

ORDINANCE NO. 139-23

**AN ORDINANCE AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE(S)
TO ENTER INTO A MEMORANDUM OF UNDERSTANDING TO
AMEND THE JANUARY 1, 2022, THROUGH DECEMBER 31, 2024
COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF AVON
AND THE AMERICAN FEDERATION OF STATE, COUNTY & MUNICIPAL
EMPLOYEES (“AFSCME” or “UNION”)
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to Ordinance No. 104-21, passed 12/23/21, the City and the Union, are parties to a collective bargaining agreement (CBA) effective January 1, 2022, through December 31, 2024; and

WHEREAS, pursuant to Ordinance No. 125-22 which passed 11/14/22, the City and the Union entered into a Memorandum of Understanding to amend the January 1, 2022, through December 31, 2024 CBA by modifying Appendix C, to eliminate Pay Range 5. The positions within Pay Range 5 (Clerk/Secretary 1 and Utilities Billing Clerk 1) were assigned to Pay Range 4; and

WHEREAS, it is now necessary to amend the CBA as it pertains to Article 32, “Call-in Pay”, Section 1 to insert language pertaining to employees in the Administrative / Clerical classifications call-in pay and attendance at Council and/or committee meetings beyond their regular schedule, the City and the Union were successful in their efforts to reach an agreement and a Memorandum of Understanding was executed which will 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.

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

Section 1 – That Council of the City of Avon hereby authorizes the Mayor and/or his designee(s) to enter into a Memorandum of Understanding, attached hereto and incorporated herein as [Exhibit “A”](#) modifying Article 32, “Call-in Pay”, Section 1 of the collective bargaining agreement, by inserting language pertaining to call-in pay for employees in the Administrative / Clerical classifications and the attendance at Council and/or committee meetings beyond the employee’s regular schedule, effective the first full pay period of 2024.

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 preservation of the public peace, health, safety and welfare of the citizens of in the City of Avon the immediate emergency being the need to adopt the MOU with the Union prior to the start of 2024; 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: _____
Electronically and at City Hall
As Provided by Council

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