ORDINANCE NO. 067-20

AN ORDINANCE ESTABLISHING A NEW POSITION CLASSIFICATION PAY PLAN FOR EMPLOYEES OF THE CITY OF NAPOLEON, OHIO FOR THE YEAR 2021; REPEALING ORDINANCE NO. 088-19; AND DECLARING AN EMERGENCY

WHEREAS, Council reviewed the proposed Year 2021 annual appropriation measure and finds, in general, as it relates to non-bargaining employees of the City of Napoleon, Ohio, that a compensation increase of two percent (2%) is generally warranted subject to various considerations as contained herein; and,

WHEREAS, Exhibits A, B, and C attached hereto and incorporated herein, reflect pay scales for City of Napoleon non-bargaining employees. The pay scales noted in these Exhibits generally contain a two percent (2%) pay increase from the 2020 pay scales; and,

WHEREAS, Council desires to make said compensation increases effective on the pay period commencing on or about December 14, 2020; and,

WHEREAS, Council now desires to adopt a new 2021 Classification Pay Plan for its non-bargaining employees as stated in this Ordinance and Exhibits A, B, and C; 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, (the "City") had previously established a new 2020 Position Classification Pay Plan ("Pay Plan") for its non-bargaining employees, passed by Council on January 6, 2020.

Section 2. That, effective with the first pay period for the Year 2021, that commences on or about December 14, 2020, the pay scale (steps) for the City's non bargaining employees (full time) positions of this city shall be provided, unless modified, as established in Exhibit "A," attached and incorporated herein. Subject to the provisions of the City's Personnel Code, the Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), and Section 3 of this Ordinance, the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level of compensation the Department Director or Appointing Authority deems appropriate as listed in Exhibit "A."

Section 3. That, effective with the first pay period for the Year 2021, which commences on or about December 14, 2020, each non-bargaining employee (full time regular) (hourly), subject to Employment Policy Manual Policy §8.10 (Compensation Reviews), is eligible on such employee's annual hiring anniversary date of uninterrupted full time service with the City, to be advanced one (1) step in the Pay Plan until the maximum step is reached. The non-bargaining employee's (full time regular) (hourly) step location prior to advancement in the Pay Plan shall be determined by contrasting the base hourly rate said employee received prior to the enactment of this Ordinance with the table found in Exhibit "A" for the respective year. For new hires, the Department Director or Appointing Authority may place an employee within the scale where the Department Director or Appointing Authority deems appropriate considering merit and

fitness. Nothing in this Section shall be construed to prohibit a decrease in pay. Step increases for transfer employees shall be in accordance with §197.09(e) of the Personnel Code. A mere reclassification of a current position, where job duties are substantially the same, does not constitute a transfer. Notwithstanding any other provision of this Pay Plan, the Zoning Administrator shall receive a bonus to be pro-rated over the calendar year of *Five Hundred* (\$500.00) *Dollars* for each certification he or she holds, as follows: an Ohio Residential Building Official; Ohio Residential Plumbing Inspector; and, Ohio Electrical Safety Inspector. The Zoning Administrator must provide written proof of each certification to the City Manager prior to receiving the bonus.

Section 4. That, effective with the first pay period for the Year 2021, that commences on or about December 14, 2020, the pay scale for non-bargaining employee (salaried) (full time) positions of this City which are exempt under the Fair Labor Standards Act (FLSA) as it relates to overtime, shall be provided, unless modified, as established in Exhibit "B," attached and incorporated herein, (expressed in base biweekly salary amounts). Subject to the provisions of the City's Personnel Code, the Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), and Section 5 of this Ordinance, the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level the Department Director or Appointing Authority deems appropriate as listed in Exhibit "B."

Section 5. That, effective with the first pay period for the Year 2021, that commences on or about December 14, 2020, each non bargaining employee (salaried) (full time) position of this City as defined in Section 4 of this Ordinance, is eligible to have a minimum salary increase of two percent (2%) for Year 2021, subject to Employment Policy Manual "Policy §8.10 (Compensation Reviews)," calculated from what the employee is making at the time just prior to the proposed increase period, and as reflected in the amounts expressed in Exhibit "B." In no event shall any increase place the employee above the top scale as established in Section 4 of this Ordinance. For new hires or current employees, the Department Director or Appointing Authority may place an employee, at any time, within the scale where the Department Director or Appointing Authority deems appropriate considering merit and fitness. Nothing in this Section shall be construed to prohibit a decrease in pay.

Section 6. That, effective with the first pay period of the Year 2021, that commences on or about December 14, 2020, the Pay Scale (steps) for part time, permanent part time, and temporary employees of this City shall be provided unless modified, as stated in the table found in Exhibit "C" (attached and incorporated herein), except when Federal or State minimum wage of a higher amount is required, then the higher amount of the Federal or State minimum wage shall apply. Subject to the provisions of the City's Personnel Code and Employment Policy Manual as Amended 2014-1 (Ordinance No. 084-14), the Department Director or Appointing Authority may place any employee affected by this Ordinance at the level the Department Director or Appointing Authority deems appropriate as listed in Exhibit "C." Employment Policy Manual 2014-1, Policy Section 8.10, (compensation reviews), is applicable only to permanent part time employees, not part time or temporary employees.

Section 7. That, all paid part time, permanent part time, and temporary employees of the City shall, effective with the first pay period of the Year 2021, that commences on or about December 14, 2020, have a minimum hourly base pay increase of two percent (2%) for Year 2021 calculated from what the employee's base rate was

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just prior to this proposed increase, and as is reflected in the amounts expressed in Exhibit "C" (the amounts include the two percent (2%) increase). Only permanent part time employees are subject to Employment Policy Manual 2014-1 Policy §8.10 (compensation reviews), when applicable. Part time employees of the Fire/Rescue Department will remain on probationary/trainee status until removed by the City Manager upon recommendation of the Fire Chief. For new hires or current employees of the City, the Appointing Authority or Department Director may place an employee within the scale where the Appointing Authority or Department Director deems appropriate considering merit and fitness. Nothing in this section shall be construed to prohibit a decrease in pay. The non-full time status positions found in Exhibit "C" (i.e. temporary part time or permanent part time) may be modified by the Appointing Authority or Department Director at any time, except that Council shall approve any modification to a full time status. Additionally, the position of Probation Officer PIIG Grant is hereby set as expressed in Exhibit "C."

Section 8. That, compensation for employees' appointments made in order to fill temporarily vacant positions shall be at a rate established by the Department Director or 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 or 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 or Appointing Authority so long as the amount paid may be accomplished without exceeding the department's annual budget.

Section 9. That, notwithstanding any section of this Ordinance to the contrary, compensation of the Clerk of the Napoleon Municipal Court shall be as found in Section 4 of this Ordinance and as stated in Exhibit "B" unless otherwise set by the Municipal Court Judge pursuant to ORC §1901.31 (C).

Section 10. 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 §1901.31and as stated in Exhibits "A, B, and C."

Section 11. That, the compensation for Municipal Court Bailiff and/or Deputy Bailiff shall be established by the Municipal Court pursuant to ORC §1901.32 and as stated in Exhibits "A, B, and C."

Section 12. That, the position of Chief Probation Officer as established in and for the City for the Napoleon Municipal Court shall be considered a full time regular employee having an hourly, non-exempt status. The job description as included in the Pay 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 wage rate 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

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Court. Nothing shall be construed in this Ordinance as mandating that the position be filled or continued to be filled each year.

- Section 13. That, the position of Part-Time Probation Officer is hereby established by this legislation pursuant to City of Napoleon Charter Article II, Section 2.14, in and for the City for the Napoleon Municipal Court shall be considered a part time regular employee having an hourly, non-exempt status. The job description as included in the Pay Plan, as prepared and/or revised by the Municipal Court Judge, is hereby approved by this Council. The Part-Time Probation Officer shall not be entitled to any longevity pay; moreover, the Municipal Court Judge may adjust the Part-Time Probation Officer's wage rate at any time so long as within the limits of the JRIG Grant or as may be otherwise supplemented by the Municipal Court. Notwithstanding any other provision of this Ordinance, in no event shall the Part-Time Probation Officer's pay and benefits exceed the amount of the JRIG Grant or as otherwise may be supplemented by the Municipal Court through other grants or funds outside the General Fund. Nothing shall be construed in this Ordinance as mandating that the position be filled or continued to be filled each year.
- Section 14. 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 or 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 15. That, this Ordinance allows the terms and conditions of this pay increase to be retroactively applied, the same being hereby approved as it so exists.
- Section 16. That, those employees who are covered by collective bargaining agreements shall be paid in accordance with the respective collective bargaining agreement.
- Section 17. That, all compensation paid under this Ordinance is subject to appropriation of funds by Council.
- Section 18. That, the Finance Director may adjust compensation for all affected employees to meet the intent of this Ordinance.
- Section 19. That, all pay scales reflected in this Pay Plan shall be rounded, utilizing the five rule, to the nearest penny.
- Section 20. 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 21. That, any employee who is employed by the City in more than one position shall be paid overtime in accordance with State and Federal wage and salary laws (specifically, after forty hours of work within one week the person should receive overtime based on the salary or wage for the position they are working when they surpass forty hours for that work week). However, but for the employee's normal scheduled employment, the department that causes the overtime shall be liable for the payment of overtime regardless of where the hours where worked.

- Section 22. That, Ordinance No. 088-19 is repealed in its entirety effective December 14, 2020.
- Section 23. 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 24. 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 25. 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 and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law. Further, the Emergency Clause is necessary to be in effect at the earliest possible time to allow for proper processing of wages to employees, this being essential to the harmony of the necessary workforce, and for further reasons as stated in the Preamble hereof.

stated in the Preamble hereof.	
Passed: January 4. 2021	Jan Doni
•	Joseph D. Bialorucki, Council President
Approved: January 4, 2021	Masso
0	Jason P. Maassel, Mayor
VOTE ON PASSAGE Yea O Attest:	Nay O Abstain
Boxanne Dietrich	
Roxanne Dietrich, Clerk of Council	

Roxanne Dietrich, Clerk of Council

EXHIBIT "A" (BASE HOURLY RATE)

<u>Title</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
Clerk-Typist II	\$12.53	\$14.41	\$15.47	\$16.60
Receptionist	\$14.17	\$16.25	\$17.42	\$18.73
Administrative Assistant	\$17.26	\$19.92	\$21.39	\$23.03
Front Desk Administrator	\$12.53	\$14.14	\$14.83	\$15.68
Service Building Secretary	\$12.53	\$14.14	\$14.83	\$15.68
Senior Service Building Secretary	\$15.57	\$17.86	\$19.20	\$20.73
Executive Assistant to Appointing Authority	\$20.96	\$22.34	\$23.78	\$25.29
Executive Assistant/Paralegal to Law Director	\$25.29	\$27.62	\$29.66	\$31.71
Account Clerk I	\$12.53	\$14.14	\$14.83	\$15.67
Account Clerk II	\$15.57	\$17.86	\$19.21	\$20.73
Utility Billing Administrator	\$17.68	\$20.35	\$21.80	\$25.89
Senior Account Clerk	\$17.26	\$19.92	\$21.40	\$25.30
Records Clerk/Recorder	\$15.57	\$17.86	\$19.20	\$20.72
Accounts Payable Clerk	\$15.57	\$17.86	\$19.20	\$21.80
Tax Administrator	\$17.68	\$20.35	\$21.80	\$25.89
Engineering Technician	\$18.98	\$21.80	\$23.35	\$25.05
Senior Engineering Technician	\$22.54	\$25.96	\$27.78	\$29.80
Staff Engineer	\$20.95	\$24.15	\$25.96	\$27.88
Licensed Staff Engineer	\$28.36	\$30.50	\$32.80	\$36.68
Construction Inspector*	\$25.38	\$29.16	\$31.25	\$34.34
Senior Electric Engineering Technician	\$22.54	\$25.96	\$27.78	\$29.80
Electrical Construction/Maintenance Inspector*	\$28.14	\$32.38	\$34.72	\$37.22
Zoning Administrator	\$24.66	\$28.33	\$30.37	\$32.55
Assistant Water Superintendent	\$30.26	\$31.39	\$33.11	\$34.84
Chief Water Treatment Operator	\$22.54	\$25.96	\$27.78	\$31.42
Chief Wastewater Treatment Operator	\$22.54	\$25.45	\$27.78	\$31.42
Police Lieutenant	\$0.00	\$32.96	\$34.51	\$36.24
Deputy Court Clerk	\$16.73	\$18.22	\$19.54	\$20.94
Chief Probation Officer	\$20.22		\$0.00	\$22.34
IT Specialist	\$18.60	\$20.58	\$22.57	\$24.56

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^{* 5%} Increase

EXHIBIT "B" (BASED ON AN 80 HOUR PAY PERIOD)

BOTTOM	<u>TOP</u>
\$2,821.22	\$3,255.26
\$3,309.51	\$4,014.81
\$3,936.09	\$4,712.67
\$2,010.12	\$2,702.02
\$1,821.64	\$3,166.04
\$3,006.15	\$3,489.63
\$3,130.73	\$3,646.10
\$3,191.92	\$3,931.98
\$1,969.32	\$2,925.47
\$2,245.29	\$3,407.31
\$0.00	\$1,405.59
\$1,902.91	\$2,128.43
\$2,224.43	\$3,255.26
\$2,766.96	\$3,653.04
\$2,295.37	\$3,255.26
\$2,513.06	\$3,386.92
\$2,513.06	\$3,386.92
\$2,917.20	\$3,761.55
	\$3,309.51 \$3,936.09 \$2,010.12 \$1,821.64 \$3,006.15 \$3,130.73 \$3,191.92 \$1,969.32 \$2,245.29 \$0.00 \$1,902.91 \$2,224.43 \$2,766.96 \$2,295.37 \$2,513.06

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^{*}Lump Sum of \$1500.00 not in base

EXHIBIT "C" (BASE HOURLY RATE)

<u>Title</u>	Bottom	Тор
Front Desk Administrator (Part Time)	\$10.08	\$13.77
Legal Clerk (Temporary)	\$14.49	\$23.28
Probationary/Trainee Fire Fighter/EMT	\$8.97	\$13.67
All Fire/Rescue Department (Part Time)	\$12.84	\$17.82
Deputy Court Clerk (Part Time)	\$11.17	\$15.34
Deputy Court Bailiff (Part Time)		\$14.69
Probation Officer JRIG Grant		\$16.61
Construction Inspection (Temporary)	\$13.55	\$14.51
Construction Engineer (Temporary) Engineering Dept.	\$41.11	\$44.05
Income Tax/Collection Clerk (Part Time)	\$10.08	\$17.78
Lifeguard (Seasonal)	\$8.97	\$15.06
Seasonal Laborer – Other	\$8.97	\$15.06
Recreation Worker (Seasonal)	\$8.97	\$15.06
Parks Maintenance Worker (Seasonal)	\$8.97	\$15.06
Golf Course Clubhouse Attendant (Seasonal)	\$8.97	\$15.06
Senior Center Fitness Coordinator (Part Time)	\$8.97	\$15.06
Code Enforcement Inspector	\$19.53	\$30.39
Adjunct EMS Instructor for the Fire Department (Part Time)		\$20.86
Adjunct Fire Instructor for the Fire Department (Part Time)		\$20.86

Pay Plan 2021 Ordinance No. 067-20

STATE OF OHIO COUNTY OF HENRY

Sally Heaston, being first duly sworn, states that she is the General Manager of The Bryan Publishing Company, owner of The Northwest Signal, a daily newspaper, published and of general circulation in the county of Henry aforesaid, and that the annexed notice was published in one issue in said paper, on the __// day of January, 2020.

Sally Heaston

Subscribed and sworn to before me this 22 day of January 2020

KRISTI L CLARK

Kristi Clark Notary Public, State of Ohio My Commission Expires October 25, 2025

Printer's Fee: Notary Fee:

PUBLIC NOTICE

Summery of Ordinance No.(s) 067-20, 074-20, 075-50, and Regotation No.072-20

(PURSUANT TO ARTICLE II, SECTION 2.15 OF THE CITY CHARTER, CHAPTER 121 OF THE CODE OF ORDINANCES AND COUNCIL RULE 8.23.1, AS WELL AS APPLICABLE PROVISIONS OF ORC CHAPTER 731)

A copy of the complete text of the above named Ordinance(a) and Resolution(a) are ortifie in the office of the City Finance Observe and may be viewed or obtained ourlay basiness invite of 7:30 AM to 4:00 PM, Monday through Findey, at the office of the Finance Director, the location being 2:55 West Resolvers Avenue, Napoleon, Onio. A copy of all or part of the above named Ordinances and Resolvers, or any lies mentioned in this reace, may be obtained from the City Finance Director upon the payment of a reasonable fee therefore.

ORDINANCE ESTABLISHING A NEW POSITION CLASSIFICATION PAY PLAN FOR EMPLOYEES OF THE CITY OF NAPOLEON, OHIO FOR THE YEAR 2021; REPEALING ORDINANCE NO. 088-19; AND DECLARING AN EMERGENCY

In this tegritation, the City of Napoleon established a new position classification pay plan for City established for the year 2021,

Ordinance No. 574-20

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$2,500,000, FOR THE PURPOSE OF PAYING THE COSTS OF IMPROVING THE MUNICIPAL WATER SYSTEM BY IMPROVING AND REHABILITATING THE EXISTING WATER TREATMENT PLANT AND RELATED STORAGE FACILITIES, REHABILITATING THE ELEVATED STORAGE TANKS, AND ACQUIRING AND IMPROVING RELATED INTERESTS IN REAL PROPERTY, TOGETHER WILL ALL NECESSARY AND RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Ordinance No. 075-28

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,100,000, FOR THE PURPOSE OF PAYING THE COSTS OF THE CONSTRUCTION OF A MUNICIPAL SYMMMING POOL. WITH RELATED FACILITIES AND APPURTENANCES, INCLUDING THE DEMOLITION OF EXISTING FACILITIES, TOGETHER WITH ALL NECESSARY AND RELATED APPURTENANCES THERETO, AND DECLARING AN EMERGENCY

Resolution No. 072-20

A RESOLUTION EXTENDING THE PROVISIONS CONTAINED IN ORDINANCE NO. 023-18 AND RESOLUTION NO. 086-18, WHEREIN COURCE, IMPOSED A TEMPORARY REDUCTION AND OR TEMPORARY ELIMINATION OF CERTAIN RESIDENTIAL BUILDING PERMIT FEES: AND DECLARING AN EMERGENCY

In this legislation, the City of Nepoleon extenden the provisions of Ordinance No. 921-18, imposing a temporary reduction and/or temporary elimination of caretin residential permit fees.