

ORDINANCE NO. _____

AN ORDINANCE CONSENTING TO AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DEFIANCE, OHIO AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS LOCAL NO. 918 AND DECLARING AN EMERGENCY

WHEREAS, Council approved a collective bargaining agreement between the City and the International Association of Firefighters Local No. 918 in Ordinance No. 8270 on January 5, 2020; and,

WHEREAS, the City desires to possess the ability to hire lateral transfer candidates who possess a desirable level of experience into the Fire Division; and,

WHEREAS, Council recognizes that, in order to attract such candidates, the City will need to offer certain benefits in addition to those afforded at the entry level; and,

WHEREAS, the addition of the ability to hire these candidates necessitates changes to the collective bargaining agreement that includes adjustments for such benefits; and,

WHEREAS, Council finds the amendments necessary to preserve firefighter morale and to ensure that the City can attract and maintain competent firefighters;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is directed to execute the proposed Amendment to the Collective Bargaining Agreement attached hereto as "Exhibit A" and any *Letter of Addendum*.

Section 2: The proposed amendments to the collective bargaining agreement between the City of Defiance, Ohio and the International Association of Firefighters Local No. 918 are hereby ratified, confirmed, and made a part of the original agreement.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that the City desires to begin the recruitment of firefighters as soon as possible to ensure the eligibility of new employees for upcoming training opportunities. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2021 _____
President of Council

Votes in Favor of Adoption: _____
Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021 _____
Mayor

ARTICLE 23
LATERAL TRANSFER - DRAFT

In an effort to broaden our applicant pool, and attract highly qualified and experienced candidates for employment with the City of Defiance Fire Division, the Defiance Firefighters Local 918 AFL-CIO, The City of Defiance, and all required parties agree to the following with regard to the hiring of lateral transfers.

For purposes of this article a lateral transfer shall be defined as a person who has met the standards set forth through the Defiance Civil Service Commission, worked a minimum of two (2) years as a full-time firefighter and in possession of a current Firefighter I&II, and Paramedic certification in the State of Ohio.

Section 1: Vacation Accrual

A lateral transfer shall be credited for uninterrupted and continuous service years that were in a full-time firefighter position. This service time must have been from a position that was held immediately prior to accepting employment with the City of Defiance. Credit shall only be for completed full-time years of service and shall not include partial years of prior service. (example: 30 months of prior experience would be equal to 2 years). A lateral transfer shall begin accruing vacation leave as outlined in Article 17: Holiday/Vacation System, immediately upon employment with the City of Defiance. However, employee will be ineligible to use the accrued vacation time from a prior full-time firefighter position until the employee has completed one (1) full year of service with the City of Defiance and has successfully completed probation.

Section 2: Wages

A lateral transfer will follow the wage scale from Article 19: Wages. A lateral transfer shall be credited with a maximum of five (5) years of service time for uninterrupted and continuous service years that were in a full-time firefighter position. This service time must have been from a position that was held immediately prior to accepting employment with the City of Defiance. Credit shall only be for completed full-time years of service and shall not include partial years of prior service. (example: 30 months of prior experience would be equal to 2 years).

Section 3: Seniority and Promotional Testing

For purposes of seniority and promotional testing, years of service from previous employment do not transfer for purposes of seniority ranking or promotional testing for a lateral transfer. “Seniority” is defined as an employee’s total, consecutive years of service with the City of Defiance Fire Division.

Section 4: The provisions of this Article shall not alter any provision of the Collective Bargaining Agreement not specifically identified herein.

ORDINANCE NO. _____

AN ORDINANCE AWARDING A CONTRACT FOR PAVEMENT MARKING THROUGHOUT THE CITY AND DECLARING AN EMERGENCY

WHEREAS, the City Engineer advertised for bids to supply labor, equipment, fuel, and materials to refresh center lines, edge lines, lane lines, and channel lines on public streets throughout the city in accordance with plans and material specifications on file as Engineering Division Project No. 2102; and,

WHEREAS, Griffin Pavement Striping of Fremont, Ohio submitted the lowest and best bid in the amount of \$50,747.00; and,

WHEREAS, Council finds that annual pavement marking supports the Connectivity Pillar of the Defiance Community Strategic Plan by providing a safe and reliable transportation network for City residents;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is directed to award a contract to Griffin Pavement Striping in the amount of \$50,747.00 to apply pavement markings conforming to the plans and specifications established by the lowest and best bid at the prices and on the terms and conditions of performance of the accepted bid.

Section 2: The Finance Director is directed to pay costs of the contract authorized by Section 1 from Line 202-901-52-980882 of the 2021 annual budget.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 4: This Ordinance is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that R.C. §153.12(A) requires the award of a contract within sixty days after the date on which the bids are opened or the delay invalidates the entire bid proceedings. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: _____, 2021

President of Council

Votes in Favor of Adoption: _____

Votes Opposed to Adoption: _____

Attest: _____, Clerk

Approved: _____, 2021

Mayor