

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5701

**AN ORDINANCE AMENDING RESOLUTION NO. 5544
EXHIBIT A TO ADD AMOUNT OF HOURS DONATED
TO THE DONOR APPLICATION FORM SECTION I;
AND DECLARING AN EMERGENCY**

WHEREAS, at its meeting of April 2, 2024, council adopted Ordinance No. 5544 authorizing a Leave Donation Process for Eligible Employee Jamie Mewhinney to receive donated sick leave from employees of the City of Brecksville; and

WHEREAS, Exhibit A attached to Resolution No. 5544 must be amended to add amount of hours donated to the Donor Application Form Section I. Donor Information.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:


SECTION 1. The Exhibit A attached to Resolution No. 5544 is here by amended to add amount of hours donated to the Donor Application Form Section I. Donor Information, such Donor Application Form is attached hereto and expressly made a part hereof as if by reference, and marked Exhibit "A."

SECTION 2. All other provisions of Resolution No. 5544 shall remain in full force and effect.

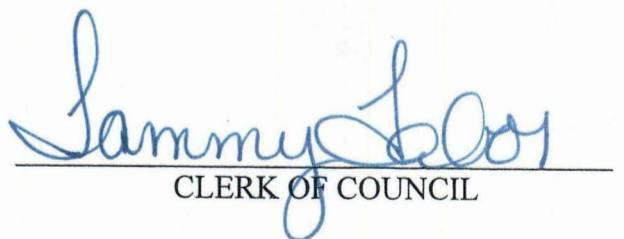
SECTION 3. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to add amount of hours donated to the Donor Application Form, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: April 16, 2024

APPROVED: April 16, 2024

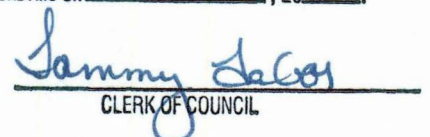


MAYOR



CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5701 duly passed by the Council of the City of Brecksville, Ohio, on 4-16, 20 24 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 4-19, 20 24.



CLERK OF COUNCIL

EXHIBIT "A"

**LEAVE DONATION PROCESS
FOR ELIGIBLE EMPLOYEE
JAMIE MEWHINNEY**

Definitions.

(1) "Eligible employee" means any person who is designated to be the recipient of donated leave who is a full-time or permanent part-time employee, but not including part-time or seasonal employees of the City.

(2) "Leave" means accrued sick time.

(3) "Serious illness" means a terminal illness, or the like, where it is anticipated that the eligible employee will require an extended leave of absence.

(4) "Immediate family" means a spouse, parent, child, grandparent or any minor under the eligible employee's legal guardianship.

Eligibility Requirements for Recipient and Donor.

(1) With prior approval of the Mayor, an eligible employee may receive donated leave up to the number of hours the employee is scheduled to work each pay period, but in no event shall donated leave exceed four hundred eighty (480) hours within any twelve month period if:

A. The eligible employee who is to receive donated sick leave or a member of the eligible employee's immediate family has a serious illness; and

B. Has no accrued leave or will exhaust all accrued leave during the pay period the leave is to be donated; and

C. Has not been approved to receive any other benefits; and

D. Has applied for, any paid leave, workers' compensation or other benefits program (e.g., disability benefits) for which the employee is eligible. An eligible employee who has applied for these programs may use donated leave to satisfy the waiting period for such benefits, when applicable. After the waiting period, donated leave may be used up to an amount equal to the benefit for which the eligible employee applied, (e.g., seventy percent (70%) for disability leave benefits) while the eligible employee's application is pending approval; and

E. Has submitted documentation from a licensed health care provider certifying the serious illness.

F. Has no active discipline regarding excessive use of sick leave, abuse of sick leave, unauthorized leave or a pattern of sick leave abuse.

(2) An employee may donate leave if the donating employee:

A. Voluntarily elects to donate leave and understands that donated leave will not be returned; and

B. Donates only in eight hours increments; and

C. Retains a sick leave balance of at least eighty hours; leave shall be donated in the same manner in which it would otherwise be used (i.e., sick leave donated for sick leave).

Miscellaneous.

(1) Donated sick leave will be treated as sick leave.

(2) Eligible employees using donated leave will receive all benefits as if the eligible employee was in an active pay status such as accrual of leaves and/or longevity increases.

(3) Eligible employees using donated leave who are serving an original or promotional probationary period will not have his/her service credited towards the completion of his/her probationary period upon his/her return to work.

(4) Donated leave cannot be used to supplement a paid benefit program.

(5) Any employee donating leave cannot donate more than the number of hours usually worked during a pay period by the eligible employee receiving the leave MINUS the leave hours used by the eligible employee receiving the leave to reach a zero balance during the pay period, which is required for the eligible employee to receive the donated leave.

(6) Sick leave shall not be donated by an employee retiring or terminating their employment with the City.

(7) Donated sick leave will be deducted and credited in the order of receipt of written authorization.

(8) Donated sick leave will be deducted and credited until such time as a full duty release is received by the eligible employee or until exhausted, whichever occurs first.

(9) No adjustment in rates of pay shall be made for the donated sick leave.

(10) Any sick leave donated for the benefit of the eligible employee may be utilized by the eligible employee consistent with the sick leave provisions of the City of Brecksville.

Donation Procedure.

(1) Upon receipt of the Donor Application Form, the Human Resource Specialist should date and time stamp the document and confirm eligibility requirements.

(2) If the eligible employee meets the requirements, the Human Resource Specialist should maintain a list of employee names and amounts of leave donated. The Human

Resource Specialist should provide a list of donations to occur in the pay period and provide to Payroll for processing.

(3) Any employee desiring to donate leave must complete the City's Donor Application Form, certify that the leave is donated voluntarily, and understands that the donated leave will not be returned.

(4) The eligible employee's time card must contain a comment of "DL" for the number of hours donated and used each pay period.

DONOR APPLICATION FORM

I. DONOR INFORMATION

Donating Employee: _____

Department: _____

Amount of Hours Donated: _____ (Total must equal a minimum of 8 hours)

II. PERSON TO RECEIVE LEAVE

Person to Receive Leave: _____

Department: _____

III. CERTIFICATION

I hereby certify that this request is made voluntarily. I was not coerced, intimidated or financially induced into donating leave. By signing I hereby relinquish all rights to the leave shown above and the benefits accruing to or attached to the same. I understand that the donation of leave is irrevocable and irreversible and that no leave will be refunded to me. I certify that I will have a remaining balance of 80 hours or more of sick leave after making this donation.

Donor Signature

Date

<u>For Human Resource Specialist Use Only</u>
Current Accrued but Unused Hours: _____
Amount of Hours Donated: _____ (Total must equal a minimum of 8 hours)
Hours Remaining After Donation: _____

ORDINANCE RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5702

**AN ORDINANCE ACCEPTING THE BID OF
STONECO, INC. DBA ALLIED CORPORATION
FOR THE FURNISHING OF VARIOUS TYPES
OF ASPHALT FOR ROAD REPAIRS IN
THE CITY OF BRECKSVILLE;
AND DECLARING AN EMERGENCY**

WHEREAS, pursuant to the publication of bids according to law, bids for the furnishing of various types of asphalt for road repairs in accordance with the specifications on file in the office of the Director of Purchasing, were received and opened according to law on April 9, 2024, and it being determined that the bid of Stoneco, Inc. dba Allied Corporation was the lowest responsive and responsible bid.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Brecksville, County of Cuyahoga, and State of Ohio, that:

SECTION 1. Per the bids received and as tabulated by the Director of Purchasing, the bid of Stoneco, Inc. dba Allied Corporation dated April 9, 2024, for the furnishing of 301 Asphalt Concrete Base in the amount of \$75.00 per ton, 441 Asphalt Concrete Intermediate Course, Type 2, in the amount of \$76.50 per ton, 441 Asphalt Concrete Intermediate Course, Type 1 in the amount of \$84.75 per ton, and 441 Asphalt Concrete Surface Course, Type 1, in the amount of \$85.00 per ton; for Recycled Asphalt Pavement (RAP) Materials the furnishing of 301 Asphalt Concrete Base, in the amount of \$65.00 per ton, 441 Asphalt Concrete Intermediate Course, Type 2, in the amount of \$66.50 per ton, 441 Asphalt Concrete Intermediate Course, Type 1 in the amount of \$75.25 per ton, and 441 Asphalt Concrete Surface Course, Type 1, in the amount of \$76.75 per ton, plus applicable delivery charges at \$10.75 per ton, or \$120 per hour, for street repair requirements of the City, in accordance with the specifications on file in the office of the Director of Purchasing, be and the same is hereby accepted.

SECTION 2. The Mayor be and is hereby authorized and directed to enter into a contract on behalf of the City of Brecksville with Stoneco, Inc. dba Allied Corporation as set forth in Section 1 hereof, said contract to be in such form as is approved by the Director of Law.

SECTION 3. The Council hereby appropriates sufficient funds to effectuate the provisions contained in Section 1 hereof and the Director of Finance is hereby authorized to transfer the funds necessary to complete this expenditure from the available funds of the City. The Director of Finance be and is hereby further authorized to issue the fiscal officer's certificate necessary to make the expenditures as described in Section 1 hereof, and is further directed to issue vouchers of this City in the amounts and for the purposes expressed in Section 1 hereof, said amounts to be charged to the appropriately designated Fund.

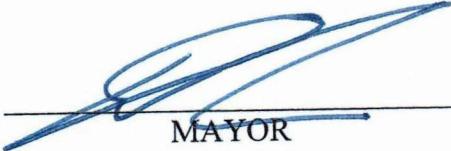
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COUNCIL OF THE CITY OF BRECKSVILLE

Ordinance No. 5702

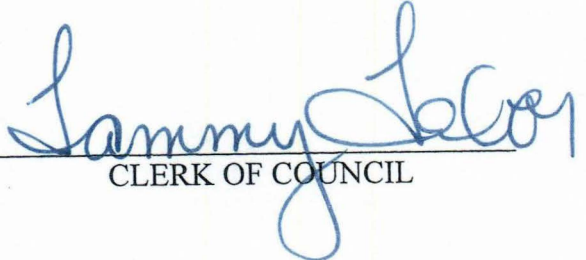
SECTION 4. The Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is the need to make road repairs, therefore, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

PASSED: April 16, 2024

APPROVED: April 16, 2024

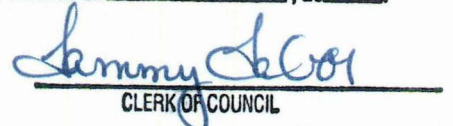


MAYOR



CLERK OF COUNCIL

I do hereby certify that the foregoing is a true and correct copy of Ordinance No. 5702 duly passed by the Council of the City of Brecksville, Ohio, on 4.16, 2024 and that same was duly posted in accordance with the existing Charter of the City of Brecksville on 4.19, 2024.



CLERK OF COUNCIL

RESOLUTION RECORD
COUNCIL OF THE CITY OF BRECKSVILLE

Resolution No. 5547

**A RESOLUTION AUTHORIZING THE PAYMENT OF
UNUSED SICK LEAVE IN THE EMPLOYEE PAYOUT
FOR REBECCA RISER INTO AN ESTABLISHED HRA
THROUGH BUCKEYE DEFERRED COMPENSATION
AND DECLARING AN EMERGENCY**

WHEREAS, Rebecca Riser, Director of Purchasing, has requested the inclusion of the unused sick leave amount of eighteen thousand, four hundred six dollars and seventy-three cents (\$18,406.73) to be included in her employee payout and has requested the transfer of said funds into an established HRA through Buckeye Deferred Compensation; and

WHEREAS, Rebecca Riser has consecutive full-time employment for fifteen (15) years with the City of Brecksville; and

WHEREAS, the Mayor and Council have determined that Rebecca Riser is in good standing; and

WHEREAS, Rebecca Riser is not retiring in OPERS or Police and Fire pensions; and

WHEREAS, the Mayor and Council have determined that any future requests for a similar inclusion of sick leave amount in an employee's payout is to be agreed upon by the Mayor and Council and is to be considered at the discretion of the Mayor and Council to be no more than twenty thousand dollars (\$20,000.00).

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Brecksville, Ohio, County of Cuyahoga, and State of Ohio, that:

SECTION 1. The Mayor and Council are hereby authorized to include the unused sick leave amount of eighteen thousand, four hundred six dollars and seventy-three cents (\$18,406.73) in Rebecca Riser's employee payout and to transfer said amount into an established HRA through Buckeye Deferred Compensation subject to the conditions set forth above.

SECTION 2. The Council declares this Resolution to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare, the reason for the emergency is to take this action before the May 2, 2024 effect date of Rebecca Riser's resignation, therefore, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise, from and after the earliest period allowed by law.

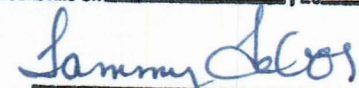
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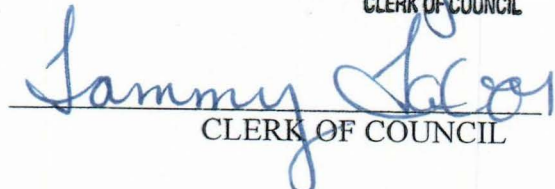


MAYOR

I do hereby certify that the foregoing is a true and correct copy of
Resolution No. 5547 duly passed by the Council of the
City of Brecksville, Ohio, on 4-16, 2024 and that
same was duly posted in accordance with the existing Charter of
the City of Brecksville on 4-19, 2024.



CLERK OF COUNCIL



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