

- vetoed by Mayor Wells on 9-2-2021
- council override of veto - motioned + passed on 9-13-2021

ORDINANCE NO. 2021-41

VILLAGE OF BUCKEYE LAKE

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EMPLOYMENT AGREEMENT WITH JASON HARGET AS CHIEF OF POLICE AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, the Village of Buckeye Lake, Ohio, is organized under the laws of the State of Ohio and (Home Rule) of the Ohio Constitution, pursuant to the Village Charter; and

WHEREAS, on March 2, 2021, the Mayor appointed Jason Harget, pursuant to the Mayor's authority pursuant to Charter Section 6.04(c), as Interim Chief of Police for a period of three months and then to made Chief of Police; and

WHEREAS, the three-month probation period has ended and Jason Harget is now a regular employee of the Village and Chief of Police; and

WHEREAS, pursuant to its authority in Charter Sections 2.03(f) and 8.02, Council now extends to Jason Harget a contract for employment as Chief of Police;

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Buckeye Lake, at least two-thirds (2/3) of its members concurring to dispense with the requirements of Charter Section 4.04 requiring three readings on three separate days with at least one week between the readings:

SECTION 1: The salary and terms of employment for Jason Harget, included in the appointment letter, dated March 2, 2021, and attached hereto as Exhibit A, are hereby fully adopted.

SECTION 2: Jason Harget, as a permanent status regular employee of the Village, is entitled to any other benefits due by law or Village Employee Manual, not included in the terms of employment in Exhibit A.

SECTION 3: Employment may be terminated by Jason Harget with at least thirty (30) days notice, or by the Village pursuant to Charter Section 6.04(i) and at least two-thirds (2/3) of Council concurring.

SECTION 4: The Mayor is directed to execute any other documents, if any, regarding the terms of employment for Jason Harget as Chief of Police.

SECTION 5: That it is 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 all deliberations of this 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 of R.C. §121.22.

SECTION 6: That this Ordinance, for the reasons in the preamble, is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the residents of the Village of Buckeye Lake, for which reason the Council hereby declare this Ordinance and emergency measure and it shall take effect and be in force immediately upon passage.

PASSED THIS 23 DAY OF August, 2021.

ATTEST: Samantha Torres
Clerk of Council, Samantha Torres

[Signature]
Council President, John Geiger

~~Mayor, Peggy Wells~~

Presented to Mayor on August 24,

VETO on 9/2/2021

[Signature]
Peggy Wells

Reason: This "decision" of council was obviously made in executive session. Absolutely no discussion of this ordinance in public meeting. In fact, after motion & second to adopt, Councilor Zwißler stated, "No discussion - let's just vote."

Also, this ordinance serves no purpose. It creates confusion as to chief's date of permanent employment. Chief already has all benefits available to him & has stated he didn't ask for this. ORC trumps any language in charter or village legislation. What is the purpose?