

ORDINANCE NO. 105-2021 (AS)

By Council Member Seren

An Ordinance to accept the fact finding recommendations in the matter of the City of Cleveland Heights and the Ohio Patrolmen's Benevolent Association (OPBA), SERB Case Nos.: 2020-MED-12-1424; 2020-MED-12-1425; and 2020-MED-12-1426; and declaring an emergency.

WHEREAS, the City and the OPBA (Union) proceeded to a fact finding hearing on June 24, 2021, pursuant to Ohio Revised Code 4117.14(C); and

WHEREAS, the Fact Finder issued his report and recommendations on July 26, 2021, consistent with the provisions of Ohio Revised Code 4117.14(C); and

WHEREAS, pursuant to Ohio Revised Code 4117.14(C)(6), not later than seven (7) calendar days after the fact finding recommendations are served, the Council of the City of Cleveland Heights, as the legislative body, may by a vote of three-fifths of the total membership, accept or reject the recommendations; and

WHEREAS, pursuant to Ohio Revised Code 4117.14(C)(6), if neither the legislative body nor the public employee organization (Union) rejects the recommendations, the recommendations shall be deemed agreed upon as the final resolution of the issues; and

WHEREAS, upon review, the administration and the legislative body have determined the fact finding recommendations to be acceptable as a whole in consideration of the interests of the City of Cleveland Heights and the interest and welfare of the public.

BE IT ORDAINED, by the Council of Cleveland Heights, Cuyahoga County, Ohio, as follows, to wit:


SECTION 1. The Council of the City of Cleveland Heights hereby accepts the recommendations of the fact finder including prior tentative agreements between the parties in accordance with the Report and Recommendations of the Fact Finder attached hereto as Exhibit A.

SECTION 2. Notice of the passage of this Ordinance shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

SECTION 3. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the City of Cleveland Heights, such emergency being that action is necessary within seven (7) days of the issuance of the fact finding recommendations consistent with the provisions of Ohio Revised Code 4117.14(C)(6). Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Resolution shall take effect and be in force

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immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

A handwritten signature in black ink, appearing to read "Jason Stein", written over a horizontal line.

JASON STEIN
President of the Council

A handwritten signature in blue ink, appearing to read "Amy Himmelein", written over a horizontal line.

AMY HIMMELEIN
Clerk of Council

PASSED: August 2, 2021