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VICTORIA ANN SAVAGE, CMC  
*Clerk of Council*

# City of Willoughby Hills

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NANCY E. FELLOWS  
DAVID M. FIEBIG  
FRANK A. GERMANO  
RAYMOND C. SOMICH

## **ORDINANCE NO 2008– 39**

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### **AN ORDINANCE AMENDING ORDINANCE NO. 2005-88, ADOPTED JUNE 23, 2005, CONCERNING THE DUTIES AND FIXING THE COMPENSATION OF THE CLERK OF COUNCIL; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.**

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**WHEREAS**, Section 3.25 of the Charter of the City of Willoughby Hills, the Council of the City of Willoughby Hills shall appoint a Clerk of Council and such other employees of the Council as it deems necessary; and

**WHEREAS**, Section 9.1 of the Charter of the City of Willoughby Hills, defines the word “officer” to include the Mayor, Members of Council, the Clerk of Council, Members of all Council or Charter-established Committees, Bureaus, Commissions or Agencies and the Directors of all Administrative Departments; and

**WHEREAS**, per Section 9.22 of the Charter of the City of Willoughby Hills, states that every officer shall, before entering upon the duties of his office, take and subscribe his oath or affirmation to support the Constitution of the United States and of the State of Ohio and the Charter and Ordinances of Willoughby Hills, and faithfully, honestly and impartially discharge the duties of the office; and

**WHEREAS**, per Section 3.25 of the Charter of the City of Willoughby Hills, the Clerk shall give notice of and attend all meetings of Council in which he shall enter the votes, by roll call, of each Councilman upon any Ordinance, Resolution or Motion; and

**WHEREAS**, per Section 3.25 of the Charter of the City of Willoughby Hills, the Clerk shall authenticate all records, documents and instruments of the Municipality on which authentication is properly required and perform all other duties prescribed for by Council; and

**WHEREAS**, the Clerk shall assist Council in the fulfillment of Section 3.31 of the Charter of the City of Willoughby Hills by the preparation of all legislation in order that the Council shall enact any and all legislation deemed necessary for the preservation of the safety and welfare of the community and provide for the orderly and desirable growth of the community for the efficient and orderly operation of the local government; and

**WHEREAS**, the Clerk shall assist Council in the fulfillment of Section 3.35 of the Charter of the City of Willoughby Hills, in the instructing of new members of Council with regard to their powers and duties and present to each such member a copy of the Charter, of the Ordinances of the Municipality, the Rules of Council and such other material as they may deem necessary to assist the new members in carrying out their responsibilities in an informed manner; and

**WHEREAS**, the Clerk of Council shall be encouraged to expanded his/her knowledge base by attending workshops and/or training seminars provided through the Ohio Municipal League and/or the Municipal Clerks Institute in order to constantly improve the administration of the affairs of the Council Office consistent with applicable laws and to obtain sound management practices to produce continued progress and so fulfill the responsibilities of Clerk.

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

**SECTION 1.** Per Section 3.32 of the Charter of the City of Willoughby Hills, the Council shall by Ordinance fix the salary or compensation of every officer and employee of the Municipality.

**SECTION 2.** Upon approval of Council, the Clerk of Council shall be compensated according to the following classification and range of compensation:

<b><u>CLASSIFICATION</u></b>	<b><u>MINIMUM</u></b>	<b><u>MAXIMUM</u></b>
Class 3- Entry Level	\$ 13.02	\$ 15.32
Class 2	15.33	17.53
Class 1*	17.54	20.50
*The International Institute of Municipal Clerks (IIMC) has recognized Kent State University's Ohio & West Virginia Municipal Clerks Development Program as fulfilling all requirements for the educational component of its <b><u>Certified Municipal Clerk</u></b> (CMC) award. The program enables municipal clerks to become more professional in carrying out their duties by providing a broad base of education and training in specific areas of responsibility. Professionals from universities, public sector positions, private consulting firms, and law firms provide instruction in their specialized areas of expertise. The entire program consists of one week-long session, per year for three years, after which participants fulfill the educational requirement and earn fifty of the total 100 points needed for designation as a Certified Municipal Clerk. The remaining fifty points are obtained through: work experience (1 point per year); education (college; business or vocational) and continuing education (1 point per 6 hours). <b>Certification must be maintained by attending a two-day session held yearly by the Ohio &amp; West Virginia Municipal Clerks Development Program.</b>		

**SECTION 3.** The Clerk of Council shall be entitled to compensation at the rate of one and one-half (1-1/2) times his/her hourly rate for hours worked in excess of forty hours (40) in any one work period. For the purpose of computing overtime pay, holidays and vacation days shall be counted as days worked.

**SECTION 4.** The Clerk of Council shall be entitled to 7 hours of Holiday pay for the following Holidays: \*New Year's Day, President's Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, the Day after Thanksgiving and \*Christmas (New Year's and Christmas will be observed on the same day as other City employees not covered under collective bargaining).

**SECTION 5.** The Clerk of Council shall be entitled each calendar year to (2) personal days. Personal days must be taken during the calendar year of entitlement and shall not accrue from year to year. A personal day shall constitute 7 hours of pay. The taking of a personal day shall be subject to prior approval of the President of Council or their designee.

**SECTION 6.** The Clerk of Council shall be entitled to 12 days of vacation time. A day shall constitute 7 hours of pay. The taking of a vacation/sick time shall be subject to prior approval of the President of Council or their designee.

**SECTION 7.** All ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

**SECTION 8.** 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.

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**SECTION 9.** 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 adjustment of the range of compensation of the Clerk of Council, a position within the City not covered under the terms of a collective bargaining, for the calendar year of 2008; wherefore, this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: April 10, 2008

Submitted to the Mayor for his approval  
on this 10th day of April, 2008

ATTEST:

Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

Kevin D. Malecek  
Kevin D. Malecek  
President of Council

Approved by the Mayor

Robert M. Weger  
Robert M. Weger  
Mayor

**ORDINANCE NO. 2008-39**

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2008-39** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **April 10, 2008**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No. 2003-19 in the Lake County News-Herald on **April 16, 2008**. Effective date of Legislation: **April 10, 2008**.

Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council