ORDINANCE NO. 2010-17
INTRODUCED BY: Mayor Rinker and Council as a Whole

**AN EMERGENCY ORDINANCE
RATIFYING THE MEMORANDUM OF UNDERSTANDING
BETWEEN MAYFIELD VILLAGE, OHIO AND
THE MAYFIELD VILLAGE PROFESSIONAL FIREFIGHTERS,
LOCAL 2619**

WHEREAS, to help ensure the Village's economic stability for the year 2010, the Mayfield Village Professional Firefighters, Local 2619, agreed to freeze the pay increase scheduled for the year 2010 until the outcome of the May 2010 ballot issue to increase income tax collections is known.

WHEREAS, Council deems it necessary and in the best interest of the health, safety and welfare of all residents to ratify the Memorandum of Understanding between Mayfield Village, Ohio and the Mayfield Village Professional Firefighters, Local 2619 on the recommendation of the Mayor, Director of Law and Director of Finance.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. That the Memorandum of Understanding between Mayfield Village and Mayfield Village Professional Firefighters Local 2619 is hereby and herein ratified pursuant to the terms and conditions attached and incorporated as if fully rewritten herein into this ordinance as Exhibit "A".

SECTION 2. That the Director of Finance is authorized and directed to comply with all of the financial terms and conditions of that agreement.

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 its 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 immediately necessary for the health, safety and welfare of the

residents of Mayfield Village, Ohio. It shall, therefore, take effect immediately upon the passage by 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.

WILLIAM BUCKHOLTZ
Council President

First Reading: May 17, 2010

Second Reading: Suspended, 2010

Third Reading: Suspended, 2010

PASSED: May 17, 2010

BRUCE G. RINKER, Mayor

APPROVED AS TO FORM:
JOSEPH W. DIEMERT, JR.
Director of Law

ATTEST:
MARY E. BETSA
Clerk of Council

MEMORANDUM OF UNDERSTANDING
MAYFIELD VILLAGE, OHIO
AND
MAYFIELD VILLAGE PROFESSIONAL
FIREFIGHTERS LOCAL 2619

This Memorandum of Understanding represents the mutual understanding and cooperation between Mayfield Village, Ohio, hereinafter "Village," and Mayfield Village Professional Firefighters Local 2619, hereinafter "Local 2619," and Local 2619's agreement to freeze the pay increase scheduled for the year 2010 as a way to help ensure the Village's economic stability for the year 2010.

The Village and Local 2619 agreed as follows:

1. Local 2619 members agree to freeze the pay increase scheduled for the year 2010 subject to Paragraph 2 below.

2. Should Village voters approve the issue placed on the May 2010 ballot to increase income tax collections from 1½% to 2%, the Village agrees that effective July 1, 2010, it will reinstate the scheduled increase Local 2619 agreed to freeze.

   Village also agrees that effective July 31, 2011, it will retroactively pay the scheduled increase, or a pro-rata share of the scheduled increase, to Local 2619 members for hours worked from January 1, 2010 through June 30, 2010 in a percentage that would be pro-rated on the actual income tax collections compared to the $3,000,000 the Village approximated in additional income tax collections from the 2010 ballot issue. For example; if the Village actually receives $1,500,000 rather than the approximated $3,000,000, the pro-rata increase would be one-half of the scheduled increase for January 1, 2010 through June 30, 2010. Such retroactive pay would be paid by September 1, 2011.

3. Except for Paragraphs 1 and 2, above set forth, all other terms, conditions, and provisions of the Collective Bargaining Agreement between Village and Local 2619 dated May, 2006, shall continue in full force and effect until December 31, 2010.

For Mayfield Village Professional Firefighters Local 2619:

By: _____ Date: 3/9/10

By: _____ Date: 3/9/10

For Mayfield Village, Ohio:

By: _____ Date: 3/9/10
Bruce G. Rinker, Mayor

Approved as to Form Only:

_____ Date: 3/15/10
David J. Matty
Special Legal Counsel

EXHIBIT A