

City of Willoughby Hills

ORDINANCE NO. 2017-14

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
JENNIFER SOMMERS GREER
CHRISTOPHER HALLUM
JANET R. MAKAL

AN ORDINANCE REPEALING ORDINANCE NOS. 2011-21, 2002-46 AND ENACTING IN LIEU THEREOF A NEW ORDINANCE AMENDING PART ONE – ADMINISTRATIVE CODE, CHAPTER 139 – POLICE DEPARTMENT OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS.

WHEREAS, the Mayor/Safety Director Robert M. Weger requested that Section 139.01 – Composition of the City’s Codified Ordinances be amended to provided “up to 20 full-time police officers”; and

WHEREAS, the City Council of Willoughby Hills has deemed it necessary to further amend Chapter 139 to provide for the composition, rules, regulations and compensation of the Police Department.

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

SECTION 1. The existing **Chapter 139 – Police Department** of the Codified Ordinances of the City of Willoughby Hills be, and is hereby amended to read and provide in its entirety, as follows:

“CHAPTER 139 Police Department

139.01	Composition	139.03	Auxiliary Police.
139.02	Rules, Regulations and Compensation.	139.04	Fee for Use of Police Vehicles.

139.01 COMPOSITION.

(a) The Police Department of the City may be composed of the following positions:

Full-time

Up to 1 Chief of Police
Executive Administrative Assistant/Dispatch Supervisor
Community Service Officer
Up to 20 Officers*
Up to 8 Dispatchers

Part-time

Up to 20 Officers

*The 20 full-time officers include permanent staffing; out of the 20 full-time officers, there may be up to 5 Sergeants. It may be necessary to increase these numbers on a temporary basis, until an open position is filled. However, the total of Patrol Officers and Sergeants will never exceed 20 at any one time.

(b) In the event, any of the above positions become vacant, as in accordance with Civil Service Regulations, it will be up to the discretion of the Mayor and Safety Director as to whether to fill the vacancy.

(c) Charter Provision Section 2.21 – Appointments to Office and Removals from Office provides that the Mayor shall appoint the heads of all Departments of the Municipality, including but not limited to the Department of Law, Department of Finance, Department of Public Safety, Police Department, Fire Department, Department of Public Service, the City Engineer, the Road Supervisor, Recreation Coordinator, City Prosecutor, and Building Commission, subject to the confirmation of such appointment by an affirmative vote of four (4) or more members of Council (unless the Mayor is appointing himself as the head of such Department).

(d) This provision shall pertain to the appointment of an “acting” Police Chief given that the individual will be serving in the capacity of the head of the Police Department and more importantly will be performing the duties and responsibilities required of a Police Chief.

(e) The Mayor shall appoint an “acting” Chief with the appointment to be confirmed by Council within thirty (30) days.

(f) If said appointment is not confirmed within thirty (30) days, Council shall have the authority to select an “acting” Police Chief without the review or veto of the Mayor.

139.02 RULES, REGULATIONS AND COMPENSATION.

(a) The Mayor and/or Safety Director and the Police Chief shall develop, revise and promulgate any rules, regulations, policies and procedures, as needed for the operation of the Police Department.

(b) Compensation and general employment provisions for full-time members of the Police Department are contained in their collective bargaining agreements.

(c) General employment provisions for all full-time, non-union personnel is contained in Chapter 157 of the Codified Ordinances of the City of Willoughby Hills.

(d) Compensation and general employment provisions for the part-time hourly members of the Police Department have been provided as follows:

Class 1 Patrol Officer	\$ 24.45	Class 1 Dispatcher	\$ 20.01
Class 2 Patrol Officer	\$ 22.45	Class 2 Dispatcher	\$ 18.53
Class 3 Patrol Officer	\$ 20.80	Class 3 Dispatcher	\$ 17.16
Class 4 Patrol Officer (Off Probation)	\$ 19.15	Class 4 Dispatcher	\$ 15.89
Probationary	\$ 16.64	Probationary	\$ 14.71

Probationary Period. The probationary period for part-time hourly members of the Police Department will be in effect from the date of hire and will continue for a period of twelve (12) months after being released from their field training program.

Overtime. In accordance with Section 7(k) of the Fair Labor Standards Act (FLSA), part-time hourly members of the Police Department must receive overtime after 86 hours worked during a 14-day work period.

Holiday Compensation. Part-time hourly members of the Police Department shall be paid one and one-half times their regular hourly rate for all hours worked for any holiday for which Full-Time Police receive one and one-half times pay including the following holidays:

New Year's Day	Independence Day
Presidents Day	Labor Day
Good Friday	Veterans Day
Easter	Thanksgiving Day
Memorial Day	Christmas Day

Uniform Allowance. Part-time hourly members of the Police Department shall receive a uniform allowance. Six (6) full months of scheduled duty must be completed before a part-time member is eligible to receive a clothing allowance in the amount of five hundred seventy-five dollars (\$575.00). Part-time hourly members of the Police Department, after one year of service, who have worked at least 1560 hours in a calendar year, shall receive an annual clothing allowance of one thousand one hundred fifty dollars (\$1,150.00). This clothing allowance shall be paid in two (2) equal installments beginning with the first pay in May, and the first pay in September. *(Any initial startup purchase will be deducted from first payment received after six (6) months of employment)*

Leave. Part-time hourly members of the Police Department are not entitled to vacation, sick or holiday leave.

Personal Leave. After one year of service, part-time members of the Police Department who have worked at least one thousand five hundred sixty (1,560) hours in the previous calendar year will be entitled to thirty-two (32) hours of paid personal leave commencing on January 1st of the current year. All personal leave shall be taken during the calendar year of entitlement. Unused personal leave shall not accrue from year to year and may not be paid out in cash. Such compensation is to be paid at the part-time member's normal hourly rate of pay. The use of personal leave shall be scheduled in advance and subject to the approval of the Chief of Police based upon the staffing needs of the Police Department.

Court Appearance. When a part-time hourly member of the Police Department is required to appear in court pertaining to departmental matters, the member is to be paid for a minimum of four (4) hours at the established hourly rate for said part-time member. For other call-ins, members shall receive a minimum of three (3) hours' pay.

Healthcare Insurance. Part-time members of the Police Department are entitled to healthcare insurance in accordance with the requirements of the Federal Affordable Care Act.

Pension. Part-time hourly members are automatically enrolled in the Public Employees' Retirement System (PERS) as required by Section 145.03(A) of the Ohio Revised Code.

Deferred Compensation Program. Part-time hourly members have the option to enroll in the City's Deferred Compensation Program.

Direct Deposit. All compensation shall be by direct deposit. However, should an employee be disadvantaged by direct deposit as determined in the sole discretion of the Mayor, the Mayor shall provide an exemption from direct deposit.

139.03 AUXILIARY POLICE.

(a) There is hereby created a body to be known as the Auxiliary Police Unit in the Division of Police of the Department of Public Safety, which unit shall have as its head the Director of Public Safety. The Director shall prescribe rules and regulations for the organization, training, administration, control and conduct of the Auxiliary Police Unit.

(b) Members of the Auxiliary Police Unit shall not be eligible for membership in the Police Relief and Pension Fund under the authority of Ohio R.C. 741.31 to 741.54, inclusive, as amended, nor shall such members be in the classified service of the City.

(c) Members of the auxiliary Police Unit shall be eligible for State Compensation under the provisions of the Ohio R.C. Chapter 4123.

139.04 FEE FOR USE OF POLICE VEHICLES.

There is hereby established a fee for use of Police Vehicles. A fee of thirty-five dollars (\$35.00) per hour per car is to be applicable any time a request is granted to use Police Vehicle(s) in a non-emergency situation or non-official City use. Such request is to be submitted to the Director of Public Safety or his duly appointed person for approval."

SECTION 2. Ordinance No. 2011-21 and Ordinance No. 2002-46 are hereby repealed in their entirety.

SECTION 3. 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 of 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 4. This Ordinance shall be in full force and take effect at the earliest time permitted by law.

PASSED: March 23, 2017

Nancy E. Fellows
Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this 23rd day of March, 2017

Approved by the Mayor
March 23, 2017

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor