

## Personnel Committee Minutes

Honorable Council  
City of Newark, Ohio  
December 6, 2022

There was a meeting of the Personnel Committee in Council Chambers on December 5, 2022 following the Service Committee with these members in attendance:

Jonathan Lang -Chair  
Cheri Hottinger- Vice Chair  
Mark Labutis  
Spencer Barker  
Colton Rine

We wish to Report:

**Mr. Lang** - We are going to take these out of order because I think there will be more discussion and possibly an executive session involved with Ordinance no. 22-50

1. **Ordinance No. 22-51** AN ORDINANCE AMENDING THE DEPARTMENT AUTHORIZATION TABLES OF THE LICKING COUNTY MUNICIPAL COURT ADULT PROBATION DEPARTMENT AND ABOLISHING THE POSITION OF SENIOR PROBATION OFFICER FROM HOURLY NON-BARGAINING PERSONNEL UNIT CLASSIFICATIONS AND CREATING A SENIOR PROBATION OFFICER IN THE MANAGEMENT AND SUPERVISORY EXEMPT UNIT CLASSIFICATIONS AND SETTING THE COMPENSATION THEREFORE

**Bill Spurgeon, HR Director** - This is in the Adult Probation Department. I have had an opportunity to review his operation and he believes and I agree that he needs another supervisor. That's it very simply. As I've gotten to know Kevin, we've discussed some situations in his office and often times he's down in the weeds and I'm like, Director we've got to get you back up onto the ledge. He's certainly forgot more adult probation than I ever hope to know, if you have technical questions I can answer.

**Ms. Hottinger** - If you can elaborate just a little bit, or maybe he can, what's the additional duties of this position.

**Director Spurgeon** - It's my understanding it's a frontline supervisor. Conflict resolution, again, the frontline supervisor as opposed to being the Director. When the Director is engaging in front line supervisory practices, the idea is now you're not a Director you're a front line supervisor.

**Mr. Barker** - Director can you speak to, I just want to clarify this, on the budget this would be cost neutral?

**Director Spurgeon** - It would not be revenue neutral. A typical organizational best practice is about an 8-12% spread between ranks, 9 to be sensitive to budget impact. This is going to have at my calculation \$2.11 an hour at 2080 hours is \$4,388.80, so just

shy of \$4,800 annual impact the Director says his budget can do that, so we certainly urge your consideration to send forward to Council.

**Motion to send to full council by Mr. Barker, second by Mr. Rine**

**Mr. Lang** - Director it was my understanding we were going to be getting rid of a position as well, I just want to clarify that.

**Director Spurgeon** - We're abolishing, but I don't want to present as revenue neutral because this annual salary of \$4,388 will still be more than the last annual salary. So as far as strength authorization, I am hesitant to say firmly, but I believe that is neutral, but there is a couple of extra dollars required to do this.

**Mr. Lang** - But this person would no longer be overtime eligible.

**Director Spurgeon** - Correct, they would be management.

**Ms. Hottinger** - You said their current budget could handle it, is it in the current budget that the Auditor's office is working on?

**Director Spurgeon** - I would have to defer to the Director for that.

**Kevin Saad, Adult Probation Director** - I'd like to share something with all the committee members this will help you understand our budget a little better. AS a lot of you know we are funded by a lot of other entities other than the City of Newark, these are 2021 figures. Our total expenses in 2021 were \$1,075,158.92. We took in \$768,783.37. If you look at the pie chart below, our outside funding sources funded 72%. The City of Newark only funded 28% and what we are asking for is a little \$4,000 and I don't think it's too much to ask if you look at this chart.

**Ms. Hottinger** - My question is given the numbers that have already been submitted to the Auditor, is it in there?

**Director Saad** - It's not in there.

**Ryan Bubb, City Auditor** - If it is approved tonight tentatively, we will go ahead and put it in the budget, but we will go ahead and enter it before you see it in two weeks.

**Motion passed 5-0**

2. **Ordinance No. 22-50 AN ORDINANCE SETTING COMPENSATION AND STATING POLICY WITH RESPECT TO CERTAIN POSITIONS WITHIN THE OFFICE OF THE CLERK OF THE LICKING COUNTY MUNICIPAL COURT OF THE CITY OF NEWARK, OHIO AND REPEALING ALL ORDINANCES AND RESOLUTIONS IN CONFLICT**

**Marcia Phelps, Clerk of Courts** - Once again I thank you for your attention. This is just a continuation of what we've been talking about for a couple of years now. In this particular situation I took the advice of the Honorable members of Council and brought this prior to the budget being approved, that was one of the stipulations that many of you suggested that I do. So, here I am prior to budget. I don't know if the Auditor sent out his spreadsheet to everybody, did he, okay, so you have that in front of you. So, the total difference would be \$64,140.00, but the increases would bring parity to those positions in the office.

**Ms. Hottinger** - So I understand, everybody in your department would be above that?

**Ms. Phelps** - Except for myself and the Chief Deputy Clerk is not included. We are separate. Separate Legislation covers the Chief Deputy Clerk.

**Ms. Hottinger** - Okay, I apologize I'm sure you've explained this many times, but maybe you can do it one more time. Some of the bumps are pretty substantial, I'm not asking for detailed line items, but generally why are you asking?

**Ms. Phelps** - The information that was released from last year, I don't know if you remember or not was two things, two factors that I took into consideration. I did an analysis of Municipal Court Clerks Offices of similar size and case load in the surrounding area. I didn't go too far out because people here are not going to drive to Marietta, Ohio to work, but I did Delaware, Fairfield, Franklin, some of the surrounding areas. I compared them and their salaries of the Municipal Court to determine whether we were under, over or within the area and we were under. I also took into consideration other positions in the City of Newark, although not exact to duties because certainly nobody would ever understand the depth of knowledge and information a Deputy Clerk has to have in order to perform the duties of the office. Case management seems like a simple terminology, but quite frankly it's impacting to a person's life, the defendant that would come through. There is a lot of technicality that they have to remember and functions to implement. So, I can't compare it duty for duty in the City of Newark, but I can in other Municipal Court Clerks offices. Parity was not there. We had other offices, other clerks that are at the range for which we have proposed.

**Ms. Hottinger** - So, it's not only caseload but parity?

**Ms. Phelps** - I only compared it to Municipal Court Clerks offices that have similar caseloads and parity then would come into play. I didn't go to Coshocton. Smaller caseload, smaller office. The depth of responsibility even though the workload is the same it's just not as evolved.

**Mr. Lang** - Did you compare the other Licking County Clerks offices?

**Ms. Phelps** - Common Pleas or Juvenile Court? No I did not.

**Mr. Lang** - I'm just curious how we match up against those.

**Ms. Phelps** - you know it's been a while, but I don't think I did for Common Pleas or Juvenile Court either.

**Mr. Lang** - I see it's roughly 6.5% give or take a little for most of your folks and then there's the one position that looks like it's jumping up 11%, can you speak to that? It looked like all were in the same ballpark, but the one 35 position seemed to be a more substantial jump than the rest. I'm not sure if that was intentional.

**Ms. Phelps** - I think it is, which one is it, the last one? When you look at that because that's the Office Manager and the Office Manager when you compare it to other Office manager items in the City of Newark, you would find that's the range where the others are at. The responsibility of that position truly has grown. It was not there before I was elected and we have incorporated it because it is a protection to the office. It's to maintain continuity in a structure and knowledge because as you know an elected clerk, we're elected, we're not going to be here forever, although some of you may think when is she going to leave. It's coming up soon, three years left. But, that is the person that holds it together. It happens to be a male in this position and his years of service are over twenty I can't remember exactly and in fact I'm happy to see some of our Deputy Clerks here with us this evening, it's kind of a boost to my ego a little bit. He is here and he knows how proud we are of the work that he does for the office and the

integrity he puts into this work. Everybody goes to him. Sometimes I say please leave him alone and come to me. It's the one who's going to hold it together when I'm no longer there and a new Clerk comes in. It could be one of you guys.

**Mr. Lang** - Does anyone else have any comments? I will ask, Mayor if you have any remarks or to speak on this legislation, I'm curious how this impacts the administration if we were to proceed and how this might impact other departments within the City.

**Mayor Hall** - I would ask that we go to executive session to discuss compensation of the legislation regarding upgrades in the Clerk of Courts office.

**Motion to go to executive session to discuss the legislation of compensation of the Clerks Office by Mr. Barker, second by Ms. Hottinger**

**Mr. Lang** - So that would include the members of Council, the Administration, Ms. Phelps, the Auditor and the Law Director

**Motion to go into executive session passes 5-0**

**Motion to come out of executive session by Mr. Barker, second by Ms. Hottinger, motion passed 5-0**

**Mr. Lang** - We are out of executive session, we still have up for discussion Ordinance No. 22-50, Ms. Phelps, I'm not sure if you have any other comments you would like to make now that we're out of executive session.

**Ms. Phelps** - I just want to say thanks for your time and your feedback, it's appreciated, certainly well received and respected I'll just have to take it back and see what I can do with it.

**Mr. Lang** - Is there any other discussion from the committee? I'll entertain a motion to send this on to full council.

**Motion to send to full council by Mr. Barker, second by Mr. Lang**

**Mr. Lang** - Is there any further discussion from the committee or the audience?

**Motion failed 5-0**

The Personnel Committee is adjourned

Jonathan Lang- Chair