

ORDINANCE 2026-08

AN ORDINANCE ADOPTING INTERNAL PROCEDURES FOR COUNCIL REVIEW OF POLICE DEPARTMENT APPOINTMENTS PURSUANT TO ORC 737.16 FOR THE VILLAGE OF MINERVA PARK

WHEREAS, Ohio Revised Code Section 737.16 provides that the Mayor shall appoint members of the Village Police Department subject to the confirmation of Council; and

WHEREAS, Council desires to ensure that it receives sufficient information to exercise its statutory confirmation authority in an informed and responsible manner; and

WHEREAS, nothing in this Ordinance is intended to alter, limit, or expand the statutory authority of the Mayor or Council as set forth in the Ohio Revised Code;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, FRANKLIN COUNTY, OHIO, THAT:

Section 1. Purpose and Construction.

This Ordinance establishes internal procedural guidelines governing Council's consideration of probationary and full-time appointments submitted by the Mayor pursuant to ORC 737.16.

This Ordinance shall be construed strictly as a rule of Council procedure and shall not:

- A. Create additional qualifications for office;
- B. Restrict or limit the Mayor's statutory appointment authority;
- C. Alter the probationary framework set forth in ORC 737.17; or
- D. Require disclosure of information prohibited from release by state or federal law.

Section 2. Information Requested for Council Review.

In order to assist Council in exercising informed concurrence and confirmation, the Mayor or the Mayor's Designee shall, prior to Council action on an appointment of a probationary officer, provide a written summary confirming that a background investigation has been conducted. Prospective candidates shall be informed that Council concurrence shall be required for an appointment prior to extending the conditional offer of employment.

To the extent permitted by law, the summary may include confirmation of:

- A. Completion of BCI and FBI criminal background checks;
- B. Review of prior law enforcement employment history, if applicable;
- C. Verification of current OPOTA certifications, if required;
- D. Confirmation that a review for potential impeachment material consistent with *Brady/Giglio* obligations has been conducted.

Nothing in this Section shall require production of confidential personnel records, investigatory records, or privileged material beyond what is lawfully permitted.

Section 4. Council Consideration.

Council retains its sole lawful authority to determine whether it has received sufficient information to proceed with a vote on concurrence under ORC 737.16.

Council may defer action on concurrence until it determines that adequate information has been provided to permit informed consideration.

Nothing herein shall be construed as preventing Council from exercising its statutory discretion to concur or not concur in any appointment.

Section 5. Probationary Period.

Appointments shall remain subject to the probationary provisions of ORC 737.17. Council's concurrence pursuant to ORC 737.16 shall not be interpreted as modifying the statutory probationary process.

Section 6. Effective Date.

This Ordinance shall take effect at the earliest period allowed by law.

First Reading: May 14, 2026
Second Reading: May 28, 2026
Third Reading: June 11, 2026
Passed: June 11, 2026

Tiffany Southard, Mayor

ATTEST

APPROVED AS TO FORM

Jeffrey Wilcheck, Fiscal Officer

Jesse Shamp, Solicitor

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