**ORDINANCE NO. 21-2019**

**REPEALING ORDINANCE NO. 4-2019 AND FURTHER AMENDING ORDINANCE NO. 23-2004, AS AMENDED, CREATING THE POSITION OF CIVILIAN POLICE CLERK, CONFIRMING THE APPOINTMENT OF A CIVILIAN CLERK AND DECLARING AN EMERGENCY**

**WHEREAS,** the Council of the Village of Fairfax (“Council”) previously adopted Ordinance No. 4-2019, modifying the pay reflected in the title hereof; and

 **WHEREAS,** certain pay rates made effective in Ordinance No. 4-2019 were understated, contrary to Council’s intention; and

 **WHEREAS,** it is necessary in this ordinance to correct such rates and provide for the full pay intended as of the pay period beginning March 31, 2019;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio, that:

**SECTION I:** Section III of Ordinance No. 23-2004, as amended, is hereby amended further to read as follows:

SECTION III: The full-time Police Clerk shall be paid as follows: twenty dollars and sixty-nine cents ($20.69) per hour for the first six months of service in that position, twenty two dollars and nineteen cents ($22.19) per hour for the second six months of service in that position, and twenty three dollars and sixty-nine cents ($23.69) per hour for all years following one year of service in that position. Additionally, the Mayor and Chief of Police shall establish criteria for, and administer, an annual performance evaluation of the Police Clerk to be completed by January 31 of each calendar year. For each established criterion, the Police Clerk shall receive a performance evaluation on a ten (10) point scale where a score of ten represents the highest level of performance, a score of five (5) represents acceptable performance, and a score of zero (0) represents the lowest level of performance. In addition to the foregoing regular pay, the Police Clerk shall be paid a performance bonus of two hundred fifty dollars ($250.00) for a total average evaluation score of 5-6, seven hundred fifty dollars ($750.00) for a total average evaluation score of 7-8, or one thousand two hundred fifty dollars ($1,250.00) for a total average evaluation score of 9-10. Such performance bonus shall be paid during the first regular April pay period following the annual evaluation. In the event of an irreconcilable disagreement between the Mayor and Chief of Police as to the applicable criteria, scoring scale, or the scoring of such criteria during the evaluation process, the final decision shall be made by the Mayor.

 **SECTION II:** Section III of Ordinance No. 23-2004, as amended above, shall take effect retroactive to the pay period beginning on March 31, 2019. The Clerk-Treasurer shall issue such back pay as is necessary to conform to the rates set forth herein.

**SECTION III:** The hourly rate of pay for the Police Clerk serving in that position when the foregoing amended Section III of Ordinance No. 23-2004 takes effect shall be determined by his or her service time accumulated to date in that position.

 **SECTION IV:** Ordinance No. 4-2019 and the existing Section III of Ordinance No. 23-2004, as amended, are hereby repealed.

 **SECTION V:** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall be effective immediately. The reason for said declaration of emergency is the immediate need to correct the 2019 pay rates for position of Civilian Police Clerk.

 Passed this 20th day of May, 2019.

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 Mayor

ATTEST:

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Clerk-Treasurer

**CERTIFICATE**

I hereby certify this to be a true and correct copy of Ordinance No. 21-2019, passed at a meeting of the Council of the Village of Fairfax on this 20th day of May, 2019.

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Pay Rates inserted/reviewed by JK and RD; Ordinance reviewed/approved by AA