

NANCY E. FELLOWS
President of Council

JOHN PLECNIK
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
JENNIFER SOMMERS GREER
CHRISTOPHER L. HALLUM
JANET R. MAJKA

ORDINANCE NO. 2017-28

AN ORDINANCE ESTABLISHING THE TERMS AND CONDITIONS REQUIRED FOR THE CONFIRMATION OF MAYOR APPOINTMENTS OF THE HEADS OF ALL THE DEPARTMENTS OF THE MUNICIPALITY.

WHEREAS, specifically relating to the duty and responsibility to appoint the heads of all Departments of the Municipality, **Charter Section 2.21 – Appointments to Office and Removals from Office**, provides that the Mayor shall appoint the heads of all Departments of the Municipality, including but not limited to the Department of Law, Department of Finance, Department of Public Safety, Police Department, Fire Department, Department of Public Service, the City Engineer, the Road Supervisor, Recreation Coordinator, City Prosecutor and Building Commissioner, subject to confirmation of such appointment by an affirmative vote of four (4) or more members of Council...; and

WHEREAS, on November 3, 2015 the electors of the City of Willoughby Hills charged the Civil Service Commission with the following responsibility: The Commission shall, prior to an employment offer by the appointing authority, review and confirm all credentials stated in the application provided by the candidate for employment by the Municipality, including, without limitation: (i) reviewing and confirming that the employment and educational history of any candidate is correct as stated in such candidate's employment application, and (ii) that such candidate has obtained and is maintaining in full force any license, certification or other qualification required by the Municipality for employment by the Municipality in the position sought by such candidate; and

WHEREAS, **Charter Section 3.31 – Powers** provides that the Council shall enact any and all legislation deemed necessary for the preservation of the safety and welfare of the community and provide for the orderly and desirable growth of the community for the efficient and orderly operation of the local government; and

WHEREAS, City Council deems this ordinance to be necessary in order to fulfill its duty and responsibility prescribed in Charter Section 3.31, but more importantly to reduce hiring error in key public positions.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. In accordance with Charter Section 2.21, the Mayor shall appoint the heads of all Departments of the Municipality, subject to confirmation of such appointment by an affirmative vote of four (4) or more members of Council. This ordinance hereby states the terms and conditions required before such confirmation can be made.

CONFIRMATION OF ALL CREDENTIALS

The Civil Service Commission shall, prior to an employment offer by the appointing authority, review and confirm all credentials stated in the application provided by the candidate for employment by the Municipality, including, without limitation: (i) reviewing and confirming that the employment and educational history of any candidate is correct as stated in such candidate's employment application, and (ii) that such candidate has obtained and is maintained in full force any license, certification or other qualification required by the Municipality for employment by the Municipality in the position sought by such candidate.

A report of the Commission's findings must be submitted to and shall be reviewed by Council before confirmation of a Mayor's appointment can be made. As this provision is a Charter requirement, it cannot be waived.

BACKGROUND INVESTIGATION

The candidate is subject to a complete background investigation including, but not limited to: a review of available court, driving, and employment records. A criminal background check, covering all addresses for the last 10 years, will be conducted during the application process. A verification of the criminal background record will be made and its contents subject to approval by Council prior to confirmation. This requirement shall not be waived.

MEDICAL EXAMINATION

Employment as a Police Chief and/or Fire Chief is contingent upon successful results of a thorough medical examination, including drug screening and psychological testing conducted/scheduled by the City. Result of said testing shall be provided to Council prior to confirmation. This requirement shall not be waived.

HIRING OF RELATIVES

No person shall be employed, promoted, demoted, transferred, or otherwise appointed to a position supervised directly by a relative. Department heads may make transfers or reassignments when possible, that will allow the appointment to take place but avoid supervision or other situation where influence over a relatives' employment conditions could be exercised.

No person serving as evaluator of applicants for employment (interviewer, selection panel member, assessor, etc.) may be a relative of any applicant for that position. This requirement shall not be waived.

Definition of Relative as defined by R.C. 2921.42 (A)(1) includes the following relatives, regardless of where they reside: (1) spouse; (2) children (whether dependent or not); (3) siblings; (4) parents; (5) grandparents; and (6) grandchildren. It also includes any other person related by blood or by marriage and living in the same household.

FALSIFICATION OF AN APPLICATION

Falsification, misrepresentation or omission of any information on an application (including any supplemental questionnaire), resume, or any other materials, or during any interviews, will be justification for withdrawing any offer of employment or, if employed, termination from employment, regardless when the falsification, misrepresentation or omission is discovered by the City.

SECTION 2. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 3. This Ordinance shall be in full force and take effect at the earliest time permitted by law.

PASSED: _____, 2017

Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this _____ day of _____, 2017

Approved by the Mayor
_____, 2017

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Mayor