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CITY OF BROOK PARK, OHIO

RESOLUTION NO. 11-2020

INTRODUCED BY: COUNCIL AS A WHOLE

**A RESOLUTION  
TEMPORARILY SUSPENDING COLLECTIVE BARGAINING NEGOTIATIONS, AND  
DECLARING AN EMERGENCY**

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) considers the novel coronavirus (COVID-19) to be a very serious public health threat with outcomes ranging from mild sickness to severe illness and death; and

**WHEREAS**, COVID-19 is easily transmissible from person to person and has spread globally to over 177 countries and territories, infected more than 1,289,380 and killed more than 70,590 individuals as of April 7, 2020, according to the World Health Organization; and

**WHEREAS**, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public Emergency for COVID-19; and

**WHEREAS**, the World Health Organization (WHO) has declared COVID-19 to be a pandemic; and

**WHEREAS**, the current threat of the COVID-19 pandemic has caused the Governor of the State of Ohio to declare a state of emergency and the Cuyahoga County Executive to declare a state of emergency in Cuyahoga County; and

**WHEREAS**, Governor DeWine has closed schools, day cares, senior centers, restaurants and bars, ordered all non-essential businesses to close, banned gathering of more than 10 people and issued a "Stay-at-Home" order until at least May 1, 2020; and

**WHEREAS**, because of this on-going emergency, the Mayor and the administration must temporarily suspend collective bargaining negotiations to assess the impact of the health and economic crisis on City operations.

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

**SECTION 1:** The Mayor and his administration has provided Brook Park City Council with information concerning City negotiations with all the labor employee organizations.

**SECTION 2:** City Council has considered the Mayor's assessment of the partial or full tentative agreements with the Fraternal Order of Police, Lodge #15 (Patrol and Detectives), International Association of Firefighters, Local 1141 and Teamsters, Local 436, and is in agreement with his assessment that the administration must temporarily suspend collective bargaining negotiations to assess the impact of the Covid-19 pandemic on City operations. Therefore, those partial and/or full tentative agreements are rejected.

**SECTION 3:** City Council has been advised of the Commissioner of Human Resources' email to all the City's labor union dated March 18, 2020, and affirms the Mayor and his administration's decision to temporarily suspend contract negotiations based upon the current health/economic crisis faced by the City.

**SECTION 4:** Council directs the Mayor and the administration to continue to assess the impact of the health and economic crisis on City operations and the impact on City collective bargaining negotiations.

**SECTION 5:** In accordance with the law, the Mayor should recommend negotiations with all the labor unions resume as soon as practical or, if the parties agree to submit to any statutory impasse procedure.

**SECTION 6:** It is found and determined that all formal actions of this Council concerning and relating to this Resolution 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 and Section 121.221 of the Ohio Revised Code.

**SECTION 7:** This Resolution 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 collective bargaining negotiations must be temporarily suspended due to the present emergencies; if provided that this Resolution 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: April 14, 2020  
Emergency Sp. Council

M. P. Kenzie  
 PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
 CLERK OF COUNCIL

APPROVED: [Signature]  
 MAYOR

4/15/2020  
 DATE

[Signature]  
**I HEREBY APPROVE THE WITHIN  
 INSTRUMENT AS TO LEGAL FORM  
 AND CORRECTNESS**

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. 11-2020 passed on the 14th day of April 2020 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 five 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, #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 April 14, 2020  
Michelle Blazak  
 MICHELLE BLAZAK  
 Clerk of Council

	Yea	Nay
Troyer	<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"/>
Schmuck	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

RECEIVED  
 APR 17 2020  
 CLERK OF COUNCIL