

ORDINANCE NO. 122-20

**AN ORDINANCE TO ACCEPT THE TENTATIVE AGREEMENT
IN THE MATTER OF THE CITY OF AVON AND THE
FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., (FOP/OLC),
(DISPATCHERS), SERB CASE NO: 2020-MED-07-0712
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon, Ohio, (public employer) and the Fraternal Order of Police, Ohio Labor Council, Inc., (FOP/OLC), representing full-time Dispatchers (Union), reached a tentative agreement for a new collective bargaining agreement under the provisions of Ohio Revised Code (ORC) Chapter 4117; and

WHEREAS, the Union ratified the tentative agreement under the provisions of ORC §4117.10 on December 18, 2020; and

WHEREAS, pursuant to ORC §4117.10 the public employer has submitted the agreement to the Council of the City of Avon, as the legislative body, on December 28, 2020, and

WHEREAS, pursuant to ORC §4117.10 (B), the legislative body must approve or reject the submission as a whole, and the submission is deemed approved if the legislative body fails to act within thirty (30) days after the public employer submits the agreement; and

WHEREAS, upon review, the administration and the legislative body have determined that acceptance of the tentative agreement is in the best interests of the health, safety and welfare of the citizens of Avon. Further, acceptance of tentative agreement is acceptance only as to specified wages, hours, terms and other conditions of employment for bargaining unit employees and shall not be construed to establish fixed staffing levels nor require specific departmental funding requirements.

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

Section 1 - That the tentative agreement between the parties as submitted, to be effective from January 1, 2021 through December 31, 2023 is hereby accepted by the Council of the City of Avon, a copy of which is attached hereto as Exhibit "A" and incorporated herein by reference. Further, the Mayor is hereby authorized to execute on behalf of the City of Avon the final document reflecting this agreement.

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, unless otherwise exempted, in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3 - 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 act within thirty (30) days of the submission of the agreement consistent with the provisions of ORC §4117.10(B); therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

By: _____
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Gail A. Hayden, Assistant Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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