

**ORDINANCE NO. 12-05**

**AN AMENDED ORDINANCE FIXING THE MAXIMUM SALARY AND/OR WAGES OF THE OFFICIALS AND EMPLOYEES OF THE VILLAGE OF SPENCER, OHIO AND DECLARING AN EMERGENCY**

BE IT ORDAINED by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein as follows:

**SECTION 1:** The salary of the Mayor of the Village of Spencer shall be \$4,000.00 per annum, payable semi-annually, effective January 1, 2006.

**SECTION 2:** The salary of the Village Fiscal Officer of the Village of Spencer shall be payable monthly, effective January 1, 2006, based on the following time in service schedule:

<u>Time in Service</u>	<u>Yearly Salary</u>
4 years. . . . .	\$7,695.77

**SECTION 3:** The salary of the Village Fiscal Officer of the Board of Public Affairs shall be payable monthly, effective January 1, 2006, based on the following time in service schedule:

<u>Time in Service</u>	<u>Yearly Salary</u>
4 years. . . . .	\$12,557.87

The Village Fiscal Officer must attend all Council meetings, finance meetings, and Board of Public Affairs meetings, and shall have an up-to-date financial report prepared for all Council and Board of Public Affairs meetings.

The Village Fiscal Officer shall work a minimum of twenty-two (22) hours per week. The Village Fiscal Officer shall have one week

paid vacation, which shall be approved by the Mayor or Village Council. If vacation time is not used in the year it is earned, the vacation time is forfeited. The Village Fiscal Officer's office shall be closed on Mondays and shall be open from 9:00 a.m. to 2:30 p.m. from Tuesday through Friday. The Village Fiscal Officer's office shall be closed on all Village holidays.

**SECTION 4:** The salary of the Council members of the Village of Spencer shall be \$1,200.00 per annum, payable semi-annually, effective January 1, 2006.

**SECTION 5:** The salary of the members of the Board of Public Affairs shall be \$800.00, payable semi-annually, effective January 1, 2006.

**SECTION 6:** The salary of the Village Solicitor for ordinary services shall be \$9,348.68 per annum, payable \$2,337.17 quarterly, plus out-of-pocket expenses and advancements, effective January 1, 2006. Ordinary Solicitor's services shall include: attendance at regular and special meetings of Council, preparation of all ordinances, written resolutions, and written motions of Council and related documents, any legal research necessary therefor, and legal advice and opinions rendered to the Mayor, Council, and the Board of Trustees for Public Affairs.

All other services for the Village of Spencer as rendered by the Solicitor shall be compensated at the rate of \$85.00 per hour, payable monthly upon presentation by the Solicitor of a written statement of charges.

**SECTION 7:** The salary of the Village Solicitor, who shall handle all Village prosecutions and such other duties assigned by the Village Solicitor, shall be \$6,047.88 per annum, payable \$1,511.97 quarterly, effective January 1, 2006.

**SECTION 8:** The salary of the Superintendent of the Water Plant and Water Distribution System for Water Treatment shall be \$50,731.20 per annum, commencing January 1, 2006, and payable once every two (2) weeks. Twenty-five percent (25%) of the Superintendent's salary shall be chargeable to the Water Fund, and seventy-five percent (75%) of the Superintendent's salary shall be chargeable to the Sewer Fund. The Superintendent shall also receive an annual \$500.00 clothing allowance, with fifty percent (50%) of said allowance chargeable to the Water Fund and fifty percent (50%) chargeable to the Sewer Fund.

**SECTION 9:** The hourly wage of the part-time general help shall be \$8.76 per hour, payable once every two (2) weeks, effective January 1, 2006. Fifty percent (50%) of the part-time general help's hourly wage shall be chargeable to the Water Fund and fifty percent (50%) to the Sewer Fund.

**SECTION 10:** The hourly wage of the Village Fiscal Officer Assistant shall be \$15.00 per hour, for twenty-five (25) hours, not to exceed fifty (50) hours per pay period without the Mayor's prior approval payable once every two (2) weeks.

**SECTION 11:** The hourly wage of the part-time water/sewer operator shall be \$8.76 per hour, commencing January 1, 2006, payable once every two (2) weeks. The part-time water/sewer operator's work hours shall not exceed thirty (30) hours per week.

**SECTION 12:** The salary of the collector of water and sewer rents shall be \$700.00 per annum, payable semi-annually, effective January 1, 2006.

**SECTION 13:** The salary of the Village Street and Maintenance Superintendent shall be \$32,136.00 per year, effective January 1, 2006, and payable once every two (2) weeks. The Superintendent shall also receive an annual \$450.00 clothing allowance.

**SECTION 14:** The salary of the full-time Chief of Police for the Village of Spencer shall be \$41,200.00 per annum, effective January 1, 2006, payable once every two (2) weeks. The Chief of Police shall also receive an annual \$450.00 uniform allowance. The Chief of Police shall receive no overtime pay.

**SECTION 15:** The salary of the full-time patrolmen for the Village of Spencer Police Department shall be payable once every two (2) weeks, commencing January 1, 2006, based on the following time-in-service schedule:

<u>Time in Service</u>	<u>Yearly Salary</u>
0 - 1 year . . . . .	\$22,427.13
1 - 2 years . . . . .	\$25,826.60
2 - 3 years . . . . .	\$28,287.43
3 - 4 years . . . . .	\$33,765.26
4 - 5 years . . . . .	\$33,765.26
5 - 6 years . . . . .	\$33,765.26

The full-time patrolmen shall receive an additional annual \$450.00 uniform allowance. The full-time patrolmen shall be entitled to hospitalization insurance under a policy of insurance selected and paid for by the Village of Spencer, subject to the terms as set forth in Section 23 of this Ordinance.

**SECTION 16:** All officers other than the chief and full-time patrolmen are considered Special Patrolmen. The Special Patrolmen shall be paid \$1.00 per year. Special Patrolmen shall be compensated for emergencies, court appearances, and regular duty as assigned by the Chief of Police, a total not to exceed thirty (30) hours per pay period and to be paid once every two (2) weeks, according to the following schedule, effective January 1, 2006:

<u>Time in Service</u>	<u>Hourly Wage</u>
0 - 4 years . . . . .	\$10.30
4 - 6 years . . . . .	\$10.72
6 - 8 years . . . . .	\$11.17
8 - 10 years . . . . .	\$11.60
10 or more years. . . . .	\$12.05

and are entitled to \$350.00 uniform allowance after completion of 240 hours of service.

**SECTION 17:** Certain other Village employees shall be paid once every two (2) weeks in accordance with the following hourly pay schedule, effective January 1, 2006, to-wit:

Snow removal. . . . .	\$8.76
Winter and summer help for regular Street Department duties. . . . .	\$8.76
Winter and summer help for construction projects . . . . .	\$8.76
Winter and summer help for Water and Sewer Departments . . . . .	\$8.76
Repair water breaks . . . . .	\$8.76
Cleaning person and meter reader. . . . .	\$8.76
Project construction inspectors . . . . .	\$8.76

Part-time office help for  
Village and BPA . . . . . \$9.01  
(The work hours of the part-time  
office help for the Village and BPA  
shall not exceed thirty [30] hours  
per pay period unless approved by  
the Mayor.)

**SECTION 18:** The hourly wage of the part-time Dispatcher-Typist for the Village of Spencer shall be \$8.70 per hour, for twenty-five (25) hours, not to exceed fifty (50) hours per pay period without the Chief of Police's prior approval, effective January 1, 2006, payable once every two (2) weeks.

**SECTION 19:** The Village Zoning Inspector shall receive a salary as follows, based on zoning certificates issued, effective upon passage of Ordinance No. 16-96:

Zoning Permit. . . . .	\$10.00
Certificate of Occupancy . . .	\$10.00
Written Violation Notice . . .	\$10.00
Required Meetings. . . . .	\$10.00

Zoning certificates in the Village of Spencer shall cost as set forth in Ordinance No. 16-96.

**SECTION 20:** Full-time employees of the Village of Spencer in non-elective offices shall be entitled to paid vacation under the following schedule:

One year completed service from date of hire. . . . .	1 week vacation
Two to five years completed service from date of hire. . .	2 weeks vacation
Five to ten years completed service from date of hire. . .	3 weeks vacation

Over ten years . . . . . 3 weeks vacation plus  
1 day for each year  
after completing ten  
years of service with a  
maximum of six weeks  
vacation

Application for vacation time in accordance with the above schedule must be submitted to the employee's supervisor and Village Fiscal Officer not less than fourteen (14) days prior to the commencement of the requested vacation, unless vacation time off upon a shorter notice is approved by the employee's supervisor. If vacation time is not used in the year it is earned, it cannot be accrued. Part-time employees are not eligible for paid vacation unless otherwise stated herein.

**SECTION 21:** Additional compensation for overtime work will be paid to Village employees as follows:

When a full-time Village employee works more than forty (40) hours per week in any seven (7) day period from midnight Saturday to midnight Saturday, then such employee will be paid for time equal to one and one-half (1½) the overtime worked in said seven (7) day period. The overtime shall be approved by the Police Chief for Police Department employees, the Mayor or acting Mayor for Street Department employees, and the BPA Chairperson for Water/Sewer Department employees. Overtime shall be avoided except for emergency reasons. Where possible, the employee shall take time off in a given forty (40) hour work week, if overtime is anticipated.

**SECTION 22:** Full-time Village employees shall have the following paid holidays: New Year's Day, President's Day, Memorial Day, July 4,

Labor Day, Thanksgiving, and Christmas. Full-time employees shall be entitled to one (1) "floating holiday," to be taken when the employee chooses, with supervisor approval, and forty-eight (48) hours' notice. Full-time employees who are required to work on any of the above-listed holidays shall be compensated at the rate of double time as compared to their regular compensation for hours actually worked, and they shall not be entitled to take a day off for the holiday worked. If full-time employees work on the holiday, they must work their scheduled day before and their scheduled day after the holiday to receive double time pay for the holiday worked. If full-time employees do not work on the holiday, they will receive straight time pay for the holiday.

Part-time employees shall not be entitled to receive additional compensation for said holidays and shall be compensated at their regular rate for the time worked on said holidays.

**SECTION 23:** All full-time (working 40 hours) employees, with the exception of the Assistant Street Superintendent of the Village of Spencer in non-elective offices, shall be entitled to hospitalization insurance under a policy of insurance selected by the Village in its sole discretion and paid for by the Village pursuant to the terms and conditions set forth in said policy.

Employees, who are eligible to receive family coverage under another comprehensive group medical plan, who opt not to participate in the Village of Spencer's hospitalization insurance policy, and who execute an appropriate waiver form, will receive Two Hundred Dollars (\$200) per month in their salary in lieu of medical insurance coverage.

**SECTION 24:** Full-time employees of the Village of Spencer shall accrue sick pay benefits as provided for by § 124.38 of the Ohio Revised Code, thereby receiving 4.6 hours of sick pay benefit for every eight (80) hours worked, accumulating to a maximum of ninety (90) days. Effective January 1, 2001, a new employee shall receive no credit for sick leave accumulated in a position with any other employer other than the Village of Spencer, unless otherwise required by law. Any employee who retires shall be reimbursed for unused sick leave under the following schedule:

0 - 20 years service, but not more than 20 years service. . . . .	25% of unused accumulated sick leave
More than 20 years service, but not more than 30 years service. . . . .	33% of unused accumulated sick leave
More than 30 years service. . . . .	50% of unused accumulated sick leave

Retirement constitutes any employee who left employment and is drawing a pension. Part-time employees of the Village of Spencer shall not accrue any sick pay benefits.

The Village of Spencer recognizes that William Albrecht, who currently works as Superintendent of the Water Plant and Superintendent of the Sanitary Sewer System, had vested accumulated hours of sick time with the Village of Spencer in the amount of 1,940.42 hours as of January 1, 2001. The Village of Spencer specifically recognizes that Mr. Albrecht is vested with these hours of sick time benefit and that these hours shall remain vested with Mr. Albrecht until such time as his employment with the Village of Spencer is concluded or until such time as he shall have used up those hours

of sick time. Any hours of unused sick pay shall be reimbursed to Mr. Albrecht at the time of his retirement pursuant to the years of service schedule set forth hereinabove.

**SECTION 25:** Funeral time off. Full-time employees of the Village of Spencer shall be entitled to three (3) days off with pay for death in the immediate family. Immediate family shall include grandmothers, grandfathers, mothers, fathers, brothers, sisters, and children of the employee and/or the employee's spouse.

**SECTION 26:** All police officers or patrolmen employed by the Village of Spencer through the Spencer Village Police Department, who work eight (8) hours or more in a given day, shall be entitled to take one-half (1/2) hour for lunch time except in time of emergency; police officers or patrolmen employed by the Village of Spencer shall be paid during the lunch hour.

All employees employed by the Village of Spencer who are not police officers or patrolmen and who work eight (8) hours or more in a given day shall be entitled to take one-half (1/2) hour for lunch time; employees employed by the Village of Spencer who are not police officers or patrolmen shall not be paid during the lunch hour.

**SECTION 27:** Effective January 1, 1999, all department heads will complete performance and development reviews on all employees on a semi-annual basis. The reviews will be turned over to Council for their review prior to June 30 and November 30.

All department heads will also have a performance and development review completed by Council. The department heads are as follows: Police Chief and Street Superintendent.

The Board of Public Affairs will complete a performance and development review on the Water/Sewer Superintendent on a semi-annual basis and submit it to Council for review.

**SECTION 28:** Members of the Planning Commission of the Village of Spencer shall serve without compensation.

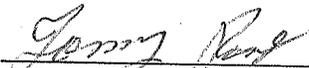
**SECTION 29:** All Spencer Village owned vehicles used by employees during work hours for Village business shall remain on Village property after work hours and shall not be taken home by Village employees. The Superintendent of the Water Plant and Water Distribution System is specifically exempted from this requirement.

**SECTION 30:** Spencer Village employees who use a personally owned vehicle for Village of Spencer business shall be compensated at a rate of thirty cents (.30) per mile, provided adequate documentation of the mileage use is provided to the Village of Spencer. If a Village of Spencer employee attends schooling that is related to that employee's Village of Spencer business, the Village will pay the employee's lunch expenses, if the employee is away from home and stays overnight as a result of the schooling attendance.

**SECTION 31:** This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, safety and welfare of the Village of Spencer, Ohio, and for the particular reason that said Ordinance provides for the payment of salaries and wages to Village employees thereby assuring to the residents of the Village of Spencer a constant and uninterrupted

service from all Village Departments; and it shall take effect and be in full force immediately upon its passage.

PASSED: December 21, 2005.

  
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TOMMY RAMEY, Mayor

ATTEST:

  
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RHONDA R. RIFFLE, Village Fiscal Officer