

CITY OF BROOK PARK, OHIO

FILE 8-22-23 legislative
CA Prior 9-5-23
1st R
2nd R
M/C

ORDINANCE NO: 11353-2023

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

**AUTHORIZING THE BROOK PARK CIVIL SERVICE COMMISSION TO ENTER INTO
A CONTRACT WITH THE BOARD OF EDUCATION OF THE BEREA CITY SCHOOL
DISTRICT, AND DECLARING AN EMERGENCY**

WHEREAS, it is necessary to enter into a new agreement with the Brook Park Civil Service Commission ("Commission") and the Board of Education of the Berea City School District ("Board"); and

WHEREAS, the Commission shall exercise the authority and perform those duties required in Chapter 124 of the Ohio Revised Code, except as limited by any provision of a collective bargaining agreement, provided the said provision is not prohibited by O.R.C, 411.08(B) or by any other law;

WHEREAS, pursuant to the collective bargaining agreement, the duties of the Commission as related to classified Board employees within the bargaining units shall be limited to conducting and grading of civil service examinations for original appointments, the rating of candidates, the establishment of eligibility lists, the certification of candidates for appointments from eligibility lists, and the certification of payroll;

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Council hereby authorizes the Brook Park Civil Service Commission to enter into a contract with the Board of Education of the Berea City School District for a period of two years, commencing from the date of the agreement, or until the terms of the Agreement are revised by parties, as stated in the agreement attached hereto and incorporated herein as Exhibit "A".

SECTION 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption 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 action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

RECEIVED

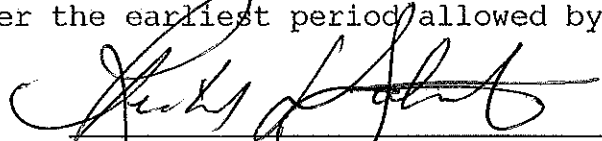
AUG 22 2023

BROOK PARK CITY COUNCIL


SECTION 3: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason that Council deems it necessary for the Brook Park Civil Service Commission to enter into said agreement without undue delay; therefore provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:

September 5, 2023


PRESIDENT OF COUNCIL

ATTEST:


Clerk of Council

APPROVED:


MAYOR

CERTIFICATE


Carol Johnson, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance / Resolution

No. 11353-2023
passed on the 5 day of September
2023 by said Council.


Clerk of Council

9-5-23
DATE

I, Carol Johnson, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at five of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17461 Holland Road, #2 Fire Station 22530 Maple Parkway, #3 Fire Station 17461 Holland Road, Brook Park Library 4163 Engle Road, for a period of fifteen days,

commencing September 7, 2023

CAROL JOHNSON
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coyne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS


DIRECTOR OF LAW

AGREEMENT



This Agreement, entered into this 10th day of July 2023, between the Brook Park Civil Service Commission ("Commission") and the BOARD OF EDUCATION OF THE BEREA CITY SCHOOL DISTRICT ("Board"), provides as follows:

SECTION ONE. The Commission shall exercise the authority and perform those duties required in Chapter 124 of the Ohio Revised Code, except as limited by any provision of a collective bargaining agreement, provided said provision is not prohibited by O.R.C. 411.08(B) or by any other law.

Pursuant to the collective bargaining agreement, the duties of the commission as related to classified Board employees within the bargaining units shall be limited to the conduct and grading of civil service examinations for original appointments, the rating of candidates, the establishment of eligibility lists, the certification of candidates for appointments from eligibility lists and certification of the payroll.

SECTION TWO. For a period of two years commencing from the date of this Agreement, or until the terms of this Agreement are revised by both parties within this two year period, or if pursuant to O.R.C. 124.011, within this two year period Brook Park is no longer the appropriate civil service commission, The board shall pay to the City of Brook Park for the cost of administering civil service a sum determined as follows:

An amount equal to the amount of actual costs incurred by the Commission in administering the civil service with respect to Board employees which can be directly allocated to the Board.

Additionally, the Board shall pay the Commission an amount equal to \$25/hour for time spent by the Commission's secretary on Board matters, \$50/hour for time spent by the Commissioners on Board matters, and \$120/hour for time spent by the Commission's legal counsel on Board matters.

Said sum shall be paid on a quarterly basis and within (30) days of receipt by the Board of an itemized statement reflecting the calculation of said sum and for what the costs were incurred.

The Finance Director of the City of Brook Park is authorized and directed to issue the warrants of the City of Brook Park to the respective members of the Commission, its secretary, and its legal counsel in said amounts and for said services rendered to the Board upon submission of said itemized statements for said services rendered and upon reimbursement by the Board.

SECTION THREE. The Commission agrees that to the extent that it determines is practicable, and as it is permitted by law, it will use existing Board facilities and personnel in an effort to minimize costs. Further, upon request the Board agrees to furnish supplies to the Commission to be used in its administering civil service for the Board employees.

SECTION FOUR. This Agreement constitutes the whole and entire agreement of the parties and shall be effective only upon approval by the Board and the Commission.

BROOK PARK CIVIL
SERVICE COMMISSION

Chairperson

Vice Chairperson

Executive Secretary

BOARD OF EDUCATION OF THE
BEREA CITY SCHOOL DISTRICT

Corinne A. Jarvis

President

Greg Miller

Superintendent

Julia Lowe

Treasurer

APPROVED BY BROOK PARK CITY COUNCIL

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS.

[Signature]

DIRECTOR OF LAW