

**AN EMERGENCY ORDINANCE
RATIFYING THE MEMORANDUM OF UNDERSTANDING
BETWEEN MAYFIELD VILLAGE, OHIO AND
THE FRATERNAL ORDER OF POLICE LODGE 57
MAYFIELD VILLAGE DIVISION**

WHEREAS, to help ensure the Village's economic stability for the year 2010, the Fraternal Order of Police Lodge 57 Mayfield Village Division, agreed to take compensatory time in lieu of overtime pay.

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 Fraternal Order of Police Lodge 57 Mayfield Village Division 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 the Fraternal Order of Police Lodge 57 Mayfield Village Division 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.

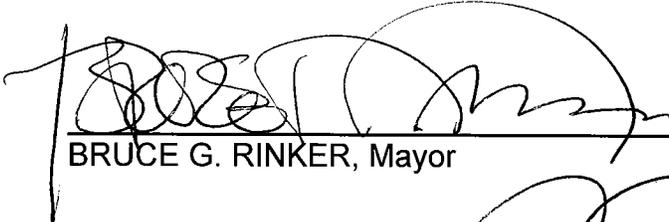

WILLIAM BUCKHOLTZ
Council President

First Reading: May 17, 2010, 2010

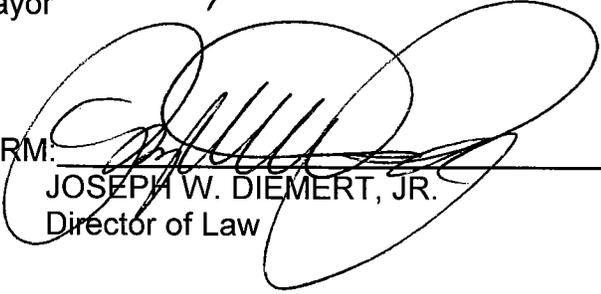
Second Reading: Suspended, 2010

Third Reading: Suspended, 2010

PASSED: May 17, 2010, 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

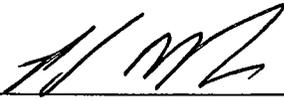
MAYFIELD VILLAGE, OHIO
AND
THE FRATERNAL ORDER OF POLICE
LODGE 57 MAYFIELD VILLAGE DIVISION

This Memorandum of Understanding represents the mutual understanding and cooperation between Mayfield Village, Ohio, hereinafter "Village," and the Fraternal Order of Police Lodge 57 Mayfield Village Division, hereinafter "F.O.P.," and the F.O.P.'s agreement to take compensatory time in lieu of overtime pay as a way to help ensure the Village's economic stability for the calendar year 2010.

The Village and F.O.P. agree as follows:

1. F.O.P. bargaining unit members agree to take compensatory time in lieu of payment for all overtime worked in the calendar year of 2010 subject to 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, the bargaining unit members shall again begin to receive overtime pay if so requested.
3. Should Village voters approve the issue placed on the May 2010 ballot to increase income tax collections from 1½% to 2%, the Village also agrees that effective July 31, 2011, at the request of the bargaining unit member, it will convert to overtime pay any unused compensatory time accumulated under Paragraph 1 above from January 1, 2010 through June 30, 2010. Such retroactive overtime pay would be paid by September 1, 2011.
4. Should Village voters approve the issue placed on the May 2010 ballot to increase income tax collections from 1½% to 2%, the Village also agrees that in the event that any bargaining unit member retires on or before June 30, 2011, those members shall receive upon retirement the cash value of any unused compensatory time accumulated under Paragraph 1 above from January 1, 2010 through June 30, 2010.
5. Except for Paragraphs 1, 2, 3 and 4 above set forth, all other terms, conditions, and provisions of the Collective Bargaining Agreement between Village and Union dated May, 2006 shall continue in full force and effect until December 31, 2010.

FOR: FRATERNAL ORDER OF POLICE LODGE 57
MAYFIELD VILLAGE DIVISION:

By: 

Title: FOP PRESIDENT

Date: 4/27/10

By: 

Title: SECRETARY

Date: 4/27/10

FOR: MAYFIELD VILLAGE, OHIO:

By: 
Bruce G. Rinker, Mayor

Date: 4/28/10

Approved as to Form Only:


David J. Matty, Special Legal Counsel

Date: April 20, 2010 Special Counsel