

## Personnel Committee Minutes

Honorable Council  
City of Newark, Ohio  
October 14, 2014

There was a meeting of the Personnel Committee in Council Chambers on Monday October 13, 2014 following the Service Committee with these members in attendance:

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

We wish to Report:

1. **Ordinance No. 14-31** an ordinance setting compensation and stating policy with respect to hourly non- bargaining unit employees of the City of Newark, Ohio; repealing all ordinances and resolutions in conflict with this ordinance; and declaring an emergency was considered.

**Director Buskirk-** you probably have a question on the emergency. The Auditor's office has asked us to get these resolved as quickly as possible so they can work on the budget and until we do they won't be able to. The first one 14-31 is our hourly non-bargaining employees. We are asking that they be given an increase the same as the last two bargaining agreements that we settled at 0-1-1 ½.

**Mr. Guthrie-** the emergency clause always worries me. I know that folks would like to know but part of the reason the emergency clause exists is to comply with some language in the Charter and on the surface I am not sure it complies. He wanted to ask the Law Director about that however he was not present at that time.

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

**Mr. Guthrie-** I am going to vote for it but for the record I want to note my concern about the emergency clause

**Mr. Marmie-** I can talk and reiterate what Mr. Buskirk has indicated. As far as being able to meet the obligations of the budget the Auditor's office has indicated that if we have to wait an additional close to 30 days before they have these decisions than they are not going to meet the deadline of getting the budget done in this year. They can't put together any kind of projections and man power into inputting all of this data into the software until it is truly passed. As far as the health, safety and welfare it is the welfare of the City to meet budget obligations and make decisions on next year's budget that is why this has to be expedited.

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

2. **Ordinance No. 14-32** an ordinance setting compensation and stating policy with respect to management and supervisory personnel of the City of Newark, Ohio; repealing all ordinances and resolutions in conflict with this ordinance; and declaring an emergency was considered.

**Director Buskirk-** this is the same as the one before we want to offer 0-1-1 ½. One clarification I have been asked several times is who fits into this category. If you look at the last two pages it gives the job titles and that is the same on all of the statements of policy they give you the job titles for those that are covered under that particular statement of policy.

**Mr. Guthrie-** so when we approve this we are approving all of the amendments in here including Section 4 that gives the Director of Public Service the authority to adjust any management and supervisory employees compensation by plus or minus 10% of the amount listed on the wage scale based on job performance.

**Director Buskirk-** yes

**Mr. Guthrie-** I have a problem with that because Council establishes raises and this is giving authority away that I think should remain with Council. I am assuming but does this only apply to employees under the jurisdiction of the Service Director or to all City employees.

**Director Buskirk-** I think Service and Safety

**Mr. Marmie-** it would be Safety also but only the employees in Property Maintenance not any of the firefighters or police because they are under the bargaining units but any safety employees not under the bargaining units, if they are in supervisory or management positions it would apply to them. Which I think there is only one, the Code Official. There are other things in different types of agreements where the administration has the ability to start somebody out at a different compensation rate based on experience and so on and it doesn't have to be at 100% of the salary. These types of allowances allow for a training type period or if it something that they are working towards as far as making sure somebody is qualified. There are things in our currently pay scale that does give that flexibility to the administration however they can't go beyond that scope and this is similar to that. That is what I see it as.

**Mrs. Floyd-** I got a couple of concerns from some people and one of the concerns was the way that it is stated. It says based on job performance without any kind of scale of what that performance involves. What that might involve such as if you do this or you don't do that. I think that this is something that several of us do have a concern with. I did talk to Mr. Sassen before he left just to ask him because I knew that this was a concern and he said that if we want to amend this in any way he suggested that we wait until full Council when there are 10 of us up here who can do it instead of just being done by 5 of us. I know that it is something that I need to look at and I just discovered an issue concerning this this afternoon.

**Roger Loomis-** Doug is right; the idea is that we have a pay range. Right now we have one pay and that is all you get so if I hire someone with 30 years' experience they are going to get this pay, if I hire someone with one year experience they are going to get this pay. The idea is that we have a little bit of a range so that say we have someone in our water plant that doesn't have the proper licensing yet but they are a good person and we want to hire them. We hire them at a lower pay range until they can get the licensing they need. This is a pretty typical compensation model. It could also work on the other side say someone takes over a big chunk of work but we can't give them some compensation without changing their whole job description so this gives the Service Director some authority to pay them for doing the extra

work. In our department in particular we have gotten rid of a number of supervisors and dumped that work on other people. I understand that there are some people who have a complaint about this or are worried about it because of some trust issues or whatever but in my opinion that is the way compensation is for most management personnel; it is within a pay range.

**Mr. Rolletta-** so am I correct that it would give sole authority to adjust this by plus or minus 10% to the Service Director and Council wouldn't have any say in this.

**Director Rhodes-** the funds would have to be there or we would have to come to Council and ask you to transfer some more funds into that personnel account. It doesn't give us the authority to transfer funds in to make up any increases.

**Mr. Rolletta-** but you could decrease it without Council permission?

**Director Rhodes-** a decrease in my view would be related to very poor job performance and would come before a series of write ups and would be a step in my view of being dismissed. But what it would do is if for instance Brian Morehead were to retire and we had a young engineer in the office which we are fortunate we do, I don't think that it would be fair to start him at Brian's current wage. It would give us the ability to start somebody at 10% below. Alex in terms of the decrease that would come after several write ups. There are still protections in place even if they are not in the AFSCME Union. It would probably come along with what I would say is a last chance agreement. We are going to lower your salary but we are also going to have you sign this last chance agreement for employment. This is an example of how serious we are that you need to shape up. That would probably be done for a probationary period of time, 90 days or something and if they kicked back up we would use it as a tool to raise them back up to their old rate. That mechanism would be in place, I don't want to mislead you on that and that is how it would be used.

**Mr. Guthrie-** let me just say one thing regarding Dave's point and that is that we have seen in the 10 years that I have been on Council there is always a big flux in the amount of money in salaries because of departs and that kind of thing so it is possible that someone could be given a raise as a result of there being a flux in available dollars and they wouldn't have to come to Council. My other question Mike is that on the back of this it has the list of management supervisory classifications; I want to make sure I understand. This section that we are talking about right now, does that apply to everybody here?

**Director Buskirk-** I would say yes it does.

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

**Motion passed by a 3(Bubb, Marmie, Floyd) -2 (Guthrie, Rolletta) vote**

3. **Ordinance No. 14-33** an ordinance setting compensation and stating policy with respect to administrative technical exempt employees of the City of Newark, Ohio; repealing all ordinances and resolutions in conflict with this ordinance; and declaring an emergency was considered.

**Director Buskirk-** there is four Administrative Technical employees, Victim Advocate, Grant Writer, and Economic Development Coordinators which are listed on the back and again it is for 0-1-1 ½.

**Motion to send to full Council by Mr. Bubbs, second Mrs. Floyd**  
**Motion passed by a vote of 5-0.**

4. **Ordinance No. 14-34** an ordinance setting compensation and stating policy with respect to appointed positions of the City of Newark, Ohio; repealing all ordinances and resolutions in conflict with this ordinance; and declaring an emergency was considered.

**Director Buskirk-** you will see on this ordinance originally I included the 4 Directors and should not have. I looked through previous ordinances and the salary for the Directors is set through December 31, 2015 so they were removed from that list. The request is for 0-1-1 ½.

**Mr. Marmie-** I am just going to make a general comment. I have been in support of these going forward to full Council but I am not certain if I will necessarily vote in support of it when it comes to full Council. I am debating it. I am on the fence with it. For one thing we don't have the money. Everybody else is getting it but does it mean they get it? It is one of those questions that are up for debate. For all of these positions I am not saying that they don't deserve it that is not what I am saying. I think everybody deserves an increase. I am supporting moving it forward but I am still on the fence whether or not the City can afford it. It is a tough decision to make but it is something that we have to look at and be fiscally responsible. We are looking at budget projections and thinking about where money is going to come from and it might be a hard pill to swallow. If we have all of these raises it is going to be a detriment to something else and that is another thing that concerns me.

**Motion by Mr. Marmie to move on to full Council, second by Mr. Bubbs**  
**Motion passed by a vote of 5-0.**

5. **Ordinance No. 14-35** an ordinance setting compensation and stating policy with respect to Police and Fire Chiefs of the City of Newark, Ohio; repealing all ordinances and resolutions in conflict with this ordinance; and declaring an emergency was considered.

**Director Buskirk-** just to call your attention to a few of the changes which are noted on your copy. Article 13 the probationary period is new; there would be a 12 month probationary period at the discretion of the Director of Public Safety. Page 15 Article 17 tuition reimbursement you can see the changes there. We have allowed the Chiefs even if they are in the DROP program to participate. Their salaries are set on page 8. Chief of Police is 0-1-1.5 and Fire Chief is 0-1.5-1.5. They follow what their troops got if you will.

**Mr. Marmie-** the reason why I stated what I did prior to this one is because I am not in support of the pay raises for the Chiefs. Prior to the last Police Chief being hired we had a significant pay raise for both of the Chiefs and a lot of additional benefits including time off and so on and so forth. I just feel that at that time the troops didn't get a pay raise and they did so in light of that I would not be in support of any kind of pay raise at this time for either one of the Chief's positions.

**Mr. Guthrie-** in section 3 regarding the probationary period could you go back and review that again? What is the probationary period currently and what are you attempting to achieve or to change?

**Director Spurgeon-** currently it only states that unless you complete the probationary

period you don't keep the job but it doesn't say who or how long so that is why we thought it would be a good idea to put this in here.

**Mr. Guthrie-** is a 12 month probationary period standard?

**Director Spurgeon-** it is consistent with what we do in all of our safety forces. Following the 12 month probationary period after the Chief confirms the employee has completed it I send them a letter stating their employment is permanent.

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

**Motion passed by a vote of 3 (Bubb, Floyd, Rolletta) – 2 (Guthrie, Marmie)**

**Carol Floyd, Chair**