

City of Willoughby Hills

ORDINANCE NO. 2021-030

AN ORDINANCE FIXING THE COMPENSATION FOR THE POSITION OF FULL-TIME CHIEF OF THE FIRE DEPARTMENT; REPEALING CONFLICTING LEGISLATION, AND DECLARING AN EMERGENCY.

WHEREAS, Section 2.11 of the Charter of the City of Willoughby Hills (“City Charter”) states: “The Mayor shall be the chief executive officer and the head of the administrative branch of the municipal government and shall perform all duties and may exercise all privileges and authority prescribed for him in this Charter, or by the Constitution and laws of the United States and of the State of Ohio, including authorities of a judicial nature”; and

WHEREAS, Section 2.21 of the City Charter states that the Mayor may appoint the heads of all departments of the Municipality and hire all other employees; and

WHEREAS, Section 3.32 of the City Charter requires that the City Council fix by ordinance the compensation of every officer and employee of the Municipality; and

WHEREAS, Section 2.27 of the City Charter states “Though Council has the power to fix salaries as defined in Section 3.32, the Mayor shall have the duty and responsibility to recommend to Council the amount of pay for various positions and shall also have the responsibility to review existing pay scales”; and

WHEREAS, the Mayor has conducted a Performance Evaluation with the employee and has recommended a two percent (2%) pay increase for the Chief of the Fire Department retroactive to January 1, 2021 and the same is currently available and appropriated in 2021 Operating Budget, Safety Forces Fund 234; and

WHEREAS, the Council of the City of Willoughby Hills has fixed by this Ordinance a compensation range and hereby provides to the Mayor, as chief executive officer and head of the administrative branch of Municipal Government, said fixed range for the position of **Full-Time Chief of the Fire Department**.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. COMPENSATION: In accordance with Section 3.32 of the City Charter, Council has fixed the compensation for the position of **Full-Time Chief of the Fire Department** as follows, being retroactive to January 1, 2021:

1.1	<u>Job Title</u>	<u>Annual Salary</u>
	Chief of the Fire Department	\$99,960.00

In accordance with Section 157.03, the position of Chief of the Fire Department is not eligible for overtime compensation.

SECTION 2. STAFFING LEVEL: The required staffing level for said position shall be **(1) Full-Time Chief of the Fire Department**.

SECTION 3. EMPLOYMENT PROVISIONS

3.1 General Provisions. The Chief of the Fire Department shall be a full-time municipal employee and serve under the direction of Mayor and Safety Director, and in accordance with the City's Charter. In addition to the established annual salary, such Chief shall receive those benefits afforded other full-time employees as provided in Chapter 157 – General Employment Provisions of the Codified Ordinances of the City of Willoughby Hills. The Chief of the Fire Department shall be employed on an exclusive basis by the City and, while employed by the City, such Chief shall not work for or be employed by any other fire service, municipal or otherwise, on a part-time or full-time basis (or any other basis). In addition, such Chief shall not accept any employment which is in conflict with his duties and obligations (including the commitment of time) under the laws and Charter of Willoughby Hills. A firm or corporation within the limits of the City shall not gainfully employ the Chief of the Fire Department.

SECTION 4. SICK LEAVE TRANSFER PROVISION

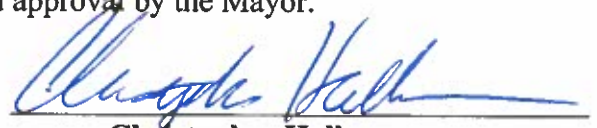
4.1 Section 157.07 (g) provides that an employee of any public agency who transfers his employment from such public agency to the City shall be credited with the unused balance of his accumulated sick leave with the public agency, provided that the balance is evidenced to the satisfaction of the Mayor by an appropriate certificate or letter from an appropriate official of the public agency. The Mayor has approved 1440 hours of sick time for the Chief of the Fire Department, as provided for in Ordinance 2019-18 Amended, adopted April 11, 2019.

SECTION 5. All Ordinances, or parts thereof in conflict with the provisions of this Ordinance be, and are hereby repealed as of the effective date of this Ordinance.

SECTION 6. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 7. This ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of a municipal department and further provides for the fixed compensation for the position of Full-Time Chief of the Fire Department to be granted retroactive to January 1, 2021 and thereafter following the passage of said ordinance; wherefore, this ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: May 13, 2021


Christopher Hallum
President of Council

Submitted to the Mayor for his approval on this 14th day of May, 2021

Approved by the Mayor
May 14, 2021

ATTEST:

Dorian J. Majercik
Clerk of Council, Pro-Tem


G. Andrew Gardner, Mayor