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ORDINANCE NO. 2011-31

AN ORDINANCE AMENDING PART ONE ADMINISTRATIVE CODE, TITLE FIVE – ADMINISTRATIVE, CHAPTER 157 – GENERAL EMPLOYMENT PROVISIONS SECTION 157.01 – COMPENSATION, SECTION 157.05 – VACATIONS, SECTION 157.09 – INSURANCES; REPEALING CONFLICTING LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, Section 2.11 of the Charter of the City of Willoughby Hills 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 Constitutions and laws of the United States and of the State of Ohio, including authorities of a judicial nature; and

WHEREAS, Section 2.21 states that the Mayor may appoint the heads of all departments, 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 Commissioner, subject to 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 as provided below where such confirmation shall not be applicable) ; and

WHEREAS, further Section 2.27 of the Charter of the City of Willoughby Hills 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, Section 3.32 of the Charter of the City of Willoughby Hills requires that the Council fix by Ordinance the compensation of every officer and employee of the Municipality; and

WHEREAS, the Personnel Relations Committee of Council met on May 2nd to review the existing pay scales and to discuss recommended salary and compensation for various positions held by elected and appointed officials and salaried and non-union employees of the City; and

WHEREAS, upon the recommendation of the Mayor, serving as Chief Executive Officer, the Council of the City of Willoughby Hills has fixed by this Ordinance a compensation range as set forth by the *Willoughby Hills Compensation Schedule A* consisting of (2) pages, attached hereto and referenced herein.

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

SECTION 1. The existing Section **157.01 – Compensation** of the Codified Ordinances of the City of Willoughby Hills be, and it hereby is amended to read and provide in its entirety as follows:

“157.01 COMPENSATION.

(a) Effective commencing with the first pay of 2011 and until further legislative action of the Council, all elected and appointed officials and salaried and non-union employees of the City (hereinafter “employees”), unless covered by separate ordinance of Willoughby Hills, shall be compensated in accordance with the ***Willoughby Hills Compensation Schedule A***. Said Schedule is attached hereto and incorporated herein by reference. All “union employees” shall be compensated in accordance with and bound by the provisions of their specific union contract.

(b) Any and all benefits and entitlements such as compensation for hours worked in excess of 40 hours; holiday pay, personal days and vacation time as defined by the referenced ordinances listed within the ***Willoughby Hills Compensation Schedule A*** shall remain in effect until further legislative action.”

SECTION 2. The existing **Subsection (a) of Section 157.05 – Vacations** of the Codified Ordinances of the City of Willoughby Hills be, and it hereby is amended to read and provide in its entirety as follows:

“157.05 VACATIONS.

(a) The full-time employees shall be entitled to a vacation with pay based upon the following schedule:

<u>Years of Continuous Service</u>	<u>Hours of Paid Vacation</u>
After 6 month < 1 year	40.00 hours
After 1 year	80.00 hours
After 5 years	120.00 hours
After 10 years	160.00 hours
After 15 years	200.00 hours
After 20 years	240.00 hours”

SECTION 3. The existing **Section 157.09 – Insurances** of the Codified Ordinances of the City of Willoughby Hills be, and it hereby is amended to read and provide in its entirety as follows:

“157.09 INSURANCES.

(a) Insurance premium payments for single and family plans will be made according to the following schedule though payroll deduction:

	<u>Employer Pays</u>	<u>Employee Pays</u>
(1) June 1, 2011	89%	11%
January 1, 2012	88%	12%
(2) These rates will be in effect unless state laws change.		

(b) The Employer shall be able to change insurance carriers or self-insure providing that the benefits are comparable to existing benefits.

(c) City-wide Health Cost Containment Committee shall be established. The Committee shall consist of one (1) representative member and an alternate of each full-time Bargaining Unit which shall be appointed by the Bargaining Unit; and two (2) representatives from the City Finance Department as appointed by the Mayor; and one (1) representative of City Council, as appointed by the Mayor; and two (2) representatives serving as city Department Directors, as appointed by Mayor; and one (1) representative of city Administration, as appointed by the Mayor.

(d) Should any employee decline coverage for any reason, he will be paid two hundred twenty-five (\$225.00) dollars per month as a return on premiums saved.

(e) The employer shall carry liability insurance coverage for employees operating within their scope of employment as long as such coverage is reasonably available.

(f) The City shall provide life insurance in the amount of twenty-five thousand dollars (\$25,000.00).

(g) In addition to the regular compensation fixed from time to time by ordinance of Council, the Director of Public Service shall be paid, as additional compensation, the monthly premium to be paid to the designated health insurer. The additional compensation in the amount of the monthly premium shall be deducted from the total compensation due to the Director of Public Safety and remitted by the Director of Finance to the designated insurer; such employee shall sign necessary instruction, in writing, authorizing the aforesaid deductions and remittance.

(h) Effective with the first pay in May of 2002 and continuing thereafter, unless modified by this Council, the employee payroll deductions for the employees portion of the city's Health Insurance Plan will be put on a "pre-tax" basis in accordance with the City's 125 Plan.

SECTION 4. 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 5. All the actions of this Council concerning and relating to the passage of this legislation were conducted 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 held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 6. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Finance Department, and further reason being to immediately adjust the salary range of compensation for all elected and appointed officials, salaried and non-union employees of the City, unless covered by separate ordinance of Willoughby Hills, retroactive to the first pay of January 2011; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

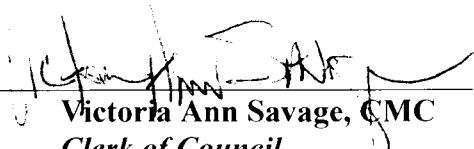
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PASSED: May 12, 2011

Submitted to the Mayor for his approval
on this 12 day of May, 2011

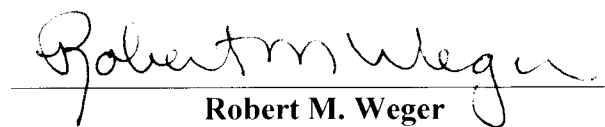
ATTEST:


Victoria Ann Savage, CMC
Clerk of Council


Kevin D. Malecek
President of Council

Approved by the Mayor

May 12, 2011


Robert M. Weger
Mayor