

RESOLUTION NO.: 16-2011
INTRODUCED BY: Mayor Ursu and Council

A RESOLUTION REJECTING THE FINDINGS AND RECOMMENDATIONS OF THE FACT-FINDER IN CASE NOS. 10-MED-09-1291 AND 1292 (FRATERNAL ORDER OF POLICE, LODGE NO. 57); AND DECLARING AN EMERGENCY.

WHEREAS, the City of Richmond Heights has received the findings and recommendations of the fact-finder, John Babel, Jr., in the Matter of Fact-Finding between the City and the Fraternal Order of Police ("FOP"), Lodge No. 57, Case Nos. 10-MED-09-1291 and 1292, dated April 13, 2011; and

WHEREAS, Ohio Revised Code Section 4117.14(C)(6) requires this Council to take action within seven days after the findings and recommendations are sent to the City, if the City Council desires to reject the findings and recommendations, or otherwise such findings and recommendations shall be deemed approved by the City; and

WHEREAS, although this Council concurs with certain findings and recommendations of the fact-finder, state law does not permit this Council to accept or reject individual findings and recommendations in the fact-finder's report, so this Council must reject the entire fact-finder's report of findings and recommendations;

NOW, THEREFORE, Be it Resolved by at least five members of the Council of the City of Richmond Heights, State of Ohio, that:

Section 1: Pursuant to Ohio Revised Code Section 4117.14(C)(6), this Council hereby rejects the findings and recommendation of the fact-finder in the matter set forth in the preamble to this Resolution.

Section 2: The Clerk of Council is hereby directed to deliver a certified copy of this Resolution to the State Employment Relations Board and FOP Lodge No. 57 as soon as possible.

Section 3: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and 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 Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the general welfare of the City and must take effect immediately so as to comply with the seven-day time period within which action is to be taken by this Council under Ohio Revised Code 4117.14(C)(6); wherefore, this Resolution shall be in force and take effect immediately upon its passage and approval by the Mayor.

PASSED: _____

Daniel J. Ursu, Mayor

APPROVED: _____

ATTEST: _____

Betsy Traben
Clerk of Council

David H. Roche
President of Council