

ORDINANCE 04-09-26-02

AN ORDINANCE REPEALING ORDINANCE 12-14-23-02 (HIRING NICHOLAS R. GARVER), REPEALING INCONSISTENT ORDINANCES, and DECLARING AN EMERGENCY.

Sponsored by: _____

WHEREAS, the village of Pleasantville, Fairfield County, Ohio, in 2023, undertook procedural measures to establish a police department;

WHEREAS, in order to complete these measures, the village proposed the enactment of Ordinance 12-14-23-02 and subsequent ordinances, including Ordinance 4-11-24-04; Ordinance 06-13-24-01; and Ordinance 02-12-26-01, all of which pertain to the appointment and pay of Nicholas R. Garver as the chief of police for the village police department, and each declaring an emergency;

WHEREAS, each of the listed ordinances were proposed in support of the village police department, which was never lawfully established;

WHEREAS, this council, having reviewed the procedures set forth in the Ohio Revised Code necessary to enact an ordinance under Ohio law, and upon the advice of legal counsel, has determined that its procedures followed in enacting the listed ordinances, including Ordinance 12-14-23-02, did not fully comply with those procedures;

WHEREAS, this council desires to bring its actions into full compliance with its statutory and fiduciary duties to the village of Pleasantville, including being good stewards of village finances, including preserving funds not allocated to be expended on void ordinances and unlawful agreements.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PLEASANTVILLE, FAIRFIELD, STATE OF OHIO:


- Section 1.** Ordinance 12-14-23-02 is hereby repealed in its entirety.
- Section 2.** Ordinance 4-11-24-04; Ordinance 06-13-24-01; and Ordinance 02-12-26-01, and Ordinance 06-13-24-01, and any and all ordinances or resolutions inconsistent with this ordinance, are hereby repealed.
- Section 3.** The employment of Nicholas R. Garver is hereby terminated,
- Section 4.** The mayor, or her designee, is directed to notify the Ohio Police Officer Training Commission, the Fairfield County Prosecutor, the Fairfield County Sheriff, the Lancaster city attorney, the Fairfield County municipal clerk of courts, the Fairfield County common pleas clerk of courts, the Ohio State Highway Patrol, the Ohio Attorney General, the Ohio Police and Fire Pension Fund, the Ohio Public Employees Retirement System, the Social Security

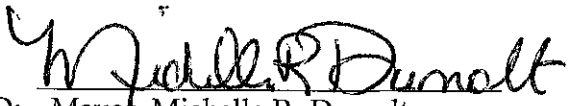
Insurance office, the village's liability insurance provider, and the Ohio Auditor of State that the Pleasantville police department has been abolished and that Nicholas R. Garver is no longer serving as the chief of police for the Pleasantville police department.

Section 5. The village clerk is hereby directed to cease all payments to persons being paid as village police department employees, including wages and salaries and retirement benefits.

Section 6. This ordinance is hereby declared to be an emergency ordinance necessary for the health, safety, and welfare of the village of Pleasantville, to wit, the village of Pleasantville has been operating, and continues to operate the village of Pleasantville police department pursuant to a void and unlawful ordinance, and is doing so under the apparent direction of Nicholas R. Garver, and further, the village is expending funding improperly by paying Nicholas R. Garver, thereby violating its statutory duties, thereby creating extreme and immediate risk of civil liability, and this ordinance shall take effect upon passage and signing by the mayor.

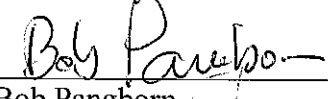
PASSED THIS 14 DAY OF April, 2026.

ATTEST: 
Fiscal Officer, Penny Marquart


SIGNED: 
Mayor, Michelle R. Dumolt

Council, Village of Pleasantville

Katie Henry

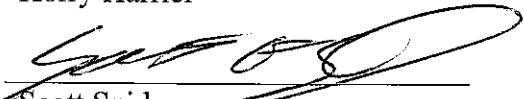


Bob Pangborn



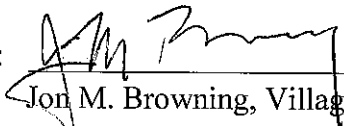
Courtney VanDyke

Korry Harrier



Scott Snider

Approved as to form only:



Jon M. Browning, Village Solicitor

FIRST READING _____

SECOND READING _____

REVISED SECOND READING _____

THIRD READING _____

VOTE FOR _____ AGAINST _____