

ORDINANCE 2023-05

AN ORDINANCE REDUCING THE STAFFING IN THE HIRAM POLICE DEPARTMENT AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code section 731.47 the Council of the Village of Hiram has the obligation and authority to control the finances of the Village of Hiram; and

WHEREAS, pursuant to Ohio Revised Code section 731.13 the authority and obligation of the Village Council to control the finances of the Village of Hiram Codified includes establishing and making provision for the payment of compensation for employees of the Village of Hiram; and

WHEREAS, the obligations of the Council of the Village of Hiram to control the financing and the staffing of employees within the Village of Hiram includes the authority to remove or eliminate employee positions. This authority is set forth in Ohio Revised Code 731.10 and is consistent with both financial control and the more specific compensation for employees; and

WHEREAS, pursuant to Ohio Revised Code section 715.05, the Village Council *may*, but is not required to, establish and maintain a police department. It follows that the Village Council may reduce staffing in the police department as there is no legal obligation to continue departmental staffing at the present level; and

WHEREAS, Council has established regulations which will govern the procedure in the event Council determines a reduction in staffing is appropriate. The Hiram Village Employee Handbook states in section 11.2 that the order of layoff will be determined on the basis of performance and Village needs; and

WHEREAS, the present finances of the Village of Hiram are such that the Hiram Village Police Department can no longer maintain two full time police officers (in addition to the Chief of Police) and as a result a reduction in the number of full time positions in the Hiram Village Police Department is necessary.

NOW THEREFORE, BE IT ORDAINED, by the Council of the Village of Hiram, Portage County, Ohio, two thirds or more of the members thereto concurring that:

Section 1: The Council determines that the present revenue of the Village of Hiram, when compared to the cost of operating the Village, compel a reduction of the expenses incurred by the Village.

Section 2: The Council hereby determines that the appropriate place to reduce expenses is to reduce the number of full-time staff of the Police Department from two full-time police officers (in addition to the Chief of Police), to a single full-time police officer and the Police Chief.

Section 3: Consistent with the Hiram Village Employee Handbook previously adopted by this Council, the reduction in staffing in the Police Department shall be based on a performance review of the fulltime employees of the Police Department.

Section 4: After conducting a thorough investigation and review of the fulltime employees of the Hiram Police Department, the Council determines that it is essential to reduce the Hiram Village Police Department by one fulltime officer, and the eliminated position will result in the permanent lay off of Officer Devin Brown effective two weeks from the date of this Ordinance and notice to Officer Brown. The Chief of Police is directed to inform Officer Brown of this decision and provide Officer Brown with a copy of this Ordinance as soon as the operation of the Police Department permits. The Village Council thanks Officer Brown for his service.

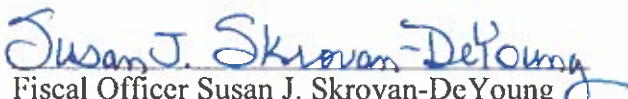
Section 5: This Ordinance is declared an emergency measure becoming effective immediately upon passage by the Council and approval by the Mayor because time is of the essence to immediately reduce spending by the Village so that the revenue of the Village is sufficient to meet the ongoing expenses of Village operation.

Section 6: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that the deliberations of the Council and 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 Revised Code of the State of Ohio.

PASSED IN COUNCIL
First Reading and Passage: February 14, 2023

ATTEST:


Mayor Lou Bertrand


Fiscal Officer Susan J. Skrovan-DeYoung

Approved as to form:


Village Solicitor Thomas Reitz

I SUSAN SKROVAN-DEYOUNG Fiscal Officer of the Village of Hiram, Ohio, hereby certify that the foregoing ~~Resolution or~~ Ordinance No. 2023-05 has been duly posted in the required 5 places.

2/15/2023 Susan J. Skrovan-DeYoung
Date Fiscal Officer, Village of Hiram