

COUNCIL CHAMBER

City of Berea, Ohio

ORDINANCE No. 2013-13

By Dean W. Van Dress Sponsored By Mayor Cyril M. Kleem

AN ORDINANCE

APPROVING AND RATIFYING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF BERA AND THE BERA POLICE SERGEANTS REPRESENTED BY THE FRATERNAL ORDER OF POLICE, PARMA LODGE NO. 15, PURSUANT TO CHAPTER 4117 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor of the City has reported to this Council that the Administration has undertaken collective bargaining negotiations with the Fraternal Order of Police, Parma Lodge No. 15, in an effort to establish an Agreement between the City of Berea and the Bargaining Unit representing the Sergeants of the City; and

WHEREAS, such negotiations have developed a proposed Agreement between the City of Berea and the said Bargaining Unit, a true copy of which Agreement is attached here to as Exhibit "A" and made a part hereof, as if fully rewritten herein; and

WHEREAS, the Mayor has presented the proposed Collective Bargaining Agreement to this Council for its review, approval and ratification, with his recommendation that the said Agreement be so approved and ratified as a fair, just and equitable negotiation and settlement of all of the matters at issue between the City of Berea and the said Bargaining Unit; and

WHEREAS, said Agreement is for a three-year period covering January 1, 2013, through December 31, 2015.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Berea, Cuyahoga County, State of Ohio:

SECTION 1. That this Council finds that the Collective Bargaining Agreement negotiated by the Administration of the City with the Sergeants represented by the Fraternal Order of Police, Parma Lodge No. 15, a true copy of which proposed Agreement is attached hereto, and made a part hereof, as if fully rewritten herein is a fair, just and equitable resolution of all matters between the City of Berea and the said Bargaining Unit, which are subject to negotiations and settlement pursuant to Chapter 4117 of the Ohio Revised Code, and that the said Agreement covering the period of January 1, 2013 through December 31, 2015, should be, and hereby is, approved, confirmed and ratified by this Council.

SECTION 2. That the Director of Finance be, and hereby is authorized and directed to pay such funds as may be required pursuant to the terms and conditions of the Collective Bargaining Agreement ratified herein, to the beneficiaries of such Agreement according to the tenor thereof, and such funds as may be required and necessary to accomplish the same are hereby appropriated and allocated to the various and several funds as may be designated by the Director of Finance for accounting purposes required by law.

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SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption 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 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that the establishment of Collective Bargaining Agreements is required by law and necessary for the immediate and continued operation of the City, particularly in matters of public safety. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED: March 4, 2013

ATTEST: [Signature]
Clerk of Council

[Signature]
President of Council

APPROVED: March 5, 2013

[Signature]
Mayor

Approved as to Form:

[Signature]
Director of Law