

ORDINANCE NO. 109-21

AN ORDINANCE AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE(S) TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO AMEND THE JANUARY 1, 2021 THROUGH DECEMBER 31, 2023 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, 2021 through December 31, 2023; and

WHEREAS, on or about November 29, 2021, a question arose as to the application of Article 25, Vacation, Section 3, Paragraph D. as it relates to prior service credit for purposes of vacation accrual and whether, for purposes of attracting and retaining qualified police officers, the City should consider prior full-time service as a certified peace officer in any State or local government jurisdiction outside of Ohio for purposes of vacation accrual; and

WHEREAS, the City administration and its representatives determined it to be in the best interests of the City to pursue a mutually agreeable understanding that, for full-time patrol officers hired on or after December 1, 2021 only, service credit for vacation accrual purposes under Article 25, Section 3, Paragraph D., shall also include prior full-time service as a certified peace officer in any State or local government jurisdiction outside of Ohio; and

WHEREAS, the City and the Union were successful in their efforts to reach a mutually agreeable understanding 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 to adopt.

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 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 25, Section 3, Paragraph D. of the collective bargaining agreement effective January 1, 2021 through December 31, 2023.

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 – 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 in the City of

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Avon the immediate emergency being the need to adopt the MOU with the OPBA; 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