

## Personnel Committee Minutes

Honorable Council  
City of Newark, Ohio  
October 13, 2015

There was a meeting of the Personnel Committee in Council Chambers on Monday October 12, 2015 following the Service Committee with these members in attendance:

Carol Floyd, Chair  
Ryan Bubb  
Alex Rolletta  
Doug Marmie  
Marc Guthrie

We wish to Report:

1. **Ordinance 15-28** setting compensation with respect to certain Appointed Officials of the City of Newark, Ohio and repealing all ordinances and resolutions in conflict herewith was considered.

**Director Rhodes-** the first one that we are looking at is the Service, Safety, Community Development and Human Resource Directors salaries the same over the next four years.

**Mrs. Floyd-** I was not here for the last meeting but I know there was a question about the HR Director because of the change in the Charter. Mr. Law Director we got an email from you stating the ordinance doesn't need to change for the HR Director, he was made a Classified employee in the last Charter Review but was not made was not made subject to any personnel policy therefore his salary is still set forth in the manner as proposed in this legislation. Correct?

**Law Director Sassen-** that is correct

**Mr. Guthrie-** I am going to support this because I don't have an issue with the salaries and the fact that they are consistent across the board. I have expressed concerns in the past and I had good dialogue with Law Director Sassen about my concern that I will probably take to my grave regarding the fact that the HR Director's position and by the way this has nothing to do with the person it has to do with the position, is Classified by Charter but is basically treated the same as the other Directors. There is not a thing that can apparently be done about it.

**Director Rhodes-** I had a small conversation with Doug on that and I think you can do something legislatively, Doug do you want to weigh in on it?

**Director Sassen-** Marc and I have exchanged a series of emails on it I don't know if he still has any questions on it in that regard; I can leave that up to Marc if he has any questions.

**Mr. Guthrie-** it seems to me the real question has to do with having a stated policy of some sort. Correct me if I am wrong all of the other Classified employees accrue sick leave, vacation pay and are accountable for a 40 hour week but this special language which was passed by the Charter Commission which Mike and the Mayor had nothing to do with sort put this person in purgatory. He is in between Heaven and Hell I guess in that there is no requirement that the HR Director accrue time and because there is no stated policy. I didn't think it was a good idea when it was proposed to the Charter Commission and I don't think it is a good idea now and I think that when we deal with these things it raises the significance of an error that can occur when this type of thing happens. I don't know I am so frustrated with it but frankly if it can be deal with legislatively them it should be dealt with in this legislation because this legislation has to do with their pay. I am assuming Mr. Sassen if there could be something separate other than this piece of legislation is that right?

**Director Sassen-** yes

**Motion by Mr. Bubb to send to full Council, second by Mr. Guthrie**

**Motion passed by a vote of 5-0.**

2. **Ordinance 15-29** setting compensation with respect to certain Elected Officials of the City of Newark, Ohio and repealing all ordinances and resolutions in conflict herewith was considered.

**Director Rhodes-** this is the same legislation that you had before you at the last committee meeting showing no raises for the Mayor, Law Director, Auditor, President of Council and Council At Large. There has been some discussion on the Auditor's salary and if there is a desire of Council to change that to a Cabinet level position then a motion would have to be made and seconded on the floor at committee. The amount would be \$3,376.12 to bring it to that level.

**Motion by Mr. Bubb to send to full Council, second by Mr. Rolletta**

**Mr. Guthrie-** correct me if I am wrong but I believe that it takes a percent and a half a year over four years to get the Auditor's position to parity with the Cabinet and that would be my proposal. Is there any prohibition Mr. Law Director in doing it in a four year increment?

**Law Director-** it doesn't make any difference if you do it in a lump sum of a dollar figure or whether you do it in a percentage. The only thing that is required is whatever that compensation package is going to be for the next four years has to be set before the 1<sup>st</sup> day of that term. It can be whatever you want. I am not very good at math but I think that if you give the Auditor 1.5% for the next four years that is certainly within your purgative to do that but that is going to take that salary in excess of the Service, Safety and HR Directors. I'm not sure the math equals out.

**Mr. Guthrie-** isn't it just a few hundred dollars?

**Director Sassen-** again I'm not very good at math that is why I went to Law School.

**Mr. Guthrie-** during the term of office of the Mayor the Department Heads are allowed to have a raise correct?

**Director Sassen-** correct Department Heads are Elected Officials are not.

**Mr. Guthrie-** right so let's say it takes him to 71 and they are at 70. In four years is there a decent chance they may get a raise but he isn't going to get one unless it is in this piece of legislation.

**Director Sassen-** that would be up to the ten of you. He is not going to get one during his term. The Auditor's compensation package can't go up or down during the course of that term.

**Mr. Guthrie-** I figured it out somewhere between 70,000.00-71,000.00. Has someone else calculated that? Mayor?

**Mayor Hall-** could we do it by dollar amount? I'm just saying if you want to equal it, it is \$844.03 per year for four years.

**Mr. Guthrie-** that is fine with me. To be honest I would love to give it all to him at once but I think we have a situation here where we are all trying to be conscientious about next year's budget and the following year's budget and so I think we should do it gradually.

**Director Sassen-** Mr. Guthrie so I get this right with Autumn tomorrow is that the motion to add \$844.03 per year for the next three years?

**Mr. Guthrie-** yes. The Mayor is a good mathematician and I would say that is just fine.

#### **Motion to amend Ordinance 15-29 by Mr. Guthrie, second by Mr. Rolletta**

**Mr. Guthrie-** I have brought this up before and it is a subject the Charter Commission can take up the next time. I propose in the next two Charter changes that we consider merging the Auditor and the Treasurer. We have the fiscal issues that we got and to me it should have happened a long time ago, I don't know why the Charter Commission didn't do it as boo coo other cities around the State have done it. Again this isn't about personalities it is about the budget and the positions. A lot of cities have gone to Finance Director's or Auditor's that are doing the tax collection also. I think it is time for Newark to look that direction.

**Mr. Marmie-** I agree with Mr. Guthrie that it is about our budget and all be it that I would love to support the fact that our Auditor deserves better pay but during the budget situation that we have I can't support a pay raise in any way shape or form. I am looking at a lot of these other positions in there. Do they deserve more? Yes it would be great if we could pay everybody more but I know that what is already staring us in the face right now with next year's budget even \$3,000.00 or \$800.00 over four years is still... If every employee had that then that is going to be a huge impact. Does Council deserve better pay? We would get possibly better candidates or more candidates, maybe not even better was not the correct word but more candidates. We always want that, we want a lot of different people trying to step up. I am not going to support a pay raise at this point because I can't. I love our current Auditor. I think he deserves what he is getting paid and more but I believe that about a lot of employees within the city of Newark and other Elected Officials too.

**Mr. Bubb-** I just wanted to echo those sentiments. Right now we can't afford the pay raises that have been dueled out over the last couple of years. It is very possible that we are going to have to dip into some rainy day funds for the budget for next year. I don't think that we can do that just to fund more raises. Mr. Johnson is well deserving but I can't support that as well.

**Mr. Guthrie-** I appreciate and respect everybody's opinion. We have had a number of reclassifications come before this Council in the last couple of years and the vast majority of this Council has voted for them and here we sit not wanting to give the Auditor an \$800.00 raise. It is sort of mind blowing because some of those raises far exceeded the number that we

are looking at here and the vast majority of this Council voted for them knowing what our fiscal condition was down the road. I think this is an appropriate thing to do. I hope that we have enough votes to get this approved.

**Mr. Marmie-** Mr. Johnson is unopposed at this current time and you never know if this would have been past prior how do we know if someone else may not have attempted to get the position knowing what the compensation package was going to be. That is why in the past we have always tried to get these done before the deadline for applications to even run. That is just another reason why we shouldn't give a raise now knowing that he is unopposed.

**Rusty White, 1409 Residence Dr-** kind of just a rebuttal. A Council Member brought up about the raise 1.5% previously and last week I brought up that I didn't like the 1.5% over a four year span. If this person deserves the raise is that far behind then you should just go ahead and give it to them. If anyone of you were making \$3,000.00 less than everybody else you would not like it and you wouldn't like it over a four year period, you would consider it an insult. I think that you ought to just go ahead and get some backbone and give the guy his raise if he is due the raise. Give him the raise and don't duel it out over the four years.

**Motion to amend Ordinance 15-29 to add \$844.03 to the City Auditor's salary each year for the next four years passed by a vote of 3-2(Marmie, Bubb)**

**Motion to send Ordinance 15-29 on to full Council as amended passed by a vote of 4-1(Marmie)**

Carol Floyd, Chair