

ORDINANCE NO. 17-15

AN ORDINANCE TO ACT UPON THE COLLECTIVE BARGAINING AGREEMENT REACHED BETWEEN THE CITY OF AVON AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., DISPATCHERS UNIT (SERB CASE NO. 2014-MED-07-0938) TO BE EFFECTIVE JANUARY 1, 2015, THROUGH DECEMBER 31, 2018 AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor, through his designated representative, has reached a tentative agreement with the FOP/OLC and the local Dispatcher bargaining unit; and

WHEREAS, the Union ratified the tentative agreement under the provisions of ORC §4117.10 on January 28, 2015; and

WHEREAS, the collective bargaining agreement as submitted sets forth certain wages, hours, terms, and other conditions of employment; and

WHEREAS, the determination of the size, composition, and adequacy of the work force and the determination of the overall methods, process, means, or personnel by which operations are to be conducted remain the right and responsibility of the Employer in addition to other rights and responsibilities not enumerated herein; and

WHEREAS, the Mayor and his designated representative have recommended acceptance of the tentative agreement; and

WHEREAS, in consideration of the terms of the collective bargaining agreement as a whole, inclusive of the rights and responsibilities reserved to the Employer, overall costs may be maintained and/or controlled during the term of the proposed agreement; and

WHEREAS, pursuant to Section 4117.10(C) of the Ohio Revised Code, the Council of the City of Avon as the legislative body may accept or reject the collective bargaining agreement as a whole; and

WHEREAS, Council, having reviewed said collective bargaining agreement deems it in the best interests of the health, safety and welfare of the community that it be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the collective bargaining agreement between the City of Avon and The Fraternal Order of Police, Ohio Labor Council Inc., Dispatchers Unit, effective January 1, 2015 through December 31, 2018, SERB CASE NO. 2014-MED-07-0938, be, and the same is hereby accepted as a whole. This ordinance does not guarantee additional appropriations for 2015 or future years. A copy of said agreement shall be attached hereto as Exhibit "A" and incorporated herein by reference.

Ordinance No. 17-15 (Con't)

Section 2 - The Mayor and President of Council are hereby authorized to sign said Agreement on behalf of the City.

Section 3 - That it is 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 of any of its committees that resulted in such formal actions were in meetings open to the public, unless exempted by statute, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to accept the collective bargaining agreement between the City of Avon and The Fraternal Order of Police, Ohio Labor Council Inc., Dispatchers Unit, SERB CASE NO. 2014-MED-07-0938, effective January 1, 2015 through December 31, 2018; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Ellen R. Young
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director