

ORDINANCE NO. 59-2019

INTRODUCED BY: MAYOR JAMES P. GRAVEN

AN ORDINANCE ESTABLISHING VACATION LEAVE FOR POLICE OFFICERS DAUGHERTY, HARTMAN AND DUNEGAN OF THE CITY OF OLMSTED FALLS, OHIO AND REPEALING ALL LEGISLATION INCONSISTENT HEREWITH

WHEREAS, City of Olmsted Falls Police Officer Dan Daugherty was certified as a police officer through the Olmsted Falls Civil Service Commission and became employed on or about October 25, 2016, following a successful tenure in the Mahoning County Sheriff's Department where he was employed as a police officer for nine (9) years; and

WHEREAS, City of Olmsted Falls Police Officer Carl Hartman was certified as a police officer through the Olmsted Falls Civil Service Commission and became employed on or about December 12, 2017, following a successful tenure in the Cleveland Police Department where he was employed as a police officer for twenty-one (21) years; and

WHEREAS, City of Olmsted Falls Police Officer Michael Dunegan was certified as a police officer through the Olmsted Falls Civil Service Commission and became employed on or about October 25, 2016, following a successful tenure in the Lorain County Metroparks where he was employed as a police officer for fourteen (14) years; and

WHEREAS, verbal representations had been made to each of these police officers by Olmsted Falls former Assistant Safety Director William Traine as an inducement at the time of their hire that they would each receive fifteen (15) days vacation leave per year, commensurate with the collective bargaining agreement for police department police officers who had been employed at least 11 years with the City of Olmsted Falls; the past practice of the police department has been to grant each of these officers fifteen (15) days vacation leave over the past year(s); and

WHEREAS, the OPBA representatives have consented to the above-named police officers receiving additional vacation time beyond that which is provided by the current collective bargaining agreement identified hereinabove; and

WHEREAS, it is deemed in the best interest of the City that the aforementioned inducement for employment for these three police officers be recognized, and further in recognition of their past police service, that they each be provided fifteen (15) days vacation leave per year, with the remaining provisions regarding vacation leave under the aforementioned collective bargaining agreement be recognized and adhered to. Now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, OHIO, THAT:

SECTION 1. Olmsted Falls Police Dan Daugherty, Carl Hartman, and Michael Dunegan are hereby provided fifteen (15) days vacation leave per year with the remaining provisions regarding vacation leave under the aforementioned collective bargaining agreement be recognized and commencing January 1, 2019.

SECTION 2. All prior legislation inconsistent with this legislation in whole or in part are hereby repealed to the extent necessary to avoid conflict with this legislation.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council and that deliberations of this Council and of it's committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of the City of Olmsted Falls for the reason that the has been on the job for the past eight weeks and, therefore, this Ordinance shall be effective immediately upon the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

Paul Stibich, Council President

PASSED: _____

APPROVED: _____
James P. Graven, Mayor

Date

APPROVED AS TO FORM: _____
Andrew D. Bemmer, Director of Law

ATTEST: _____
Angela Mancini, Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____