

ORDINANCE NO. 37-18

**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. (FOP/OLC), SERB CASE NO. 2017-MED-11-1416
(LIEUTENANTS AND SERGEANTS - RANK)
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 Lieutenants and Sergeants (Union), reached a preliminary tentative agreement for a new collective bargaining agreement on April 25, 2018, 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 May 3, 2018; and

WHEREAS, pursuant to Ground Rules for Negotiations signed by the parties and ORC §4117.10, the public employer has submitted the tentative agreement to the Council of the City of Avon, as the legislative body, on May 7, 2018, 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 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 in SERB CASE NO. 2017-MED-11-1416. 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 in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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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 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: _____
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