

ORDINANCE NO. 007-19

**AN ORDINANCE APPROVING THE AMENDMENT OF
SECTIONS 195.04 (RULE 4.16, EXAMINATION GRADING
METHODS), AND 195.07 (ADDING RULE 7.20, LATERAL
TRANSFERS) OF THE CIVIL SERVICE CODE OF THE CITY OF
NAPOLEON, OHIO; AND DECLARING AN EMERGENCY**

WHEREAS, the Civil Service Commission met on January 8, 2019 and adopted rule changes as found in Sections 195.04 and 195.07 of the Codified Ordinances of Napoleon, Ohio, subject to Council's approval; **Now Therefore**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, Section 195.04 of the City of Napoleon, Ohio Codified Ordinances, being a part of the Civil Service Rules, shall be amended and enacted as follows:

"Rule 4.16 Examination Grading Methods

The total grade attainable in each examination, except for special credits as outlined above, shall be one hundred (100%) percent. In examinations composed of more than one (1) part the method of scoring shall be:

- 1) Each part of the examination shall be separately rated and the proficiency of each competitor determined on the basis of a scale of one hundred (100%) percent for maximum possible attainment.
- 2) Each part shall be assigned a weight which shall be based on the relative value of the part to that of the entire examination expressed in terms of tenth (1-10th) of the total.
- 3) The earned grade of each examinee in each part of the examination shall be multiplied by the weight assigned to the part and the sum of the total shall be the earned grade for the participant.
- 4) Notwithstanding the above, any physical agility portion of the examination for original appointment to the position of Police Officer shall be administered by the commission and shall be based on the Cooper Standards. In the event that an applicant fails the physical agility portion, no further consideration to the applicant for appointment shall be given. If the applicant has passed the physical certification process of the Ohio Peace Office Training Academy (OPOTA) within the previous year, but not more than ~~one (1)~~ two (2) years prior to the date of the original examination for Police Officer, the commission will accept that certification for the physical agility portion of the original examination for Police Officer.

The physical agility portion of the original examination for Firefighter/Paramedic will be administered by the National Testing Network using the standard of the Firefighter's Mile. The commission will accept the Firefighter Mile card for the physical agility portion of the original examination for Firefighter/Paramedic.

Upon completion of the grading process, each applicant shall be notified by regular U.S. mail, with proof of mailing required to his or her last address on file with the commission, as to his or her grade."

Section 2. That, Section 195.07 of the City of Napoleon, Ohio Codified Ordinances, being a part of the Civil Service Rules, shall be amended and enacted as follows:

“Rule 7.20 Lateral Transfer

The City of Napoleon wishes to broaden the pool of applicants for the City of Napoleon Police Department by allowing employees appointed as a fulltime Patrol Officer who possess certification from Basic Police School (OPOTA or equivalent), and whose last position held with the employee's last employer was a law enforcement position, to utilize full years of service in the law enforcement position with the employee's last employer for calculation of pay and vacation accrual only, while still protecting the seniority rights of current Napoleon Police Officers, including but not limited to seniority affecting layoff, recall, overtime assignment, acting time, vacation selection, shift preferences, etc. Employees appointed by the City of Napoleon as a fulltime Patrol Officer who possess certification from Basic Police School (OPOTA or equivalent) and whose last position held with the employee's last employer was a law enforcement position, shall be credited with two weeks (80 hours) of vacation on date of hire.

The City of Napoleon wishes to broaden the pool of applicants for the City of Napoleon Fire Department by allowing employees appointed as a fulltime Firefighter/Paramedic who possess certifications of Ohio Firefighter II and State of Ohio Paramedic, and whose last position held with the employee's last employer was a firefighter/paramedic position, to utilize full years of service in the fire department position with the employee's last employer for calculation of pay and vacation only, while still protecting the seniority rights of current Napoleon Firefighters/Paramedics, including but not limited to seniority affecting layoff, recall, overtime assignment, acting time, vacation selection, shift preferences, etc. Employees appointed by the City of Napoleon as a fulltime Firefighter/Paramedic who possess certifications of Ohio Firefighter II and State of Ohio Paramedic, and whose last position held with the employee's last employer was a firefighter/paramedic position, shall be credited with forty-eight (48) hours of vacation on date of hire.”

Section 3. That, Section 195.04 and Section 195.07 as they existed prior to the enactment of this Ordinance shall be and hereby are amended as approved herein by this Council.

Section 4. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 5. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 6. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to commence the amendments in a timely manner which affects the public peace, health, and safety accessible to our citizens, and for further reasons as stated in the Preamble hereof.

Passed: January 21, 2019

Joseph D. Bialorucki
Joseph D. Bialorucki, Council President *Pro TEM*

Approved: January 21, 2019

Jason P. Maassel
Jason P. Maassel, Mayor

VOTE ON PASSAGE 6 Yea 0 Nay 0 Abstain

Attest:

Roxanne Dietrich
Roxanne Dietrich, interim Clerk of Council

I, Roxanne Dietrich, interim Clerk of Council for the City of Napoleon, do hereby certify that the foregoing Ordinance No. 007-19 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 26th day of January, 2019; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Roxanne Dietrich
Roxanne Dietrich, interim Clerk of Council

STATE OF OHIO
COUNTY OF HENRY

Sally Heaston, being first duly sworn, states that she is the General Manager of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the 26th day of January, 2019.


Sally Heaston

Subscribed and sworn to before me this
29th day of January, 2019


Beverly Griteman

Beverly Griteman
Notary Public,
State of Ohio
My Commission Expires
February 13, 2021

Printer's Fee: \$141.60
Notary Fee: \$2.00

Summary of Ordinance No.(s) 086-18, 007-19

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 6.2.4.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

NOTICE

A copy of the complete text of the above named Ordinance(s) and Resolution(s) are on file in the office of the City Finance Director and may be viewed or obtained during business hours of 7:30 AM to 4:00 PM, Monday through Friday, at the office of the Finance Director, the location being 255 West Riverview Avenue, Napoleon, Ohio. A copy of all or part of the above named Ordinances and Resolutions, or any item mentioned in this notice, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

Ordinance No. 086-18

AN ORDINANCE AMENDING CHAPTER 955 OF THE CODIFIED CODE OF ORDINANCES OF THE CITY OF NAPOLEON, OHIO TO ADD SECTION 955.09(S) REGARDING ORGANIZATIONAL GOLF OUTING FEES

In this legislation, the City of Napoleon added Section 955.09(S) to the Codified City Ordinances, regarding organizational golf outing fees.

Ordinance No. 007-19

AN ORDINANCE APPROVING THE AMENDMENT OF SECTIONS 195.04 (RULE 4.16, EXAMINATION GRADING METHODS), AND 195.07 (ADDING RULE 7.20, LATERAL TRANSFERS) OF THE CIVIL SERVICE CODE OF THE CITY OF NAPOLEON, OHIO; AND DECLARING AN EMERGENCY

In this legislation, the City of Napoleon amended Sections 195.04 and 195.07 of the Codified City Ordinances, regarding the Civil Service Rules for the City.

All of the above summaries are approved as to form and correctness by Billy D. Harmon, City Law Director