

CITY OF BROOK PARK, OHIO

P/C 12/11/18 Safety
Caucus 12/11/18
1st R 12/18/18
2nd R
3rd R
B/C
Caucus Prior 12/18/18

ORDINANCE NO: 11057-2018

INTRODUCED BY: MAYOR GAMMELLA

AN ORDINANCE
AMENDING SECTION 153.241
OF THE BROOK PARK CODIFIED ORDINANCES,
ENTITLED 'MISCELLANEOUS BENEFITS FOR POLICE AND
FIRE CHIEFS AND CAPTAINS,'
AND DECLARING AN EMERGENCY

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

SECTION 1: Section 153.241 of the Brook Park Codified Ordinances, as enacted by Ordinance No.9655-2010, passed June 15, 2010, and reading as follows:

153.241 MISCELLANEOUS BENEFITS FOR POLICE AND FIRE CHIEFS AND CAPTAINS.

(a) Clothing Allowance. Police Chief, Police Captain, Fire Chief and Assistant Fire Chief shall be provided a clothing allowance of eight hundred twenty-five dollars (\$825.00) annually, to be provided by four hundred twenty-five dollars (\$425.00) through City purchase orders, a cash payment of two hundred dollars (\$200.00) on July 1 for uniform maintenance and a cash payment of two hundred dollars (\$200.00) on December 1 for uniform maintenance, provided, however, that the Director of Public Safety may convert any of the above payments for maintenance to purchase orders where the Director determines that the Chief, Assistant Chief or Captain fails to meet the Division's standards for dress.

(b) Vacations. Vacation shall be taken in the calendar year following the calendar year in which it is earned, except that Police Chief, Police Captain, Fire Chief and Assistant Fire Chief may accumulate up to three times their annual vacation, provided that in no event shall such accumulation exceed ten weeks.

Accrued time in the vacation account of each Police Chief, Police Captain, Fire Chief or Assistant Fire Chief shall be paid to such officer at the rate of one-fifty second (1/52) of his or her current salary for each week, eight times his or her current hourly earning rate for each day, and the appropriate percentage of eight times his or her current hourly earning rate for each partial day, at the time of the Police Chief's, Police Captain's, Fire Chief's

or Assistant Fire Chief's, retirement, termination or resignation, or to his or her estate in the case of the Police Chief's, Police Captain's, Fire Chief's or Assistant Fire Chief's death.

(c) Contributions to Police and Firemen's Disability and Pension Fund. There shall be a pension "pick-up" plan which the Police Chief's, Police Captain's, Fire Chief's and Assistant Fire Chief's gross salary shall be reduced by the full amount of said contribution. The Police Chief's, Police Captain's Fire Chief's and Assistant Fire Chief's which are picked up by the City shall be treated in the same manner as contributions made by them prior to the commencement of the pick-up program and will, therefore, be included in compensation for the purposes of the Police and Firemen's Disability and Pension Fund benefit calculations, and for the purpose of fixing salaries and compensation of Police Chief, Police Captain, Fire Chief and Assistant Fire Chief, as set forth in this chapter. The City's contribution to the Police and Firemen's Disability and Pension Fund will be calculated on the full salary of Police Chief, Police Captain, Fire Chief and Assistant Fire Chief before the pick up is deducted from gross salary.

The City agrees that it will pay contributions required by the Police and Firemen's Disability and Pension Fund. Further, the City agrees that, if hospitalization insurance coverage is terminated by the Police and Firemen's Disability and Pension Fund, it shall reinstate affected Police Chief, Police Caption, Fire Chief and Assistant Fire Chief to the current City insurance plan.

is hereby amended to read:

153.241 MISCELLANEOUS BENEFITS FOR POLICE CHIEF, POLICE CAPTAIN, FIRE CHIEF AND ASSISTANT FIRE CHIEF.

(a) Clothing Allowance. Police Chief, Police Captain, Fire Chief and Assistant Fire Chief shall be provided a clothing allowance of eight hundred twenty-five dollars (\$825.00) annually, to be provided by four hundred twenty-five dollars (\$425.00) through City purchase orders, a cash payment of two hundred dollars (\$200.00) on July 1 for uniform maintenance and a cash payment of two hundred dollars (\$200.00) on December 1 for uniform maintenance, provided, however, that the Director of Public Safety may convert any of the above payments for maintenance to purchase orders where the Director determines that the Chief, Assistant Chief or Captain fails to meet the Division's standards for dress.

(b) Vacations. Vacation shall be taken in the calendar year following the calendar year in which it is earned, except that Police Chief, Police Captain, Fire Chief and Assistant Fire Chief may accumulate up to three times their annual vacation, provided that in no event shall such accumulation exceed ten weeks.

Accrued time in the vacation account of each Police Chief, Police Captain, Fire Chief or Assistant Fire Chief shall be paid to

such officer at the rate of one-fifty second (1/52) of his or her current salary for each week, eight times his or her current hourly earning rate for each day, and the appropriate percentage of eight times his or her current hourly earning rate for each partial day, at the time of the Police Chief's, Police Captain's, Fire Chief's or Assistant Fire Chief's, retirement, termination or resignation, or to his or her estate in the case of the Police Chief's, Police Captain's, Fire Chief's or Assistant Fire Chief's death.

(c) Contributions to Police and Firemen's Disability and Pension Fund. There shall be a pension "pick-up" plan which the Police Chief's, Police Captain's, Fire Chief's and Assistant Fire Chief's gross salary shall be reduced by the full amount of said contribution. The Police Chief's, Police Captain's Fire Chief's and Assistant Fire Chief's which are picked up by the City shall be treated in the same manner as contributions made by them prior to the commencement of the pick-up program and will, therefore, be included in compensation for the purposes of the Police and Firemen's Disability and Pension Fund benefit calculations, and for the purpose of fixing salaries and compensation of Police Chief, Police Captain, Fire Chief and Assistant Fire Chief, as set forth in this chapter. The City's contribution to the Police and Firemen's Disability and Pension Fund will be calculated on the full salary of Police Chief, Police Captain, Fire Chief and Assistant Fire Chief before the pick up is deducted from gross salary.

The City agrees that it will pay contributions required by the Police and Firemen's Disability and Pension Fund. ~~Further, the City agrees that, if hospitalization insurance coverage is terminated by the Police and Firemen's Disability and Pension Fund, it shall reinstate affected Police Chief, Police Caption, Fire Chief and Assistant Fire Chief to the current City insurance plan.~~

SECTION 2: Former Section 153.241 of the Brook Park Codified Ordinances as enacted by Ordinance No. 9655-2010, passed June 15, 2010, is hereby expressly repealed.

SECTION 3: 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.

SECTION: 4 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 of amending Section 153.241 of the Brook Park Codified Ordinances; 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: December 18, 2018

[Signature]
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak
Clerk of Council

APPROVED: [Signature]
MAYOR

12/18/18
DATE

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

[Signature]
DIRECTOR OF LAW

CERTIFICATE

Michelle Blazak, 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. 11057-2018 passed on the 18th day of December 2018 by said council.
Michelle Blazak
Clerk of Council

I, Michelle Blazak, 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 six of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #1 Fire Station 5590 Smith Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.
commencing December 19, 2018
Michelle Blazak
MICHELLE BLAZAK
Clerk of Council

	Yea	Nay
Stemm	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>