

**NORTH RIDGEVILLE CITY COUNCIL
COMMITTEE OF THE WHOLE
MINUTES OF MEETING HELD OCTOBER 29, 2018**

To Order:

President Kevin Corcoran called the meeting to order at 8:00 p.m. in Council Chambers at North Ridgeville City Hall, 7307 Avon Belden Road.

Attendance:

In attendance were Council members Dennis Boose, Martin DeVries, Gregg Westover, Bruce Abens, Michelle Hung, Robert Chapek and President Kevin Corcoran.

Also present: Mayor David Gillock, Assistant Clerk of Council Tara Peet, Clerk of Council Nancy Linden, Safety-Service Director Jeffry Armbruster and Law Director Brian Moriarty.

Clerk of Council Linden read the notice aloud.

President Kevin Corcoran has announced that there will be a Committee of the Whole meeting on **Monday October 29, 2018 at 8:00 P.M.** in City Council Chambers.

The purpose of the meeting is to discuss the following:

- T 103-2018 AN ORDINANCE AMENDING ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO IN ORDER TO ESTABLISH COMPENSATION AND BENEFITS AFFORDED TO DEPARTMENT HEADS AND CERTAIN DISCRETIONARY EMPLOYEES.
- T 104-2018 AN ORDINANCE AMENDING ORDINANCE NO. 5477-2017, WHICH ESTABLISHED AN ANNUAL SALARY AND BENEFITS FOR THE NORTH RIDGEVILLE CITY ENGINEER.
- T 105-2018 AN ORDINANCE AMENDING ORDINANCE NO. 5485-2017, WHICH ESTABLISHED AN ANNUAL SALARY AND BENEFITS FOR THE PARKS AND RECREATION DIRECTOR.

Discussion regarding T 103-2018:

President Corcoran discussed the changes in red that came from the last Committee of the Whole meeting on October 15. He stated the ordinance will only apply to new hires after the adoption date of the Ordinance. He stated longevity was completely removed, sick time was reduced for a maximum cash-out of two hundred and forty hours per Ohio Revised Code and he stated the vacation was changed to use it or lose it, with an exception built in for when a department is understaffed and the Mayor declines a vacation request due to understaffing; he can allow that department head the ability to roll forty hours to be used within six months of their anniversary. President Corcoran stated there is the question on how to handle longevity for internal promotions. He noted he looked at the difference in base wage between the Engineer and Assistant Engineer and the Service Superintendent and Foreman as a point of comparison. He stated the differences were significant in wage. President Corcoran stated if

the second in command is promoted to the head position, he didn't think removing longevity would be an obstacle for them to take the position. President Corcoran stated the difference between the Assistant Engineer and the Engineer was about \$9,000 and for the Service Superintendent and the Foreman; it was about a \$20,000 difference. The maximum amount of longevity an employee can receive is \$3,000.

President Corcoran stated after the last meeting, he took a look at what other municipalities offer in a maximum for sick time cash-out after ten years. He noted putting the cash out at two hundred and forty hours max would put the City under what other municipalities offer. He noted the Mayor mentioned at the last meeting there would be a concern with the ability to hire anyone. President Corcoran asked the Committee how they felt about making the maximum cash out amount at five hundred hours. It would then be a savings to the City as the current cash out is one thousand maximum hours.

Councilman Westover thought it was a good idea.

Mayor Gillock stated in regard to longevity, the person may not get promoted to the same salary as the person in the position. He further stated he would hate to see existing employees lose a benefit. Mayor Gillock felt a promoted employee should keep longevity.

President Corcoran stated there are currently positions now that do not receive longevity. He asked what should be done when there is a current position where there is no longevity but the assistant receives it and they are promoted. President Corcoran used the Treasurer as an example as an employee that does not receive longevity. He added that the second in command receives longevity. President Corcoran asked for additional questions or thoughts on the matter from the Committee.

Councilman Boose stated he felt when someone is promoted, a new position is different. He felt longevity should not remain as it is not sustainable. Councilman Boose stated he is not looking to take benefits away from a current employee, but what is being discussed is a promotion and the person will receive additional salary.

Councilman DeVries stated he didn't think this would make the City any less competitive in doing away with longevity. He noted the salary range is wide if they are promoted. Councilman DeVries stated longevity should not be offered in a promotion situation.

Councilman Chapek agreed and stated a promotion will afford the person additional money.

Safety-Service Director Armbruster stated he felt if the City wasn't competitive, people will leave. He cited a recent union employee leaving for the City of Fairview Park for \$2.00 more an hour.

Councilman Boose asked why the Committee doesn't have a wage study in front of them saying they are paying employees too low. He also added that the City can pay what they can afford. Councilman Boose stated the conversation had nothing to do with the discussion of longevity.

Mayor Gillock stated he wanted to share some background. In the past, public sector employees were not paid what private sector employees were paid. Additional fringe benefits were given to bridge that

gap. Mayor Gillock stated the gap is much less now. He further added he would be afraid to provide Council with a study for lay positions because the City could never afford to put everyone where they should be. He noted some people leave because they know that and others stay because they are not always here for the money. He added he felt the sick time cash out maximum was reasonable and felt this Ordinance was much better than where things started.

President Corcoran stated that it seemed on the issue of longevity everyone is for eliminating longevity.

President Corcoran moved on to the vacation language for the new hire Ordinance. He stated it is written that the employee will use or lose the vacation from the point it is credited. President Corcoran noted that language was added to allow the Mayor, when a department is understaffed and he has had to decline a vacation request, to allow the department head to roll forty hours of vacation to be used within six months of their anniversary.

Assistant Clerk of Council Peet clarified that she understood longevity is going away as well as for internal promotions. She asked if the Committee wanted to specify that language in the body of the ordinance so in five years there are not multiple interpretations.

President Corcoran stated in the first and second whereas and in section one, after “new hires” add the words “and promotions” to the sentence in each.

Law Director Moriarty stated vacation banks need established and sick time added to some current employees Ordinances that are lacking it.

Moved by President Corcoran and seconded by Councilman Boose to recommend City Council adopt T 103-2018 as amended.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

Discussion regarding T 104-2018 and T 105-2018:

President Corcoran stated for T 104 and T 105, the Parks and Recreation Director and the Engineer could not take their vacation time because they were understaffed. Because this issue was just addressed in T 103, President Corcoran suggested allowing both employees, just for the 2018 year, roll forty hours of vacation to be taken within six months from their anniversary date.

Councilman DeVries asked how six months was determined and not three months.

President Corcoran stated at the last Committee of the Whole meeting, the Mayor stated three months may not allow the employee enough time to use the forty hours.

Councilman Boose stated he is okay with six months.

Councilwoman Hung stated she felt three months was enough.

Councilman Westover stated he was okay with six months.

President Corcoran noted this was only a special exception when the employee is denied a vacation request by the Mayor due to understaffing.

Councilman Abens stated he felt this will give the Administration some latitude.

President Corcoran stated giving the employee additional time gives them flexibility to take their vacation time, but giving them six months means they have a lot of vacations to work out.

Councilman DeVries suggested adding additional language mandating the forty hours must be taken consecutively.

Mayor Gillock asked why anyone would care as it doesn't make a difference. The Mayor has the ability to deny the vacation request if they need the employee to work.

President Corcoran stated T 104 and T 105 both need completely changed to reflect what the Committee would like to happen. He noted the language will need to reflect a one-time roll over of forty hours to be taken within six months of the anniversary date, making it retroactive to the anniversary date.

Assistant Clerk of Council Peet asked for clarification on T 104 and T 105. She stated as the two Ordinances were presented this evening, they will need to be redrafted both to state a one-time roll over for 2018 for forty hours of vacation to be used within six months of the retroactive anniversary date.

President Corcoran stated that was correct.

Assistant Clerk of Council Peet asked if they wanted to consider adding to the ordinance the language from T 103 in the event this sort of situation happens again in the future, the Mayor would have the ability to grant a roll over since T 103 is for new hires only.

President Corcoran stated that was a good point and directed that the language also be added in to T 104 and T 105.

Moved by President Corcoran and seconded by Westover to recommend City Council adopt T 104 and T 105 as amended.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

President Corcoran stated there is still the issue of offer letters versus what is afforded in benefits for certain positions in the Ordinances. He stated he asked Mr. Moriarty for an answer as to which one is controlling. His response was that the Ordinance is the law and that is what the City follows. President Corcoran stated two employees were offered something in their offer letters that was not in their legislation.

Mayor Gillock stated the offer letters were drafted before the Ordinances were written and adopted. That was what happened with those two employees.

President Corcoran stated the Engineer's Ordinance was adopted August 21, 2017 and introduced to Council June 5, 2017. The offer letter was dated August 31, 2017. The Ordinance was already in effect and the same situation occurred with the Deputy Auditor position.

Mayor Gillock stated that was not the case as offers are made via email and then documented in the letter more than likely. Mayor Gillock agreed the Ordinance was the controlling factor, but he felt Council should allow him to deliver on what he promised the two employees.

Councilman Abens asked if the employee signs the offer letter.

Mayor Gillock stated no, but he sends them emails and they respond to the email.

Councilman Abens asked what the legal recourse would be.

Safety-Service Director Armbruster stated it has just come up generally in discussion and nothing legal has been brought forward.

Mayor Gillock stated the Law Director should look into it and the discussion topic was not on the agenda for this evening.

President Corcoran adjourned the meeting at 8:49 p.m.

Approval of minutes on November 5, 2018:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL