

RESOLUTION NO. 2025-08

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE POLICE CHIEF OF THE VILLAGE OF ANTWERP, OHIO REGARDING PAYMENT FOR HIS ACCRUED BUT UNUSED SICK LEAVE TIME AND DECLARING THE SAME AN EMERGENCY

WHEREAS, Section 10.05(B) of the Village of Antwerp, Ohio Employee Handbook allows employees with ten (10) or more years of contiguous service to the Village to receive a one-time payment, upon their retirement, constituting one-half (1/2) of their accrued but unused sick leave time; and

WHEREAS, Police Chief George Clemens has entered into the Ohio Police and Fire Pension Fund DROP Program and has been granted the status of “retired”; and

WHEREAS, in accordance with the terms of OPF’s DROP Program and the laws and regulations of the State of Ohio and Village of Antwerp, the Village and Police Chief Clemens mutually desire to have Police Chief Clemens remain as the Police Chief of the Village despite his entry into “retired” status with OPF; and

WHEREAS, due to his entry into “retired” status with OPF, both Police Chief Clemens and the Village wish to pay out the accrued but unused sick leave time that Police Chief Clemens has accrued, as per Section 10.05(B) of the Village of Antwerp, Ohio Employee Handbook; and

WHEREAS, the Village also desires to eliminate any future liability for cash payout of accrued but unpaid sick leave time for Police Chief Clemens, in return for continuing Police Chief Clemens’ employment as Village Chief of Police; and

WHEREAS, the Village also desires to authorize Mayor Reeb to enter into an agreement with Police Chief Clemens which sets forth the above terms of his one-time accrued sick leave time payout; and

WHEREAS, this Ordinance taking effect immediately is necessary to set forth the parameters upon which Police Chief Clemens will remain in service to the Village despite his entry into retired status with OPF, as well as the immediate preservation of the public peace, health, safety and general welfare of the Village.

NOW, THEREFORE, BE IT ORDAINED BY A MINIMUM OF A THREE-FOURTHS VOTE by the Council of the Village of Antwerp, Paulding County, Ohio:

Section 1. That the rules requiring three readings of any ordinance or resolution prior to its passage by a minimum of the majority of the council are hereby suspended pursuant to Ohio Revised Code Section 705.15.

Section 2. That Mayor Reeb is hereby authorized to enter into an agreement with Police Chief Clemens titled “Agreement to amendment of the Village of Antwerp, Ohio employee handbook specifically regarding current Police Chief, George Clemens,” which shall provide that, among other things, Police Chief Clemens shall remain in the service of the Village as Police Chief, shall receive a one-time payment of one-half (1/2) of all his accrued but unpaid sick leave time as of the date of said

agreement in exchange for forfeiting all of said sick leave time, and which shall direct that Police Chief Clemens no longer be eligible for any further payout of accrued but unpaid sick leave time.

Section 3. That, as a result of entering into the agreement detailed in Section 2 above, Police Chief Clemens shall receive a one-time payment of Forty Three Thousand Five Hundred Sixty and 64/100 (\$43,560.64), which shall represent the entire amount due to him under Section 10.05(B) of the Village of Antwerp, Ohio Employee Handbook.

Section 4. That, as a result of entering into the agreement detailed in Section 2 above, Police Chief Clemens shall forfeit all of said accrued sick leave time and begin again at a balance of zero (0) hours of sick leave time following entry into such agreement.

Section 5. That, as a result of entering into the agreement detailed in Section 2 above, Police Chief Clemens shall no longer be eligible for any further cash pay-out of accrued but unpaid sick leave time.

Section 6. It is found and determined that all formal actions of the Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 7. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety, and welfare of the Village of Antwerp, Ohio, more specifically, Council must have an agreement in place with Police Chief Clemens as soon as possible regarding his continued service to the Village as Police Chief in light of his recently attained status of "retired" with OPF, and provided it receives the affirmative vote of at least three-fourths of the members of this Council, the Ordinance shall take effect and be in force immediately upon its adoption by this Council or otherwise it shall take effect and be in force after the earliest period allow by law.

Date: 5/14/2025

Jan Reeb
Jan Reeb, Mayor of the Village of Antwerp

ATTEST:

Kevin Hornish
Kevin Hornish, Fiscal Officer

**AGREEMENT TO AMENDMENT OF THE VILLAGE OF ANTWERP, OHIO
EMPLOYEE HANDBOOK SPECIFICALLY REGARDING CURRENT POLICE CHIEF,
GEORGE CLEMENS**

This Agreement to Amendment of the Village of Antwerp, Ohio Employee Handbook Specifically Regarding Current Police Chief, George Clemens ("Agreement") is made by and between the Village of Antwerp, Ohio ("Village") and Village of Antwerp, Ohio Police Chief, George Clemens ("Police Chief Clemens") on the 14th day of May, 2025.

WHEREAS, Police Chief Clemens has exceeded ten (10) years of service time with the Village, and thus is eligible for a one-time payout of one-half (1/2) of his accrued but unpaid sick leave time upon his retirement as per Section 10.05 of the Village of Antwerp, Ohio Employee Handbook; and

WHEREAS, Police Chief Clemens has now, as of April 21, 2025, entered the Ohio Police & Fire ("OPF") Pension Fund DROP Program by which he has entered into retired status with OPF but will remain as Police Chief of the Village; and

WHEREAS, during his time of service to the Village, Police Chief Clemens has accrued 2794.14 hours of unused sick leave, which entitles him to a total payout upon retirement of Forty Three Thousand Five Hundred Sixty and 64/100 (\$43,560.64), which the Village has accrued each year in its Severance Pay Reserve Fund; and

WHEREAS, the Village and Police Chief Clemens wish to enter into an agreement which allows Police Chief Clemens to receive a one-time payment of one-half (1/2) of the amount of sick leave payment accrued by the Village to date in exchange for releasing the Village from any liability for further cash payout of accrued but unused sick leave time; and

WHEREAS, the purpose of this agreement is to set forth the terms upon which the Village will payout the entire sick leave payout accrued, representing payout for one-half (1/2) of all currently accrued sick leave time to date for Police Chief Clemens, in exchange for Police Chief Clemens foregoing any further entitlement to cash payout of further accrued but unpaid sick leave upon his actual service termination date.

NOW THEREFORE, in consideration of the mutual promises set forth herein, the Village and Police Chief Clemens agree as follows:


1. The Village agrees to retain Police Chief Clemens in his position as Police Chief of the Village despite his entry into retired status with OPF.
2. The Village further agrees to make a one-time payment to Police Chief Clemens of Forty Three Thousand Five Hundred Sixty and 64/100 (\$43,560.64) as a payout of one-half (1/2) of his currently accrued sick leave time as per Section 10.05 of the Village of Antwerp, Ohio Employee Handbook.

3. The Village further agrees that, from henceforth, it will begin a new accrual of sick leave time for Police Chief Clemens, beginning as of May 15th, 2025, which will not be subject to the sick leave time payout provision of Section 10.05 of the Village of Antwerp, Ohio Employee Handbook.
4. Police Chief Clemens agrees that, in exchange for the one-time payment as detailed in Section 2 above, he will surrender all currently accrued but unused sick leave time, bringing his current balance of sick leave time to zero (0) days as of the date of this agreement.
5. Police Chief Clemens further agrees that, in exchange for the one-time payment as detailed in Section 2 above, he will no longer be subject to the sick leave time payout provision in Section 10.05 of the Village of Antwerp, Ohio Employee Handbook and that, by signing this agreement, he is expressly agreeing to waive any right to payment under Section 10.05 of the Employee Handbook that he may have following receipt of the one-time payment detailed in Section 2 above.
6. It is further agreed by and between the parties that this Agreement and all other documents entered into in support hereof shall be governed by the laws of the State of Ohio, and this Agreement shall be considered to have been entered into at Paulding County, Ohio, and all obligations of the parties hereto shall be performable in Paulding County, Ohio.
7. It is further agreed by and between the parties that this Agreement shall inure to the benefit of and shall be binding upon and enforceable by the heirs, personal representatives and assigns of the parties hereto.
8. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision hereof and this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had never been contained herein.
9. It is further agreed by and between the parties that this instrument contains the entire Agreement between the parties with respect to the sick leave time payout to Police Chief Clemens.

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IN WITNESS WHEREOF, the parties have executed this Agreement to Amendment of the Village of Antwerp, Ohio Employee Handbook Specifically Regarding Current Police Chief, George Clemens on the 14th day of May, 2025.

Village of Antwerp, Ohio:

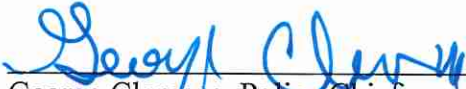


Mayor, Jan Reeb



Attest: Kevin Hornish, Fiscal Officer

Police Chief Clemens:



George Clemens, Police Chief,
Village of Antwerp, Ohio

Approved as to Form:



Brandon Grigsby, Solicitor
Village of Antwerp, Ohio