

ORDINANCE NO. 25-17

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE(S) TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO AMEND THE JANUARY 1, 2015 THROUGH DECEMBER 31, 2017 COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF AVON AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION ("OPBA" or "UNION") AND DECLARING AN EMERGENCY

WHEREAS, the City and the OPBA, are parties to a collective bargaining agreement (CBA) effective January 1, 2015 through December 31, 2017; and

WHEREAS, on or about January 27, 2017, a question arose as to the application of Article 19, Section 3 of the CBA and a grievance was filed; and

WHEREAS, the City administration and its representatives determined it to be in the best interests of the City to pursue a mutually agreeable resolution to the dispute, and at the same time to resolve the question of an appropriate rate of pay for a newly hired Patrol Officer who has not completed and passed all training required to become a certified Peace Officer; and

WHEREAS, the City and the Union were successful in their efforts to reach a mutually agreeable resolution and a Memorandum of Understanding was executed with the understanding that the matter would require review and action by City Council; and

WHEREAS, upon review, the administration and the legislative body have determined the Memorandum of Understanding to be acceptable and in the best interest of the health, safety and welfare of residents of the City of Avon in maintaining equitable compensation for its employees.

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

Section 1 The Council of the City of Avon hereby authorizes the Mayor and/or his designee(s) to enter into a Memorandum of Understanding with the OPBA, attached hereto as Exhibit A, to amend Article 19 and Appendix A of the collective bargaining agreement effective January 1, 2015 through December 31, 2017.

Section 2 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, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 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 in the City of Avon the immediate emergency being the need to adopt the MOU with the OPBA to make an equitable adjustment in compensation ; therefore, this Ordinance shall be in full force and effect immediately upon its passage by this Council and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

BY: _____
Craig Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
In five places as
provided by Council

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