

SALARY
FINANCE DIRECTOR

ORDINANCE NO. 090-12

**AN ORDINANCE AMENDING ORDINANCE NO. 078-12 WHICH (See Pg. 627)
ESTABLISHED A NEW POSITION CLASSIFICATION PAY PLAN
FOR EMPLOYEES OF THE CITY OF NAPOLEON, TO INCLUDE
THE PUBLIC WORKS DIRECTOR AND TO LOWER THE
BOTTOM PAY SCALE OF THE EXECUTIVE ASSISTANT TO
APPOINTING AUTHORITY; AND DECLARING AN
EMERGENCY**

WHEREAS, Council reviewed the proposed Year 2013 annual appropriation measure and finds, in general, as it relates to its most non-bargaining employees of this City of Napoleon, Ohio, that a compensation increase of 2% more or less is generally warranted in pay steps and/or pay scales; and,

WHEREAS, Council reviewed the proposed Year 2013 annual appropriation measure and finds, as it relates to the positions of City Manager, Finance Director, and Law Director, that a compensation increase of 2% in bi-weekly salary calculated from the amount that which would have otherwise been received in the year 2013 is warranted in pay scales; and,

WHEREAS, Council is desirous of adopting a new Classification Pay Plan for its non-bargaining employees; Now Therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NAPOLEON,
OHIO:**

Section 1. That, notwithstanding any Ordinance or Resolution to the contrary, the City of Napoleon, Ohio, ("this City") establishes a new Position Classification Pay Plan for its non-bargaining municipal employees.

Section 2. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the pay scale (steps) for this City's non-bargaining hourly paid employees (full time) shall be leveled, unless modified, as provided in the table found in this §2 (expressed in base hourly amounts). Subject to the provisions of this City's Personnel Code, the Employment Policy Manual PM2001-1, and §3 of this Ordinance, the Department Director (Appointing Authority) may place any employee affected by this Ordinance at the level of compensation the Department Director deems appropriate.

Title	A	B	C	D
Clerk-Typist II	\$11.31	\$12.39	\$13.30	\$14.27
Receptionist	12.79	13.97	14.99	16.10
Records Clerk/Recorder	14.06	15.35	16.50	18.94
Account Clerk I	11.31	12.14	12.75	13.49
Account Clerk II	14.06	15.35	16.50	17.81
Civil Engineering Technician	17.15	18.75	20.08	21.55

fitness. Nothing in this section shall be construed to prohibit a decrease in pay. The non full time status positions found in the table in §8 of this Ordinance (i.e. temporary part time or permanent part time) may be modified by the Appointing Authority at anytime, except that Council shall approve any modification to a full time status.

Section 10. That, compensation for employees' appointments made in order to fill temporarily vacant positions shall be at a rate established by the Department Director (Appointing Authority), except that it shall not exceed the top pay scale established in this Ordinance for the position being filled. Temporary positions being filled by temporary employees for whom no pay scale has been established shall be at a pay scale established by the Department Director (Appointing Authority) by comparing the temporary position created to the most similar position established within the same department that is utilizing the temporary employee. In the event no such similar position exists, then it shall be paid in an amount as determined appropriate by the Department Director so long as the amount paid may be accomplished without exceeding the department's annual budget.

Section 11. That, notwithstanding any section of this Ordinance to the contrary, compensation of the Clerk of the Napoleon Municipal Court shall be as found in §4 of this Ordinance unless otherwise set by the Municipal Court Judge pursuant to ORC §1901.31 (C).

Section 12. That, compensation for the Chief Deputy Clerk and all other Deputy Clerks of the Napoleon Municipal Court shall be as set by the Clerk of the Napoleon Municipal Court pursuant to ORC §1901.31 (H). Longevity for full time Deputy Clerks shall be as set by Ordinance or Resolution. A Chief Deputy Clerk shall be considered a Deputy Clerk for longevity purposes.

Section 13. That, the compensation for Municipal Court Bailiff and/or Deputy Bailiff shall be established by the Municipal Court pursuant to ORC 1901.32.

Section 14. That, the position of Chief Probation Officer as established in and for this City of Napoleon for the Napoleon Municipal Court shall be considered a full time regular employee having a salary –non-exempt status. The job description as included in this City's Position Classification Plan as prepared and/or revised by the Municipal Court Judge is continued to be approved by this Council. The Chief Probation Officer shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Chief Probation Officer's salary at any time so long as within the limits of the CCA Grant or as may be otherwise supplemented by the Municipal Court. Notwithstanding any other provision of this Ordinance, in no event shall the Chief Probation Officer's pay and benefits exceed the amount of the CCA Grant or as otherwise may be supplemented by the Municipal Court. Nothing shall be construed in this Ordinance as mandating that the position be filled or continued to be filled each year.

Section 15. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the bi-weekly salary of the City Manager of this City shall be *Four Thousand and Ten dollars and 82/100 (\$4,010.82)* and continue as such each year thereafter, so long as employed, unless modified by Council.

Section 16. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the bi-weekly salary of the City Finance Director of this City shall be *Three Thousand Four Hundred and Twenty-five dollars and*

09/100 (\$3,425.09) and continue as such each year thereafter, so long as employed, unless modified by Council. EK

Section 17. That, effective with the first pay period for the Year 2013, that commences on or about December 24, 2012, the bi-weekly salary of the City Law Director of this City shall be *Two Thousand Five Hundred and Ten dollars and 76/100* (\$2,510.76) and continue as such each year thereafter, so long as employed, unless modified by Council.

Section 18. That, all positions and/or classifications found in this Ordinance shall be deemed created, established, and existing in and for the City of Napoleon, Ohio. The status of part time employees may be further defined by the Department Director (Appointing Authority) as permanent part time, temporary, seasonal, or intermittent employees without affecting the compensation status as stated in this Ordinance. Nothing in this Ordinance shall be construed as mandating that each and every position and/or classification be filled by this City.

Section 19. That, those employees who are covered by collective bargaining agreements shall be paid in accordance with the respective collective bargaining agreement.

Section 20. That, all compensation paid under this Ordinance is subject to appropriation of funds by the Council.

Section 21. That, the Finance Director may adjust compensation for all affected employees to meet the intent of this Ordinance.

Section 22. That, all pay scales reflected in this Pay Plan shall be rounded, utilizing the five rule, to the nearest penny.

Section 23. That, no position mentioned in this Ordinance shall receive longevity benefit unless specified in this City's adopted longevity plan unless otherwise specifically provided for herein, or except as may be permitted by the City's longevity policy.

Section 24. That, Ordinance No. 091-11 and Ordinance No. 098-11 is repealed in its entirety effective December 24, 2012.

Section 25. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Ordinance were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 26. That, if any other prior Ordinance or Resolution is found to be in conflict with this Ordinance, then the provisions of this Ordinance shall prevail. Further, if any portion of this Ordinance is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Ordinance or any part thereof.

Section 27. That, this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time to allow for proper payment of wages to employees, proper payment being essential to the harmony of the necessary workforce; therefore, provided the required number of votes for passage as emergency legislation, it shall be in full force