

ORDINANCE NO. 1-16

**AN ORDINANCE AMENDING SECTIONS 5, 6, AND 21 OF
ORDINANCE NO. 18-15 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 monthly, effective the first pay of 2016.

SECTION 2: The salary of the Village Fiscal Officer/Clerk of Council of the Village of Spencer shall be \$35,076.78, per annum, payable once every two (2) weeks effective the first pay of 2016. The Village Fiscal Officer/Clerk of Council must attend all Council and finance 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 thirty-two (32) hours per week.

SECTION 3: The salary of the Council members of the Village of Spencer shall be \$100.00 per month, payable monthly, effective the first pay of 2016.

SECTION 4: The salary of the members of the Board of Public Affairs shall be \$70.00 per month, payable monthly, effective the first pay of 2016.

SECTION 5: The salary of the Village Solicitor for ordinary services shall be \$10,522.07 per annum, payable monthly at \$876.84, plus out-of-pocket expenses and advancements, effective the first pay of 2016. 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 6: The salary of the Village Solicitor, who shall handle all Village prosecutions and such other duties assigned by the Village Solicitor, shall be \$6,806.90 per annum, payable monthly at \$567.25, effective the first pay of 2016.

SECTION 7: The yearly salary of the Superintendent of the Water Plant and Water Distribution System for Water Treatment shall be \$57,297.24, effective the first pay of 2016, and payable once every two (2) weeks. Fifty percent (50%) of the Superintendent's hourly pay shall be chargeable to the Water Fund, and fifty percent (50%) of the Superintendent's hourly pay shall be chargeable to the Sewer Fund. The Village shall annually furnish to the Superintendent uniforms consisting of five (5) sweatshirts, five (5) t-shirts, five (5) pairs of jeans, and one (1) hat. The Superintendent shall also receive \$50 annually toward a pair of work boots and \$50 every three (3) years toward a winter coat. The Superintendent shall purchase the work boots and the winter coat out-of-pocket and then be reimbursed by the Village up to the \$50 limit as set forth above. The Superintendent shall be required to wear the Village of Spencer uniform to work each day.

SECTION 8: The hourly wage of the part-time general help shall be \$10.16 per hour, payable once every two (2) weeks, effective the first pay of 2016. The part-time general help's hourly wage shall be paid from whatever department the part-time general help is working for at the time work is performed. The Village shall annually furnish to the part-time general help uniforms consisting of two

(2) sweatshirts, two (2) t-shirts, and one (1) hat. The part-time general help shall be required to wear the Village of Spencer uniform to work each day.

The hourly wage for any weekend laboratory work performed by the licensed operator, the part-time weekend water and sewer help, shall be \$15.30 per hour, payable once every two (2) weeks. The part-time water and sewer weekend help shall not work more than four (4) hours per day.

SECTION 9: The hourly wage of the part-time water/sewer clerk (which includes collecting and sending out water/sewer bills, calculating penalties, notifying shutoffs, taking telephone messages if the Fiscal Officer is not in the office, attending all Board of Public Affairs meetings, and taking and typing minutes of Board of Public Affairs meetings) shall be \$14.78 per hour, payable once every two (2) weeks effective the first pay of 2016. The work hours of the part-time water/sewer clerk shall not exceed fifty (50) hours per pay period unless approved by the Mayor. When the Village offices are closed for a holiday and the holiday falls on a regularly-scheduled work day for the part-time water/sewer clerk, the part-time water/sewer clerk shall be paid for the holiday as a normal work day of seven (7) hours at the part-time water/sewer clerk's current hourly wage.

SECTION 10: The salary of the collector of water and sewer rents shall be \$700.00 per annum, payable bi-annually.

SECTION 11: The hourly wage of the Village Street and Maintenance Superintendent shall be \$18.85 per hour, effective the first pay of 2016, and payable once every two (2) weeks. The Village shall annually furnish to the Maintenance Superintendent uniforms consisting of five (5) sweatshirts, five (5) t-shirts, five (5) pairs of jeans, and one (1) hat. The Superintendent shall also receive \$50 annually toward a pair of work boots and \$50 every three (3) years toward a winter coat. The Superintendent shall purchase the work boots and the winter coat out-of-pocket and then be reimbursed

by the Village up to the \$50 limit as set forth above. The Maintenance Superintendent shall be required to wear the Village of Spencer uniform to work each day.

SECTION 12: The salary of the Chief of Police for the Village of Spencer shall be \$53,920.17 per annum, effective the first pay of 2016, payable once every two (2) weeks. The Chief of Police shall receive an annual \$500.00 uniform allowance. The Chief of Police shall receive no overtime pay.

The Chief of Police is a contributing employee to the Ohio Police and Fire Pension Fund. The Chief of Police shall contribute 12.25 percent of his monthly gross salary to the Ohio Police and Fire Pension Fund. The Village of Spencer currently contributes 19.5 percent of the Chief of Police's monthly gross salary to the Ohio Police and Fire Pension Fund.

SECTION 13: The hourly wage of the full-time patrolmen for the Village of Spencer Police Department shall be payable once every two (2) weeks, commencing the first pay of 2016, as follows: \$14.00 per hour for the first six months of service and \$15.00 per hour for the second six months of service. The full-time patrolmen shall receive an additional annual \$500.00 uniform allowance.

SECTION 14: All officers other than the Chief of Police 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 sixty (60) hours per pay period and to be paid once every two (2) weeks, according to the following schedule, effective the first pay of 2016:

<u>Time in Service</u>	<u>Hourly Wage</u>
0 – 4 years	\$13.04
4 – 10 years.	\$13.51
10 or more years.	\$15.06

and are entitled to \$250.00 uniform allowance after completion of 240 hours of service. Every effort shall be made to spread hours to all available officers.

SECTION 15: Certain other Village employees shall be paid once every two (2) weeks in accordance with the following hourly pay schedule, effective the first pay of 2016, to-wit:

- Winter and summer help for Park and Street Department duties. \$10.16
- Cleaning person \$10.16

SECTION 16: The Village Zoning Inspector shall receive a salary of \$100.00 per month, payable monthly, effective the first pay of 2016.

SECTION 17: For full-time employees, other than employees in the Police Department, a forty (40) hour work week constitutes work hours from 7:00 a.m. to 3:30 p.m., Monday through Friday, with one-half (1/2) hour for lunch.

SECTION 18: 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

The Village Fiscal Officer 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. . . . 1 week, 2 days' vacation

Five to ten years completed service from date of hire.2 weeks' vacation

Over ten years.3 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 or accumulated into following years.

SECTION 19: Additional compensation for overtime work will be paid to Village employees as follows:

When a full-time Village employee, other than the Village Police Chief and Superintendent of the Water Plant and Water Distribution System, works more than forty (40) hours per week in any seven (7) day period from midnight Saturday to midnight Saturday, that employee will be paid for time equal to one and one-half (1½) the overtime worked in said seven (7) day period. In the event of an emergency, the overtime shall be approved, in writing, by the Police Chief for Police Department employees, the Mayor or acting Mayor for Street Department employees, and Mayor or acting Mayor for Water/Sewer Department employees. Overtime shall be avoided. Where possible, the employee shall take time off in a given forty (40) hour work week, if overtime is anticipated. Overtime compensation shall not be paid to the Police Chief and Superintendent of the Water Plant and Water Distribution System, as those employees are salaried, supervisory positions.

SECTION 20: Full-time Village employees and the Fiscal Officer shall have the following paid holidays: New Year's Day, President's Day, Memorial Day, July 4, Labor Day, Veteran's Day, Thanksgiving, the day after Thanksgiving, and Christmas. Full-time employees and the Village Fiscal Officer shall be entitled to three (3) "floating holidays," to be taken when the employee chooses, with

supervisor approval, and forty-eight (48) hours' notice. To be eligible for holiday pay, the employee must work their scheduled day before and their scheduled day after the holiday. 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.

Effective as of May 1, 2008, all part-time employees whose jobs are crucial to the Village's operation and who are required to work on New Year's Day, President's Day, Memorial Day, July 4, Labor Day, Thanksgiving, the day after Thanksgiving, or Christmas shall be compensated at the rate of time and one-half for hours actually worked. Said holiday pay must be approved, in writing, by the Police Chief for Police Department employees, the Mayor or acting Mayor for Street Department employees, and the Mayor or acting Mayor for Water/Sewer Department employees.

All other 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 21: Effective April 1, 2012, all full-time employees of the Village of Spencer in non-elective offices and the Village Fiscal Officer shall be entitled to hospitalization insurance under a policy of insurance selected by the Village, in its sole discretion, and paid for by said employees and the Village pursuant to the terms and conditions set forth in the policy; this hospitalization insurance shall be available to the employees named herein only in the event that hospitalization insurance is not available to the employee through the employee's spouse or otherwise available to the employee. The Village of Spencer agrees to pay seventy-five percent (75%) toward the hospitalization insurance

premium cost. The employees named herein agree to pay as a co-payment twenty-five percent (25%) of the hospitalization insurance premium cost. Full-time Village of Spencer employees and the Village Fiscal Officer may opt out of receiving hospitalization insurance coverage from the Village of Spencer. Full-time Village of Spencer employees and the Village Fiscal Officer will each receive a \$200.00 per month payment over and above their respective base salaries in lieu of the Village of Spencer's purchasing hospitalization insurance coverage if they should choose to opt out. Part-time employees are not entitled to payments in lieu of purchasing hospitalization insurance coverage.

SECTION 22: Full-time employees of the Village of Spencer and the Village Fiscal Officer shall accrue sick pay benefits as provided by § 124.38 of the Ohio Revised Code, thereby receiving 4.6 hours of sick pay benefit for every eighty (80) hours worked, accumulating to a maximum of ninety (90) days. The Village Fiscal Officer shall accrue 4.6 hours of sick pay benefit for every pay period, 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. All other part-time employees of the Village of Spencer shall not accrue any sick pay benefits.

SECTION 23: Funeral time off. Full-time employees and the Fiscal Officer 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 spouse, grandmothers, grandfathers, mothers, fathers, brothers, sisters, and children of the employee and/or the employee's spouse.

SECTION 24: 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 25: 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.

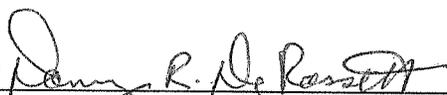
SECTION 26: Members of the Planning Commission of the Village of Spencer shall serve without compensation.

SECTION 27: Effective January 1, 2007, 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.

SECTION 28: Spencer Village employees, who use a personally owned vehicle for Village of Spencer business, shall be compensated at the current Internal Revenue Service rate, 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 29: This Ordinance is 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: January 20, 2016



DAN DeROSSETT, Mayor

ATTEST:



SHERI RAMEY, Village Fiscal Officer