

ORDINANCE NO. 2018-54

INTRODUCED BY: COUNCIL AS A WHOLE

AN ORDINANCE RESTORING THE INTERIM POLICE CHIEF TO THE CIVIL SERVICE RANK OF SERGEANT, AND DECLARING AN EMERGENCY.

WHEREAS, on September 17, 2018, the Mayor appointed Dustin Rogers as Police Chief; and

WHEREAS, the Mayor and Council agree that the Civil Service tenure of Dustin Rogers will be protected if the current or future Mayor of the City of University Heights should terminate his appointment as Police Chief, Department of Public Safety;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY HEIGHTS, OHIO THAT:

Section 1. If the current or future Mayor of the City of University Heights should terminate the appointment of Dustin Rogers as Police Chief, Department of Public Safety, he shall be restored to the rank of sergeant or such higher rank as may be approved by the City's Civil Service Commission the Division of Police, Department of Public Safety, provided that (i) Rogers employment is not terminated for cause (cause being limited to acts of dishonesty, fraud, or moral turpitude and/or (ii) Rogers is not terminated from his appointment as Police Chief for being convicted of or pleading guilty to a felony.

Section 2. In the event that Dustin Rogers is restored to the rank of sergeant at a time when the City of University Heights Police Department has a full complement of officers of that rank, Section 238.01 of the Codified Ordinances of University Heights shall not apply and Dustin Rogers shall return to the role of sergeant or such higher rank as may be approved by the City's Civil Service Commission in the University Heights Police Department.

Section 3. The Mayor is authorized to enter into a Memorandum of Understanding with Dustin Rogers outlining certain aspects of the parties' employment relationship, a copy of which is attached hereto as Exhibit A and incorporated herein by reference as if fully rewritten.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage 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.

Section 5. This Ordinance is declared to be an emergency measure necessary for the preservation of the public peace, safety, health and welfare of the citizens of the City of University Heights. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of Council and approval of the Mayor; otherwise, it shall become effective at the earliest time allowed by law.

CITY OF UNIVERSITY HEIGHTS, OHIO



MICHAEL DYLAN BRENNAN, MAYOR

PASSED: 09/17/2018

ATTEST:



KELLY M. THOMAS, CLERK OF COUNCIL

APPROVED AS TO FORM:



LUKE F. MCCONVILLE, LAW DIRECTOR