

ORDINANCE NO. 102-21

**AN ORDINANCE TO ACCEPT THE TENTATIVE AGREEMENT REACHED
IN THE MATTER OF THE CITY OF AVON AND THE
FRATERNAL ORDER OF POLICE / OHIO LABOR COUNCIL, INC.
(RANKING OFFICERS; SERB CASE NUMBER 2021-MED-11-1515)
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon, Ohio, (public employer) and the Fraternal Order of Police / Ohio Labor Council, Inc., representing full-time Ranking Officers (Union), reached a preliminary tentative agreement settling the terms of a wage re-opener for years 2022 and 2023 on December 2, 2021, under the provisions of Chapter 4117 of the Ohio Revised Code (ORC); and

WHEREAS, the Union ratified the preliminary tentative agreement under the provisions of ORC §4117.10 on or about November 29, 2021; and

WHEREAS, pursuant to ORC §4117.10, the public employer has notified the Clerk of Council of the tentative agreement on December 2, 2021, and thereafter submitted the tentative agreement to City Council, as the legislative body, at a Special Meeting on December 6, 2021; 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 the tentative agreement to be acceptable as a whole in consideration of the interests of the City of Avon and the interest and welfare of the public. Furthermore, acceptance of the 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, LORAIN COUNTY, OHIO:

Section 1 - That the Council of the City of Avon hereby accepts the tentative agreement reached between the parties. Further, the Mayor is hereby authorized to execute on behalf of the City of Avon the final document reflecting this agreement. ([See attached](#))

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 immediate preservation of peace, health, and safety in the City of Avon and for the further

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reason that action is necessary within thirty (30) days of the submission of the tentative agreement consistent with the provisions of ORC §4117.10 (B); 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: _____
Brian Fischer, 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