

ORDINANCE NO. 9 - 2023

**AN ORDINANCE APPROVING PREMIUM PAY FOR VILLAGE
POLICE OFFICERS FROM THE CORONAVIRUS LOCAL FISCAL
RECOVERY FUND; AND DECLARING AN EMERGENCY**

WHEREAS, the American Rescue Plan Act (42 U.S.C. § 801, et seq.) established a Coronavirus Local Fiscal Recovery Fund (“CLFRF”) which provides support to State, local, and Tribal governments in response to the impact of COVID-19; and

WHEREAS, the Village is the recipient of CLFRF funds; and

WHEREAS, Sections 602(c)(1) and 603(c)(1) of the Act provide that CLFRF funds may be used to respond to workers performing essential work during the COVID-19 public health emergency by providing to them premium pay; and

WHEREAS, law enforcement officers perform such essential work, which places them at heightened risk within the meaning of the Act; and

WHEREAS, the Village desires to allocate One Hundred Two Thousand Nine Hundred Sixty Dollars and Zero Cents (\$102,960.00) of CLFRF funds to provide officers of the Police Department holding the positions of Patrol Officer and Sergeant with premium pay in the sum of Three Dollars (\$3.00) per hour worked, not to exceed 80 hours per pay period, from the Village’s CLFRF funds.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, COUNTY OF LAKE, STATE OF OHIO, THAT:

SECTION 1. The sum of One Hundred Two Thousand Nine Hundred Sixty Dollars and Zero Cents (\$102,960.00) be and the same is hereby appropriated from the Village’s CLFRF funds as and for the premium pay to be paid pursuant to this Ordinance.

SECTION 2. That commencing as of February 26, 2023, officers of the Police Department holding the positions of Patrol Officer and Sergeant are and shall be provided premium pay in the sum of Three Dollars (\$3.00) per hour worked, for up to but not to exceed eighty (80) hours per pay period, to be paid from the Village’s CLFRF funds herein appropriated.

SECTION 3. That pursuant to the Act, the following limitations on the premium pay are imposed: (i) no employee may or shall receive premium pay in an aggregate amount more than twenty-five thousand dollars (\$25,000.00), and (ii) no employee may receive premium pay if the premium pay would increase the employee’s pay above 150 percent of Ohio’s average annual wage for all occupations, as defined by the Bureau of Labor

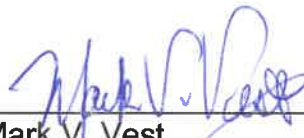
Statistics' Occupational Employment and Wage Statistics, or their residing county's average annual wage, as defined by the Bureau of Labor Statistics' Occupational Employment and Wage Statistics, whichever is higher, on an annual basis.

SECTION 4. The operation of this Ordinance is and shall be subject to all Federal rules and regulations now or which may hereafter be established that may affect the Village's use of the CLFRF funds, wherefore, no guarantee, be the same express or implied, of future premium payments pursuant to this Ordinance shall exist or arise for any current or future employees.

SECTION 5. 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 any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the Village and for the further reason that it is necessary to implement premium pay as provided by Federal law; WHEREFORE, this Ordinance shall be in full force and effect immediately upon its adoption if adopted by the affirmative vote of at least four members of Council and otherwise at the earliest time provided by Ohio law.

PASSED: March 13, 2023




Mark V. Vest,
President of Council

Attested:



Kristie M. Crockett,
Fiscal Officer / Clerk of Council

Approved:



Sam Britton Jr.,
Mayor

3/13/2023

Date