and after the earliest period allowed by law.

Section 9: Effective Date: This Resolution shall take effect on March 12, 2012.

Passed:



I, JOHN D. STIEGEL, Fiscal Officer of the Village of Peninsula, Summit County, Ohio do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, State of Ohio, on the 12 day of March, 2012.

  
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JOHN D. STIEGEL, Fiscal Officer

### POSTING CERTIFICATE

I, JOHN D. STIEGEL, Fiscal Officer of the Village of Peninsula, Ohio, do hereby certify that the foregoing Resolution was duly passed by the Council of the Village of Peninsula, State of Ohio, on the 12 day of March, 2012; that there is no newspaper of general circulation published in said municipality, and that publication of the foregoing resolution was made by posting true copies thereof at five of the most public places in said Village as heretofore determined by Council pursuant to Resolution No. 1884-1997, as follows:

1. Terry Lumber & Supply
2. Woodridge Intermediate School or Peninsula Quarry
3. Peninsula Library & Historical Society
4. Peninsula Village Hall Lobby
5. Peninsula Post Office

Each for a period of fifteen days commencing on the 15 day of March, 2012.

  
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JOHN D. STIEGEL, Fiscal Officer