

**AMENDED
CITY OF DELAWARE
CITY COUNCIL
CITY COUNCIL CHAMBERS
1 SOUTH SANDUSKY STREET
7:00 P.M.**

AGENDA

EXECUTIVE SESSION: pursuant to Ohio Revised Code Section 121.22 (G) (3) pending or imminent court action, Section 121.22 (G) (1) personnel, Section 121.22 (G) (5) matters required to be kept confidential by State statute, Section 121.22 (G) (2) acquisition of property for public purpose and 121.22(G) (8) consideration of confidential information related to a request for economic development assistance. (If necessary)

YEAR-END MEETING

DECEMBER 22, 2016

1. ROLL CALL
2. INVOCATION
3. PLEDGE OF ALLEGIANCE
4. CONSENT AGENDA
 - A. Resolution No. 16-55, a resolution accepting the public improvements for Belmont Place Phase 1, Section 3.
5. LETTERS, PETITIONS, AND PUBLIC COMMENTS
6. COMMITTEE REPORTS
7. THIRD READING Ordinance No. 16-103, an ordinance making appropriations for the Year 2017, and declaring an emergency.
8. THIRD READING of Ordinance No. 16-107, an ordinance amending the Delaware Municipal Court and Clerk of Court Employee Benefits and Leave Policies, and declaring an emergency.
9. THIRD READING of Ordinance No. 16-108, an ordinance amending Ordinance No 15-115 establishing the pay and benefits for various part-time and intermittent/seasonal employees of the City of Delaware, and declaring an emergency.

10. THIRD READING of Ordinance No. 16-109, an ordinance amending the Management, Professional, Technical, Confidential, and Supervisory Employees Pay Plan, and declaring an emergency.
11. CONSIDERATION of Resolution No. 16-56, a resolution accepting the negotiated changes to existing contracts between the City of Delaware and three bargaining groups.
12. CONSIDERATION of Ordinance No. 16-114, an ordinance authorizing the City Manager to enter into a Memorandum of Mutual Understanding regarding usage of a SCBA Fit Test machine by the Delaware City Fire Department, and declaring an emergency.
13. CONSIDERATION of Ordinance No. 16-115, an ordinance supplementing the 2016 Appropriations Ordinance, and declaring an emergency.
14. CONSIDERATION of Resolution No. 16-57, appointing members to various Boards, Commissions, and/or Committees, and specifying the term of the appointments.
15. COUNCIL COMMENTS
16. ADJOURNMENT



FACT SHEET

AGENDA ITEM NO: CONSENT ITEM A DATE: 12-22-16
ORDINANCE NO: RESOLUTION NO: 16-55
READING: FIRST PUBLIC HEARING: NO

TO: Mayor and Members of City Council
FROM: R. Thomas Homan, City Manager
VIA: Bill Ferrigno, Public Works Director/City Engineer

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION ACCEPTING THE PUBLIC IMPROVEMENTS FOR BELMONT PLACE PHASE 1, SECTION 3.

BACKGROUND:

This resolution conditionally accepts the now completed public improvements consisting of streets, water distribution, sanitary sewer and stormwater drainage for Belmont Place Phase 1, Section 3.

REASON WHY LEGISLATION IS NEEDED:

This legislation is required in order to provide conformance to city code and publicly accept the infrastructure for the development prior to allowing a final plat to be recorded. The recording of the plat allows the creation of lots upon which home construction can begin.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

N/A

POLICY CHANGES:

N/A

PRESENTER(S):

Bill Ferrigno, Public Works Director/City Engineer

RECOMMENDATION:

Approval

ATTACHMENT(S):

Summary Report



CITY OF DELAWARE, OHIO
PUBLIC WORKS DEPARTMENT

MEMORANDUM

TO: David Efland, Planning Director

FROM: William L. Ferrigno, P.E., Public Works Director, City Engineer

CC: Brad Stanton, Director of Public Utilities

SUBJECT: Recommendation for Acceptance of Public Improvements for Belmont Place Phase 1, Section 3

DATE: 12/12/16

Belmont Place phase 1, section 3 is the third section of the 74 lot, 31.52 acres residential subdivision located on the north side of Peachblow Road, just east of Glenn Parkway. Section 3 includes 25 single family lots on 6 acres. Construction for this project commenced in June 2016 and has been recently completed.

All utilities including storm sewer, sanitary sewer, waterlines, and roadways were constructed in accordance with current city engineering specifications and are in consideration to be publicly owned and operated. All utility lines and roadways have been inspected and found to be in acceptable condition by the Public Works Department. The estimated value of new public improvements totals \$ 508,203 and in accordance with City Codified Ordinance Section 1111.06, a two year maintenance bond has been posted by the developer, Stavroff Interests Glenn Road Capital LLC, which would cover the expense of necessary repair work due to deficiencies or failure of materials or workmanship. The developer has paid all required plan review and construction inspection fees. Upon your satisfaction that all non-engineering related requirements have been completed as specified in the approved subdivision plans or other written commitments, we recommend acceptance of public improvements by the City.

mls

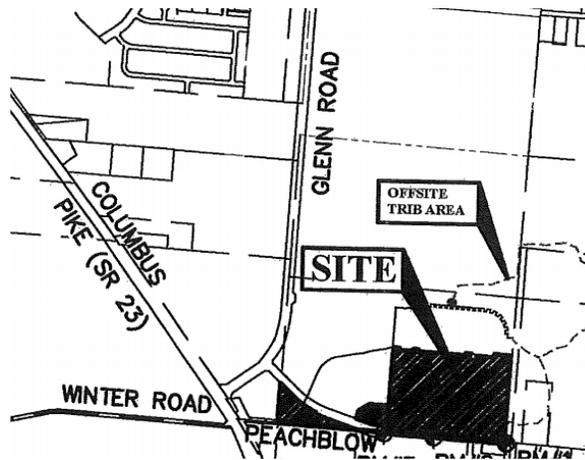
Attachments

CC: Public Improvements Ordinance File
Belmont Place Phase 1, Section 3 Project File

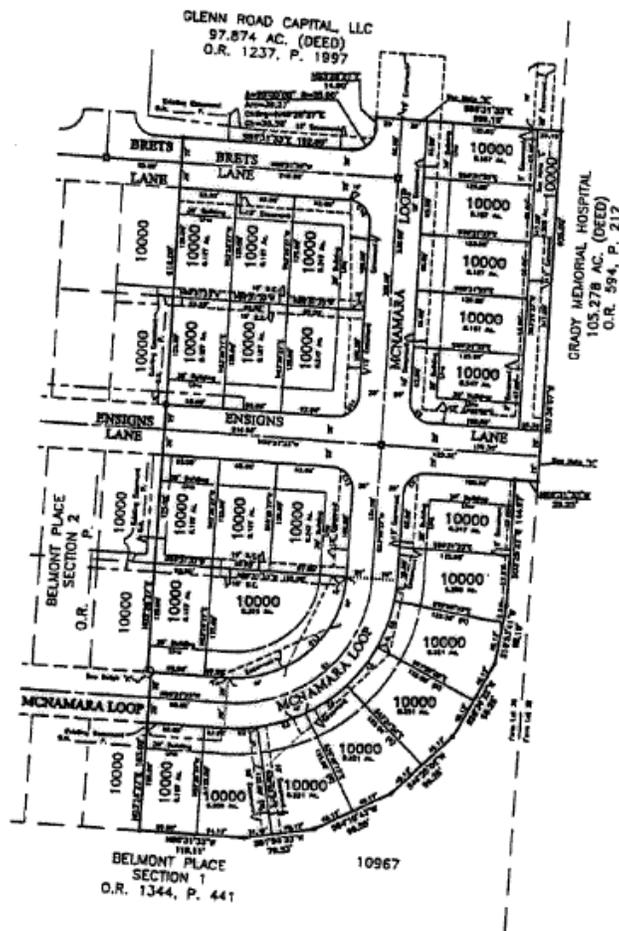
MATERIAL QUANTITY REPORT

PROJECT: Belmont Place Phase 1, Section 3			PC #: 2016-0492
OWNER: Stavroff Interests Glenn Road Capital LLC		CONTRACTOR: Woodward Excavating	
DESCRIPTION: 24 Single family lots on 7.271 acres			API ORD.#:
TOTAL UTILITY COST: \$ 508,203			ENG #: 16-018
SANITARY SEWER			
MANHOLES	6 EA	Type C	
SERVICE TAPS	16 EA	6" Wyes	
6-Inch		SDR-35	
8-Inch	585 LF	SDR-35	
10-Inch			
12-Inch	385 LF	SDR-35	
15-Inch			
18-Inch			
21-Inch			
OTHER			
MISCELLANEOUS			
			\$101,165
WATER SERVICE			
SERVICE TAPS	26 EA	¾" 'K' Copper	
MAIN TAPS			
HYDRANTS W/Valve	4 EA	W/6" Valve and box	
6-Inch Valve			
8-Inch Valve	2 EA		
12-Inch Valve	2 EA		
16-Inch Valve			
6-Inch Dip	10 LF		
8-Inch Dip	585 LF		
10-Inch Dip			
12-Inch Dip	760 LF		
16-Inch Dip			
MISCELLANEOUS			
			\$107,260

STORM SEWER			
MANHOLES	1 EA		
CATCH BASINS	6 EA		
CURB INLETS	3 EA		
DET/RET BASIN			
12-Inch RCP	280 LF		
15-Inch RCP			
18-Inch RCP			
21-Inch RCP			
24-Inch RCP			
27-Inch RCP			
30-Inch RCP			
36-Inch RCP			
42-Inch RCP			
48-Inch RCP			
HEADWALLS	1		
ROCK CHANNEL			
			\$ 28,060
ROADWAY			
24'-0 ROAD			
28'-0 ROAD	1450 LF		
32'-0 ROAD			
36'-0 ROAD			
2'-0 CURB	2900 LF		
BIKEPATH			
SIDEWALK			
MONUMENT BOXES	2 EA		
STREET LIGHTS	9 EA		
(+) INTERSECTIONS			
(T) INTERSECTIONS			
CUL-DE-SAC			
STRIPING/SIGNAGE			\$ 8093
			\$ 271,718



Location Map



Site Map



MEMORANDUM

TO: City Council
FROM: Dean Stelzer, Finance Director
DATE: December 20, 2016
RE: 2017 Budget Ordinance Changes

I am not aware of any proposed changes to the submitted 2017 Budget at this time. There may be a carryover capital project appropriation from 2016 to 2017 that is identified before Thursday night. If so, we would propose an amendment to the appropriation ordinance at the Council meeting. If City Council proposes and changes at Thursday's meeting, a motion can be made to amend the ordinance before adoption. The additional transfers to the CIP Fund, the Development Reserve Fund, and the General Reserve Fund remain in the appropriation ordinance as originally proposed. If our CIP update process next January causes a change to our current strategy, we can amend the budget at that time.



FACT SHEET

AGENDA ITEM NO: 7

DATE: 12/22/16

ORDINANCE NO: 16-103

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: YES
November 28, 2016 at 7:30 p.m.
and December 12, 2016 at 7:30 p.m.

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: --

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE MAKING APPROPRIATIONS FOR THE YEAR 2017, AND DECLARING AN EMERGENCY.

BACKGROUND:

This is the second reading and second public hearing of the 2017 budget.

REASON WHY LEGISLATION IS NEEDED:

The budget is required to be adopted by Council pursuant to Section 78 of the City Charter.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

POLICY CHANGES:

N/A

PRESENTER(S):

R. Thomas Homan, City Manager

Dean Stelzer, Finance Director

RECOMMENDATION:

Approval

ATTACHMENT(S)

N/A

ORDINANCE NO. 16-103

AN ORDINANCE MAKING APPROPRIATIONS FOR THE
YEAR 2017 AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That from and out of the balances in the various funds of the City of Delaware, and from money anticipated to be received into said funds, there are hereby appropriated the following sums for use by the various departments of the City in performance of their functions and activities during the year ending December 31, 2017.

GENERAL FUND

CITY COUNCIL		
Personnel		129,671
Other		22,126
CITY MANAGER		
Personnel		594,310
Other		89,850
ADMINISTRATIVE SERVICES		
Personnel		232,534
Other		116,764
ECONOMIC DEVELOPMENT		
Personnel		180,535
Other		208,299
LEGAL AFFAIRS/PROSECUTOR		
Personnel		723,672
Other		74,088
FINANCE		
Personnel		1,241,885
Other		669,250
GENERAL ADMINISTRATION		
Other		5,684,387
RISK MANAGEMENT		
Other		332,900
POLICE		
Personnel		7,360,932
Other		812,437
PLANNING		
Personnel		979,171
Other		157,315
ENGINEERING		
Personnel		838,246
Other		647,083
MUNICIPAL BUILDINGS		
Personnel		127,949
Other		350,814
TOTAL GENERAL FUND		21,574,218
STREET MAINTENANCE & REPAIR		
Administration		
Personnel		665,077
Other		212,315
Street Maintenance		
Personnel		628,915
Other		742,579
Traffic Division		
Personnel		370,941
Other		304,346
TOTAL STREET MAINTENANCE		2,924,173

STATE HIGHWAY IMPROVEMENT		100,000
LICENSE FEE FUND		460,000
STORM SEWER FUND		
Operations		
Personnel	244,131	
Other	253,327	
Projects		
Other	1,045,000	
TOTAL STORM SEWER		1,542,458
PARKS & RECREATION FUND		
Park Maintenance		
Personnel	764,065	
Other	284,883	
Recreation		
Other	209,153	
Urban Forestry		
Personnel	73,368	
Other	62,250	
TOTAL PARKS & RECREATION		1,393,719
CEMETERY FUND		
Personnel	185,526	
Other	225,755	
TOTAL CEMETERY FUND		411,281
TREE FUND		125,000
AIRPORT OPERATIONS FUND		
Personnel	177,739	
Other	623,812	
TOTAL AIRPORT OPERATIONS FUND		801,551
AIRPORT 2000 T-HANGAR FUND		101,535
FIRE/EMS OPERATINS FUND		
Personnel	8,101,682	
Other	6,009,869	
TOTAL FIRE/EMS OPERATIONS FUND		14,111,551
MUNICIPAL COURT		
Judicial		
Personnel	1,210,712	
Other	70,150	
Clerk of Courts		
Personnel	1,276,164	
Other	84,875	
TOTAL MUNICIPAL COURT		2,641,901
RECREATION CENTER INCOME TAX		2,071,150
SKY CLIMBER/V&P HYDRAULICS TIF FUND		70,000
MILL RUN TIF FUND		170,000
IDIAM FUND		25,000
DRUG ENFORCEMENT FUND		49,000
INDIGENT ALCOHOL TREATMENT FUND		100,000

OMVI ENFORCEMENT & EDUCATION FUND		3,000
POLICE JUDGMENT FUND		70,000
PARKS EXACTION FEE FUND		201,241
COMPUTER LEGAL RESEARCH FUND		284,416
COURT SPECIAL PROJECTS FUND		416,257
COURT PROBATION SERVICES FUND		298,500
POLICE DISABILITY PENSION FUND		224,300
FIRE DISABILITY PENSION FUND		224,300
COMMUNITY PROMOTION FUND		108,529
COMMUNITY DEVELOPMENT BLOCK GRANT FUND		82,000
REVOLVING LOAN FUND		380,215
HOUSING PROGRAM INCOME FUND		12,619
CHIP GRANT 2015		179,000
GENERAL BOND RETIREMENT FUND		1,746,015
PARK IMPROVEMENT BOND FUND		1,292,902
SE HIGHLAND SEWER BOND FUND		995,772
CAPITAL IMPROVEMENTS FUND		3,729,158
FAA AIRPORT GRANT FUND		16,667
FAA AIRPORT AIP GRANT FUNC		424,020
EQUIPMENT REPLACEMENT FUND		506,077
PARK IMPACT FEE FUND		844,800
POLICE IMPACT FEE FUND		70,652
FIRE IMPACT FEE FUND		118,750
MUNICIPAL IMPACT FEE IMPROVEMENT FUND		152,023
GLENN ROAD SOUTH CONSTRUCTION FUND		11,376,840
GLENN ROAD NORTH CONSTRUCTION FUND		115,395
GLENN ROAD TIF FUND		266,082
GOLF COURSE FUND		
	Personnel	138,195
	Other	61,819
TOTAL GOLF COURSE FUND		200,014
PARKING LOT FUND		53,175

WATER FUND			
Administration			
	Personnel	250,974	
	Other	2,740,656	
Treatment			
	Personnel	808,385	
	Other	1,131,794	
Distribution			
	Personnel	580,428	
	Other	426,974	
	TOTAL WATER FUND		5,939,211
WATER CONSTRUCTION FUND			2,008,000
WATER CAPACITY FEE FUND			2,310,726
WATER CUSTOMER DEPOSIT FUND			37,000
SEWER FUND			
Administration			
	Personnel	204,725	
	Other	4,478,731	
Treatment			
	Personnel	875,435	
	Other	1,128,341	
Maintenance			
	Personnel	386,996	
	Other	317,447	
	TOTAL SEWER FUND		7,391,675
SEWER CONSTRUCTION FUND			2,076,333
SEWER CAPACITY FEE FUND			3,593,882
SE HIGHLAND SEWER FUND			995,925
REFUSE FUND			
Administration			
	Other	2,289,650	
Refuse Collection			
	Personnel	702,555	
	Other	1,717,383	
Recycling Collection			
	Personnel	452,869	
	Other	208,375	
	TOTAL REFUSE FUND		5,370,832
GARAGE ROTARY FUND			
	Personnel	325,158	
	Other	318,475	
	TOTAL GARAGE ROTARY FUND		643,633
INFORMATION TECHNOLOGY ROTARY FUND			
Staff Support			
	Personnel	419,857	
	Other	47,878	
System Support			
	Other	427,190	
GIS Operations			
	Personnel	89,495	
	Other	68,700	
	TOTAL IT ROTARY FUND		1,053,120
SELF INSURANCE FUND			5,332,100

WORKERS COMPENSATION RESERVE FUND	562,000
FIRE DONATION FUND	3,000
POLICE DONATION FUND	7,677
MAYOR'S DONATION FUND	2,800
PROJECT TRUST FUND	10,000
UNCLAIMED FUNDS TRUST FUND	8,000
UNCLAIMED FUNDS COURT FUND	2,500
DEVELOPMENT RESERVE FUND	150,000
JEDD INCOME TAX FUND	200,000
CEMETERY PERPETUAL CARE FUND	1,900
STATE HIGHWAY PATROL FUND	70,000
STATE BUILDING PERMIT FEE FUND	15,000
TOTAL APPROPRIATIONS - ALL FUNDS	110,850,570

SECTION 2. That the Finance Director is hereby authorized to make payment from any of the foregoing appropriations to the extent of the amounts contained in the respective appropriations whenever claims, duly approved by the officer authorized by law to approve such claims, are presented.

SECTION 3. That the Finance Director is hereby authorized and empowered to make necessary changes which are not in conflict with this ordinance within a given appropriation to carry out the functions of the City. No changes to the total amount of a departmental or fund appropriation may be made without the legislative action of the City Council.

SECTION 4. That any sums which shall be expended from the above appropriation and which are a proper charge against any other department, or against any person, firm or corporation, shall, if repaid within the period covered by such appropriation, be credited to the fund from which such payment was made.

SECTION 5. In accordance with Ohio Revised Code Sections 5705.14, 5705.15, and 5705.16 the Finance Director is hereby authorized to make the interfund transfers identified in the 2017 Budget Detail presented to, and approved by, City Council as part of the 2017 Budget adoption process.

SECTION 6. That the Clerk of Council is directed to certify a copy of this ordinance to the Budget Commission of Delaware County.

SECTION 7. Emergency Clause. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and further to provide lawful appropriations available for expenditure by January 1, 2017, and as such will be in full force and effect immediately upon its passage.

VOTE ON EMERGENCY CLAUSE:

YEAS ____ NAYS ____
 ABSTAIN ____ ABSTAIN ____

PASSED: _____, 2016

YEAS ____ NAYS ____
 ABSTAIN ____ ABSTAIN ____

ATTEST:

CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 8

DATE: 12/22/16

ORDINANCE NO: 16-107

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Judge David Sunderman, Judge Marianne Hemmeter and Clerk
Cindy Dinovo

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AN EMERGENCY.

BACKGROUND:

The Municipal Court and Clerk of Court's 2017 Employee Benefits and Leave Policies are attached.

Policy 23, Section 1-pg 2; Holiday Pay and Personal Leave

Because of the way the calendar falls, instead of a half day off the day before Christmas and New Year's, the court will observe the half day off on the Friday before both holidays (22nd, 29th).

Policy 32-pg 14; Parks and Recreation Credit

The credit has been increased to \$60.

Policy 34-pg 15; Salary Ranges

The court added the position of Assignment Commissioner/Jury Commissioner. Effective date November 28, 2016

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

Parks Credit increased to \$60

New position created at \$22/hour

POLICY CHANGES:

N/A

PRESENTER(S):

Judge David Sunderman, Judge Marianne Hemmeter and Clerk Cindy Dinovo

RECOMMENDATION:

Approval

ATTACHMENT(S)

Amended Pay Plan

ORDINANCE NO. 16-107

AN ORDINANCE AMENDING THE DELAWARE MUNICIPAL COURT AND CLERK OF COURT EMPLOYEE BENEFITS AND LEAVE POLICIES, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Delaware Municipal Court and Clerk of Court Employee Benefits and Leave Policies shall be amended to reflect the noted changes (attached hereto).

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 3. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 28, 2016. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

EMERGENCY CLAUSE:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2016

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

Delaware Municipal Court and Clerk of Court

Employee Benefits And Leave Policies

Effective December 28, 2016

Delaware Municipal Court
and
Clerk of Court
70 North Union Street
Delaware, Ohio 43015

SECTION IV. EMPLOYEE BENEFITS AND LEAVE

Policy 23. Holiday Pay and Personal Leave

Section 1. The following are designated as paid holidays for the Municipal Court and the Clerk of Court employees:

New Year's Day, January 2
Martin Luther King Day, 3rd Monday in January
Memorial Day, last Monday in May
Independence Day, July 4th
Labor Day, 1st Monday in September
Little Brown Jug Day, 1/2 day - 3rd Thursday after Labor Day
Thanksgiving Day, 4th Thursday in November
Day after Thanksgiving
Friday before Christmas, December 22, 1/2 day
Christmas Day, December 25
Friday before New Year's, December 29, 1/2 day

Revised Nov. 2016

Holidays that fall on Saturday will be observed on Friday, and holidays that fall on Sunday will be observed on the following Monday.

Section 2. If one of the holidays set forth above occurs while an employee is on vacation leave, that day will not be charged against his/her vacation.

Section 3. Employees will be credited with 32 hours of personal leave a year. Use of personal days will be at the employee's discretion with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

Section 4. Employees are permitted to accumulate two years' worth of personal days.

Section 5. At the time of separation, an employee will be compensated for all accrued but unused personal days.

Policy 24. Vacation Leave

Section 1. The vacation year for employees will end at the close of business on the last pay period that ends in the month of December.

Section 2. Each full-time employee will accrue vacation leave by pay period at the annual rate of work hours based on years of full-time total service which is established in the schedules contained in Section 3 of this article. Years of total full-time service is defined to be the total of all periods of full-time employment for the Delaware Municipal Court or Clerk of Court or as defined in Section 6. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will

not be included in the computation of total service. Time not in paid status, excepting military leave, will also be excluded in computing total service. In computing years of service, the higher rate of accrual will be on the first day of the first pay period in which a year of service is completed.

If an employee of the Court or of the Clerk's office has received or is receiving retirement benefits from any of the state retirement funds – the Ohio Public Employees Retirement System, the Police and Fire Pension Fund, the State Teachers Retirement System, the Public School Employees Retirement System, or the Highway Patrol Retirement System – the years of public service for which the employee has received or is receiving those retirement benefits will not be included in any computation of service time for vacation-leave accrual while the employee is working for the Court or for the Clerk.

Section 3. For employees hired before December 31, 2013, vacation leave will accrue as follows:

Years of Total Service	Vacation Hours/Year	Vacation Hours/Pay
Start through 5 years	80.6	3.1
6 through 10 years	119.6	4.6
11 through 15 years	161.2	6.2
16 or more years	200.2	7.7

For employees hired after December 31, 2013, vacation leave will accrue as follows:

Years of Total Service	Vacation Hours/Year	Vacation Hours/Pay
Start through 5 years	80.6	3.1
6 through 15 years	119.6	4.6
16 or more years	161.2	6.2

Section 4. Any vacation balance in excess of the maximum number of work hours established in the following paragraph will become void as of the close of business on the last day of the last pay period that ends in the month of December.

Years of Total Service	Maximum Accrual of Vacation Hours
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Start through 5 years	161.2
6 through 10 years	239.2
11 through 15 years	322.4
16 or more years	400.4

The only exception to that chart will apply to any employee who – on the last day of the last pay period in December 2013 – has a vacation-leave balance of more than 500 hours. The vacation-leave-accrual cap for any such employee will be 600.6 hours, and any vacation-leave hours that such an employee has accrued but not used in excess of 600.6 hours on the last day of the last pay period of 2013 – and on that same last-pay-period day in each succeeding year – will be void.

Section 5.

- A.** To be eligible for bi-weekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that when an employee is required to report for work and does so report and is denied work because of circumstances beyond his/her control, absence from work for the balance of that day will not be construed as unpaid work status.
- B.** An employee in full-time status who is to be separated from the Delaware Municipal Court or Clerk of Court service through discharge, resignation, retirement or layoff, and who has unused vacation leave to his/her credit, will be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his/her last day of active service with the Delaware Municipal Court or Clerk of Court. That payment will be paid at the employee’s hourly rate of pay at the time of separation.
- C.** When an employee dies while in paid status in the Delaware Municipal Court or Clerk of Court, any unused vacation leave to his/her credit will be paid in a lump sum to the surviving spouse, or other person the employee may have designated in writing.

Section 6. To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware (Delaware Municipal Court or Clerk of Court) from prior employment inside the State of Ohio:

- A.** Employees are eligible to transfer prior years of service completed as employees of this Court, the Clerk of this Court, or the City of Delaware.
- B.** The amount of years of service that can be transferred is unlimited.
- C.** Prior employment must be in full-time status.

Section 7. An employee may elect to convert up to two weeks of accrued and unused vacation time to cash during any calendar year. An employee must inform the Administrative Judge or the Clerk of Court prior to August 1 of the year preceding the calendar year in which the employee intends to convert the unused vacation leave to cash, and the employee must maintain at least 40 hours of accrued and unused vacation leave in the employee's account after that conversion takes place.

Policy 25. Funeral Leave

Section 1. Each regular full-time employee is entitled to funeral leave with pay as follows:

<u>Leave for Death of:</u>	<u>Days/Hours of Leave</u>
Immediate Family Member	1 - 3 days
Other Relative	4 - 8 hours

- * One work day/shift is automatic for the day of the funeral, but additional time up to the maximum will be given only with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.
- ** All leave time with approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

Section 2. For the purposes of this section, Immediate Family Member means spouse, child, brother, sister, parents, step-child, step-brother, step-sister, step-parents, grandparents, grandchildren, sister-in-law, brother-in-law, and parents-in-law.

Section 3. Funeral Leave time does not include an employee's regularly scheduled day off to which the employee is already entitled.

Policy 26. Sick Leave

The Court and the Clerk of Court may from time to time supplement these sick leave policies with additional terms that apply to their employees only. For a full understanding of the use of sick leave, employees should consult not only this benefit manual but also the office policies promulgated by the particular officeholder – whether the Administrative Judge or the Clerk of Court – for whom the employee works.

Section 1. Each employee is entitled to sick leave with pay of 4.6 hours for each completed 80 hours of service.

An employee may use sick leave upon approval of the Administrative Judge or his/her designee or the Clerk of Court or his/her designee for the following reasons:

- A. Illness or injury of the employee or his/her immediate family.

- B.** Medical, dental, or optical examinations or treatment of an employee or his/her immediate family that requires the employee's attendance.
- C.** If a member of the immediate family is afflicted with a contagious disease, or when, through exposure to a contagious disease, the presence of the employee at his/her job will jeopardize the health of others.
- D.** Pregnancy and/or childbirth and other conditions related thereto inclusive of leave for male employees for the care of the employee's wife and family during postnatal period.

For purposes of this section, the definition of immediate family is: grandparents, mother, mother-in-law, father, father-in-law, brother, sister, brother-in-law, sister-in-law, daughter-in-law, son-in-law, spouse, child, stepchild, grandchild, legal guardian, or other person who stands in the place of a parent (in loco parentis).

Employees are required to report their intent to use sick leave prior to the start of each workday, unless the employee has made other reporting arrangements with the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, and state the nature of the illness. The employee must make this phone call unless medically detained by a physician at the time. The Administrative Judge, or his/her designee or the Clerk of Court or his/her designee, may contact the employee sometime during the day to discuss the reasons for the absence.

Section 2. Sick leave must be taken in half-hour increments.

Section 3. If an employee used zero hours of sick leave in any calendar year, that employee will be credited with an additional three vacation days the following year. If an employee uses between one and eight hours of sick leave in any one calendar year, that employee will be credited with an additional two vacation days the following year. If an employee uses between nine and 16 hours of sick leave in any one calendar year, that employee will be credited with one additional vacation day the following year. At the employee's option, any additional vacation days earned can be taken in the form of vacation leave or compensation in cash.

Section 4. Any employee who has accumulated at least 800 hours of sick leave credit may, during any calendar year, convert up to 80 hours of sick leave to vacation on the basis of two hours of sick leave for one hour vacation leave.

If an employee has earned sick leave in another public-sector job and then has transferred unused sick leave to the Court or Clerk of Court's office at the start of the employee's current period of employment with the Court or Clerk of Court that transferred sick leave cannot be converted to vacation leave under this section.

All sick leave accumulated by the employee during the employee's current period of employment with the Court or the Clerk of Court must be exhausted by the employee or converted to vacation leave before the employee may use any sick leave that has been added to the employee's sick-leave balance in accordance with Section 5 of this sick-leave policy.

Section 5. To be eligible to transfer sick leave to the City of Delaware from prior public employment in the State of Ohio:

- A.** Employees will only be eligible to transfer sick leave from a public agency as defined by the State of Ohio.
- B.** Employment with the City of Delaware must take place within 10 years of termination from their previous employer.
- C.** The maximum amount of sick leave hours that can be transferred is unlimited.

Section 6. Any employee who separates from the Delaware Municipal Court or Clerk of Court employment for other than just cause will be paid for all accumulated and unused sick leave on the basis of one hour of pay for every three hours of unused sick leave. Total sick leave payout cannot exceed 12 weeks' pay.

Section 7. An employee must complete and sign a request for leave form provided by the City to justify the use of sick leave. Payment for sick leave is subject to final approval by the Administrative Judge or his/her designee or the Clerk of Court or his/her designee. The City, Delaware Municipal Court, or Clerk of Court may require the employee to furnish a statement from a licensed medical practitioner if medical attention was sought or for any absence in excess of three consecutive days whether for the employee or his/her immediate family. Such statement must include the nature of the illness or injury, the inability to perform his/her duties, the prognosis, and the estimated date when the employee can be expected to return to work. Failure of the employee to provide such statement and request for leave form when requested may result in the denial of sick leave pay.

Section 8. Falsification of a request for leave form or a medical practitioner's statement may be grounds for disciplinary action. The City, Delaware Municipal Court, or Clerk of Court maintains the right to have any employee examined by a licensed medical practitioner selected and paid by the City. Alternatively, the employee required to see a physician may see a physician of his/her own choosing, but in that event will not be reimbursed for the costs incurred.

The City, Delaware Municipal Court, or Clerk of Court may deny the payment of sick leave if the investigation indicates that the absence was not within the provisions of this article. Denial of sick-leave payment will

not preclude the Delaware Municipal Court or Clerk of Court from implementing any disciplinary action.

Section 9. Sick Leave Abuse

It is the mutual interest of the employee and the Delaware Municipal Court or Clerk of Court to prevent the abuse or misuse of sick leave. The acceptable usage of sick leave is explained in this policy.

Employees must not abuse or demonstrate a pattern of sick-leave and/or leave-without-pay usage. The abuse of sick leave or the patterned use of sick leave will be just and sufficient cause for discipline. A request of sick leave will be denied if the employee fails to comply with the procedures for proper sick leave usage, fails to present a required physician's statement, or if an investigation of a request for sick leave discloses facts inconsistent with the proper use of sick leave. Falsification of applications for sick leave or the filing of sick leave applications and documentation with intent to defraud may result in the disapproval of sick leave and may be grounds for disciplinary action, up to and including discharge.

Any employee who is hospitalized will not have such period of leave considered in determining whether the employee is abusing sick-leave benefits.

The implementation of this section does not preclude the right of the Delaware Municipal Court or Clerk of Court to discipline an employee for the abuse of sick leave, to require a statement from the employee's physician, or to have the employee examined by a physician. Any employee who has been disciplined for abuse of sick leave may be required to furnish a statement from the employee's physician for each use of sick leave up to six months in duration. The City, Delaware Municipal Court, or Clerk of Court may, with mutual agreement of both parties, extend the need for sick leave verification for an additional six month period. The City, Delaware Municipal Court, or Clerk of Court also maintains the right to investigate all absences.

Policy 27. Injury Leave

Section 1. All regular full-time employees are entitled to injury leave with pay, less any Worker's Compensation weekly salary benefits that they may be awarded by the Industrial Commission of Ohio (ICO), for a period not to exceed 120 consecutive working days for employees working a 40 hour work week for each injury incurred in the performance of employment duties with the Delaware Municipal Court or Clerk of Court, provided that the following procedures are followed:

A. In all cases of personal injury to any full-time Delaware Municipal Court or Clerk of Court employee as a result of the performance of employment duties, the employee must immediately complete an

accident/injury investigation form and report the accident/injury to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, who must immediately report said accident/injury to the Department of Administrative Services and ensure that a claim is filed with ICO.

- B.** In the event that time off from work is required by the injured employee, he/she will be granted injury leave from the first day of injury, if the proper documentation is submitted to the City of Delaware. This documentation will include, but not be limited to, a statement from the employee's physician, an Agreement covering Compensation Reimbursement, any necessary ICO forms and other documents as may be required by the City. In the event that the ICO determines that the injury is NOT employment related, any time the employee is, or has been, absent from work will be deducted first, from any accrued sick leave, then accrued vacation, or accrued compensation time off, other than compensatory time for overtime worked.
- C.** During the period of time an injured employee is being paid under this policy, all normal benefits given to regular full-time employees will remain in force with no deductions to earned sick leave and/or vacation time.
- D.** In all cases where an injury leave of more than 120 consecutive working days is requested by an employee working a 40 hour work week, the Administrative Judge or his/her designee or Clerk of Court or his/her designee may extend such leave by an additional 120 consecutive working days if such necessity is determined to his/her satisfaction. Each employee requesting such an extension under this policy may be required to furnish a current affidavit from a licensed physician setting forth the need for the extension.

Policy 28. Insurance

Section 1. Hospitalization, Surgical, and Major Medical. The City will continue to provide comprehensive hospitalization, surgical, and major medical coverage for all full-time members and their dependents. Beginning January 1, 1999, or at some date thereafter, the City may implement a Preferred Provider Organization (PPO). The Plan if implemented will provide for the following deductibles and co-payments as follows:

	NETWORK PROVIDERS	NON-NETWORK PROVIDERS
Annual Deductible		
Single	None	\$ 500.00
Family	None	\$1,000.00

Office Visit Co-Pay	\$10.00	N/A
ER Visit Co-Pay	\$50.00 unless admitted into the hospital, otherwise co-insurance will apply in excess of the deductible.	N/A
Co-Insurance Single	90/10% of first \$1,000 80/20% of next \$3,000	50/50% of first \$5,000
Family	90/10% of first \$2,000 80/20% of next \$5,000	50/50% of first \$10,000

Contributions will be deducted from the member's gross income prior to taxes, subject to compliance with all applicable tax regulations.

Employees will contribute to the cost of the health benefit plan in an amount determined annually by the City of Delaware. Annual changes to the calculated COBRA rate will be applied to the monthly employee contributions on the first full pay-period in April of each year. Contributions will be deducted from all members in a paid status based on twelve months times the monthly rate, divided by the number of pay periods per year. An example would be \$56.95/mo. x 12 = \$683.40, \$683.40/26 pay periods = \$26.28 per pay period. In the event federal tax regulations are changed so that medical benefit plans are no longer tax exempt, the City will not be responsible to pick up the member's tax burden.

The City will permit employees who have alternate health plan options through a spouse to opt out of the City plan in return for a payment of \$100.00 per month. Families who have both spouses employed full time by the City of Delaware will not be eligible to opt out of the plan. Likewise, these employees will not be subject to monthly payroll contributions. The employee will provide proof that they do in fact have other coverage before the City will drop that employee's current coverage. The City will continue to provide dental coverage if it is not provided under the employee's spouse's insurance. A member may elect to return to coverage under the City's insurance plan by notifying the City in writing of any substantial changes in their qualifying family circumstances. The member must give thirty days notice of his or her election to return to the City's plan, except in the case of an emergency, such as sudden loss of spouse's coverage, divorce or other change in family status. The plan will comply with Internal Revenue Code Section 125 which governs this matter.

Employees who opt out of the health insurance program will be compensated as follows:

No Coverage	\$100 per month
Maintain Prescription Only	\$ 60 per month
Maintain Dental Only	\$ 65 per month
Maintain Prescription and Dental	\$ 55 per month

* An employee may not elect to have medical coverage only.

Payments will begin on the first pay period of the month following 30 days notice of an employee's desire to drop coverage. A form will be provided which will contain all information necessary to discontinue coverage under the plan. The form must be signed and returned to the Department of Administrative Services. Until such time that an employee is effectively dropped from City coverage, they will be subject to any payroll contributions.

All payments made in lieu of insurance coverage will be included as other pay on employee's paycheck. This income will not be included in income subject to PERS contributions but will be subject to all applicable taxes.

A. Prescription Plan

The City will provide a prescription card plan for members and their dependents.

The retail benefits will be the following with the City paying the higher amount and the employee paying the lesser amount of prescription coinsurance:

- 80/20% for generic drugs
- 50/50% name brand drugs with a \$25.00 co-pay for each disbursement

The mail order benefits will be the following:

- 90/10% for generic drugs and
- 75/25% for name brand drugs with no \$25.00 co-pay.

The maximum expense an employee will pay for coinsurance is \$250.00 annually for single coverage and \$500.00 for family annually for prescription benefits, however, the \$25.00 co-pay for retail name brand drugs will not count towards the calculation of the \$250.00 or the \$500.00 coinsurance maximum and will always apply even after an employee reaches the coinsurance maximum expenditure.

B. Dental Care Plan

The City will maintain the current dental coverage for all members. Please contact Department of Administrative Services if you have questions.

Section 2. Life Insurance

The City will provide the following amount of life insurance:

Clerk of Court	\$ 50,000.00
Magistrate	\$ 45,000.00

Clerk's Chief Deputy	\$ 30,000.00
<i>Court IT Director*</i>	\$ 30,000.00
All other full time employees	\$ 20,000.00

*Revised 2017

Section 3. Certificate of Coverage

The City will provide a certificate of coverage for each Court employee. Such certificate will be for the employee's family situation.

Policy 29. Overtime Compensation

Section 1. Overtime Pay and Compensatory Time - Nonexempt Employees

Employees who are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act are entitled to overtime pay or compensatory time as described below:

- Employees must receive prior approval from the Administrative Judge or his/her designee or Clerk of Court or his/her designee.
- Employees will be compensated at straight-time rates for all hours in active pay status, except that all hours in paid status in excess of 40 hours in any work week will be compensated at a rate of time and one-half. Payment in cash will be made for any overtime due at the time of separation from City service.
- In lieu of cash payment, the employee may request to be compensated for overtime by compensatory time off in accordance with the law. Such compensatory time off will be equal to 1.5 hours for each hour overtime compensation to which the employee is entitled. All requests for compensatory time are subject to approval of the department head. Any compensatory time that is used by an employee must be taken at a time mutually agreeable to the supervisor and the employee.
- Employees can accumulate up to 80 hours of compensatory time. When an employee has 80 hours of accumulated compensatory time, all further overtime will be paid in cash.
- Compensatory time will be submitted on the regular payroll sheet detailing the time earned and taken.

Section 2. Overtime Pay and Compensatory Time - Exempt Employees

Employees exempt under the Fair Labor Standard Act are not entitled to overtime pay but are entitled to compensatory time as described below:

- Employees must receive prior approval from the Administrative Judge or his/her designee or Clerk of Court or his/her designee.

- Compensatory time will be earned for approved work that exceeds the 40 hour work week and such employees may receive said compensatory time at the rate of one hour for each hour worked in excess of 40 hours per week.
- The maximum accrual of compensatory time is 80 hours.
- Compensatory time must be used in minimum increments of one hour and maximum increments of 16 hours.
- At no time will compensatory time be converted to any other form of leave or compensation.
- Compensatory time must be listed on the regular payroll sheet detailing the time earned and taken.

Policy 30. Special Leave

The Administrative Judge or his/her designee or the Clerk of Court or his/her designee, may authorize special leave of absence, with or without pay, for purposes beneficial to the employee and/or the Court or Clerk of Court.

A. Jury Service Leave

An employee, while serving on a jury in any court of record in Delaware County, the State of Ohio, or any adjoining county, will be paid his/her regular salary for each workday during the period of time so served. Time so served will be deemed active and continued service for all purposes. All jury fees received from the court where the jury was seated will be assigned to the City of Delaware and submitted to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, to be forwarded to the City Finance Director.

B. Court Leave

Time off with pay will be allowed for work-related incidents where an employee is subpoenaed as a witness in civil matters in any court of record in Delaware County, State of Ohio, or any adjoining county. All witness fees will be assigned to the City of Delaware and submitted to the Administrative Judge or his/her designee or the Clerk of Court or his/her designee, to be forwarded to the City Finance Director.

Policy 31. Family and Medical Leave Act

The Family and Medical Leave Act policies in the City of Delaware's Employment Handbook apply to the employees of both the Court and the Clerk of Court.

Policy 32. Parks and Recreation Credit

The City will provide each employee with a credit to be applied to a City Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit is \$60.00. This membership is defined and regulated by the Recreation

Services Department and employees must abide by the stipulations set forth by the department both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. In addition, the City will provide to each member a 20% discount on all individual registrations for City recreation programs.

Revised Nov. 2016

Policy 33. On-Call Compensation

Both exempt and non-exempt employees of the Clerk of Court will be eligible for on-call compensation for weekly periods when assigned the responsibility of responding to law-enforcement requests during non-scheduled work periods. Employees assigned to this on-call status will serve in this posture for weekly time periods as authorized by the Clerk or by the Clerk’s designee. Employees assigned to on-call status will be compensated at a weekly rate of between \$25 and \$50 as determined by the Clerk of Court. On-call compensation will be added to regular and overtime wages earned during the pay period and will be paid as taxable income through the bi-weekly payroll process.

Policy 34. Salary Ranges

Each employee is required to pay all required employee contributions to the Ohio Public Employees Retirement System (OPERS).

SALARY RANGES - MUNICIPAL COURT:

JOB TITLE	HOURLY WAGE		ANNUAL SALARY	
	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
OFFICE ASSISTANT	\$12.37	\$17	\$25,730	\$35,360
ADMINISTRATIVE ASSISTANT	\$14.53	\$20	\$30,222	\$41,600
BAILIFF/SECURITY OFFICER	\$16.28	\$27	\$33,662	\$56,160
COMMUNITY CONTROL OFFICER	\$16.35	\$28	\$34,000	\$58,240
OVI DOCKET COORDINATOR/ COMMUNITY CONTROL OFFICER	\$16.35	\$28	\$34,000	\$58,240
ASSIGNMENT ADMINISTRATOR	\$18.81	\$28	\$39,125	\$58,240
*ASSIGNMENT COMMISSIONER/JURY COMMISSIONER	\$18.81	\$28	\$39,125	\$58,240
ADMIN. ASSISTANT/JURY COMMISSIONER	\$18.81	\$28	\$39,125	\$58,240
CHIEF COMMUNITY CONTROL OFFICER	\$20.74	\$32	\$43,139	\$66,560
MAGISTRATE	\$34.67	\$52	\$72,114	\$108,160

Revised Nov. 2016 *Position effective 11-28-16

SALARY RANGES - CLERK OF COURT:

1901.31(H) Deputy Clerks of a municipal court other than the Carroll County Municipal Court may be appointed by the Clerk and shall receive the compensation, payable in either biweekly instalments or semi-monthly instalments, as determined by the payroll administrator, out of the City Treasury, that the Clerk may prescribe, except that the compensation of any Deputy Clerk of a county-operated municipal court shall be paid out of the treasury of the county in which the Court is located. The Judge of the Carroll County Municipal Court may appoint Deputy Clerks for the Court, and the Deputy Clerks shall receive the compensation, payable in biweekly instalments out of the county treasury, that the Judge may prescribe. Each Deputy Clerk shall take an oath of office before entering upon the duties of the Deputy Clerk's office and, when so qualified, may perform the duties appertaining to the office of the Clerk. The Clerk may require any of the Deputy Clerks to give bond of not less than three thousand dollars, conditioned for the faithful performance of the Deputy Clerk's duties.

Policy 35. Permanent Part-Time Employees

Permanent part-time employees will receive the following wages and benefits:

Section 1. Wages

Permanent part-time employees will be paid on an hourly basis in accordance with the table in Policy 34 above.

Section 2. Benefits

- A. Permanent part-time employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period.
- B. Permanent part-time employees are eligible for holiday pay if they work a major holiday, which includes the following: Memorial Day, July 4, Labor Day, Thanksgiving, Christmas, and New Year's Day. Holiday Pay is defined as one and one-half times the permanent part-time employee's regular hourly rate.
- C. Overtime will be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 40 hours in any work week will be compensated for a rate of time and one-half.
- D. The permanent part-time employee is responsible for payment of the employee contribution for the State of Ohio Retirement System.
- E. Upon termination of employment with the Court or Clerk of Court, permanent part-time employees will not receive pay-out for any leave accumulated.
- F. If a permanent part-time employee becomes full time with the Court or

Clerk of Court, any accumulated Universal Leave will be added to the permanent part-time employee's sick leave balance.

Policy 37. Intermittent Part-Time/Seasonal Employees

Intermittent part-time and seasonal employees will receive the following wages and benefits:

Section 1. Wages

Intermittent part-time and seasonal employees will be paid on an hourly basis in accordance with the table in Policy 35 above.

Section 2. Benefits

Intermittent part-time and seasonal employees are not eligible for benefits, but the intermittent part-time, and/or seasonal employee is responsible for payment of the employee contribution for the State of Ohio Retirement System.

Receipt and Acknowledgment Form

The employee policy manual and employee benefits manual include important information about employment at the Delaware Municipal Court and the Clerk of Court's office, and I understand that I should consult my immediate supervisor regarding any questions that are not answered in those documents. If my supervisor cannot answer my question, I should consult with the Administrative Judge or his/her designee or the Clerk of Court or his/her designee.

I have entered into my employment relationship with the Delaware Municipal Court or the Clerk of Court voluntarily and I acknowledge that there is no specified length of employment. Accordingly, the Delaware Municipal Court, the Clerk of Court, or I may terminate the relationship at will, with or without cause, at any time.

Because the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions to the administrative policy manual and the employee-benefits manual may occur, though I also understand that my position is and will remain an employment-at-will position. Any changes in the manuals will be communicated through official notices, and I understand that that revised information may supersede, modify, or eliminate existing policies. Only the Administrative Judge or Clerk of Court of the Delaware Municipal Court has the ability to adopt any revisions to the policies in this handbook.

Furthermore, I acknowledge that this handbook is neither a contract of employment nor a legal document. I have received the administrative policy manual and the employee-benefits manual, and I understand that it is my responsibility to read and to comply with the policies contained in these documents as well as any revisions made to them later.

Employee's Signature

Date

Employee's Name (Please Print)



FACT SHEET

AGENDA ITEM NO: 9

DATE: 12/22/16

ORDINANCE NO: 16-108

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Jackie Walker, Assistant City Manager

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING ORDINANCE NO. 15-115 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT/SEASONAL EMPLOYEES OF THE CITY OF DELAWARE, AND DECLARING AN EMERGENCY.

BACKGROUND:

The proposed 2017 budget reflects an increase in wages by 2% for all permanent part-time and intermittent part-time/seasonal positions. Permanent part-time personnel will also receive a 20% discount on all individual registrations for City recreation programs.

REASON WHY LEGISLATION IS NEEDED:

Legislation is necessary in order to process payroll changes.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

2 percent increase for all permanent part-time and intermittent part-time/seasonal positions, as reflected in the proposed 2017 budget.

POLICY CHANGES:

N/A

PRESENTER(S):

Jackie Walker, Assistant City Manager

RECOMMENDATION:

Approval

ATTACHMENT(S)

N/A

ORDINANCE NO. 16-108

AN ORDINANCE AMENDING ORDINANCE NO. 15-115 ESTABLISHING THE PAY AND BENEFITS FOR VARIOUS PART-TIME AND INTERMITTENT, AND SEASONAL EMPLOYEES OF THE CITY OF DELAWARE.

WHEREAS, the City hires various part-time, intermittent/seasonal employees that can be divided into two classifications, to wit: permanent part-time and intermittent seasonal, and

WHEREAS, Section 155.09, Appointment Status, of the Codified Ordinances of the City of Delaware defines part-time employment, and Ordinance No. 15-115 established pay and benefits for various part-time employees of the City, and

WHEREAS, it is necessary to clarify the wages and benefits for each classification of part-time and intermittent/seasonal employees.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. Ordinance No. 15-115 is hereby amended to read as follows:

A. Effective ~~December 30, 2015~~ **DECEMBER 28, 2016** permanent part-time employees shall receive the following wages and benefits:

1. Wages. Permanent part-time employees shall be paid on an hourly basis in accordance with the following table:

Pay Grade	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
PT 1	8.88	9.21	9.59	9.79	9.99
PT 2	13.40	13.92	14.49	15.08	15.66
PT 3	14.09	14.65	15.20	15.85	16.48
PT 4	16.23	16.88	17.56	18.26	18.99
PT 5	18.80	19.38	19.98	20.61	21.22
PT 6	21.47	22.11	22.70	23.38	24.08

PAY GRADE

PT 1

PT 2

PT 3

POSITION

Facility Maintenance Technician I

Support Services Aide, Parking Control Officer

Facility Maintenance Technician II

	Clerical Specialist, Records Clerk, Laborer, Front Counter Clerk, Help Desk Technician
PT 4	No present position
PT 5	Investigator/Diversion Manager, Code Enforcement Officer
PT 6	Human Resource Coordinator

2. Benefits. Benefits for permanent part-time are as follows:

- (a) Employees will accrue Universal Leave on a prorated basis of 4.6 hours for every eighty hours worked in a pay period.
- (b) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday Pay is defined as one and one half times the employee's regular hourly rate.
- (c) Overtime shall be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 40 hours in any work week shall be compensated for a rate of time and one half.
- (d) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.
- (e) Upon termination of employment with the City employees will not receive pay-out for any leave accumulated.
- (f) If an employee becomes full time with the City, any accumulated Universal Leave will be added to the employee's sick leave balance.
- (g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. **EMPLOYEES WILL ALSO RECEIVE A 20% DISCOUNT ON ALL INDIVIDUAL REGISTRATIONS FOR CITY RECREATION PROGRAMS.** Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the

time of registration/purchase. Credits are non-transferrable.

- B. Effective January 1, 2014 permanent part-time firefighters shall be paid on an hourly basis in accordance with the following table:

PAY GRADE	POSITION	WAGE
PTFF1	Firefighter/EMT	12.00/hour
PTFF2	Firefighter/Paramedic	14.00/hour

1. Benefits. Benefits for permanent part-time firefighters are as follows:
 - (a) The City will provide \$10,000 of life insurance
 - (b) Overtime shall be compensated at straight time rates for all hours in paid status, except that all hours in paid status in excess of 2 1/2 hours in any 28 day pay cycle shall be compensated for a rate of time and one half.
 - (c) The employee will be responsible for payment of the employee contribution to their pension system.
 - (d) Employees are eligible for holiday pay if they work a major holiday which includes the following: Christmas, Labor Day, Memorial Day, July 4, New Year's Day and Thanksgiving. Holiday pay is defined as one and one half times the employee's regular hourly rate.
 - (e) Permanent part-time firefighters may not exceed 1500 hours worked in a calendar year.
 - (g) Employees shall receive a Parks and Recreation Credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hillborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. **EMPLOYEES WILL ALSO RECEIVE A 20% DISCOUNT ON ALL INDIVIDUAL REGISTRATIONS FOR CITY RECREATION PROGRAMS.** Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-

issued if lost or stolen and must be surrendered at the time of registration/purchase. Credits are non-transferrable.

C. Effective ~~December 31, 2014~~ **DECEMBER 28, 2016** intermittent part-time/seasonal employees shall receive the following wages and benefits:

1. Wages. Intermittent part-time/seasonal employees shall be paid on an hourly basis in accordance with the following table:

Pay Grade	Position	Wage/Hour
SL 1	Cashier I	\$8.26
SL 2	Cashier II	\$8.57
SL 3	Cashier III	\$9.08
SL 4	Laborer I, Intern I	\$9.46
SL 5	Laborer II	\$10.51
SL 6	Intern II, Clubhouse Manager, Laborer III	\$11.56
SL 7	Laborer IV	\$12.61
SL 8	Intern III	\$13.66
SL 9	Intern IV, Cemetery Office Manager	\$14.71

For intermittent/seasonal positions not listed above, the wages shall be the entry-level pay rate reflected in the applicable pay plan for the equivalent permanent full-time position or a pay rate established by the City Manager.

2. Benefits. Intermittent /seasonal employees are not eligible for benefits, except the following:

(a) The employee shall be responsible for payment of the employee contribution for the State of Ohio Retirement System.

SECTION 2. Existing Ordinance No. 15-115 is hereby repealed.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the

law including Section 121.22 of the Revised Code.

SECTION 4. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 28, 2016. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

EMERGENCY CLAUSE:

YEAS ____ NAYS ____
ABSTAIN ____

PASSED: _____, 2016

YEAS ____ NAYS ____
ABSTAIN ____

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 10

DATE: 12/22/16

ORDINANCE NO: 16-109

RESOLUTION NO:

READING: THIRD

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Jackie Walker, Assistant City Manager

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN, AND DECLARING AN EMERGENCY.

BACKGROUND:

The proposed 2017 budget reflects the addition of four new positions within the non-union employee pay plan and an increase in wages by 2% for the non-union employee pay plan.

The department head pay plan has been redefined by banding positions within three pay grades with amounts to be determined at a later date.

Other notable additions/changes include optional vision coverage, reinstatement of the 20% discount on all individual registrations for City recreation programs, and restrictions on the earned time off conversion benefit.

In addition, the ordinance includes a section authorizing the Finance Director to sign an annual OPERS earned time off conversion document.

REASON WHY LEGISLATION IS NEEDED:

Legislation is necessary in order to process payroll changes.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

A 2 percent increase for all non-union positions, as reflected in the proposed 2017 budget.

POLICY CHANGES:

N/A

PRESENTER(S):

Jackie Walker, Assistant City Manager

RECOMMENDATION:

Approval

ATTACHMENT(S)

Amended Pay Plan

ORDINANCE NO. 16-109

AN ORDINANCE AMENDING THE MANAGEMENT, PROFESSIONAL, TECHNICAL, CONFIDENTIAL, AND SUPERVISORY EMPLOYEES PAY PLAN, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the attached Management, Professional, Technical, Confidential and Supervisory Pay Plan shall be amended to reflect the noted changes.

SECTION 2. That the Finance Director is hereby authorized to execute and submit the annual OPERS earned time conversion document on behalf of the City.

SECTION 3. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 4. EMERGENCY CLAUSE. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City. The emergency clause is required to enact the changes effective on December 28, 2016 which coincides with the new calendar year. Therefore this Ordinance shall be in full force and effect immediately upon its passage.

EMERGENCY CLAUSE:

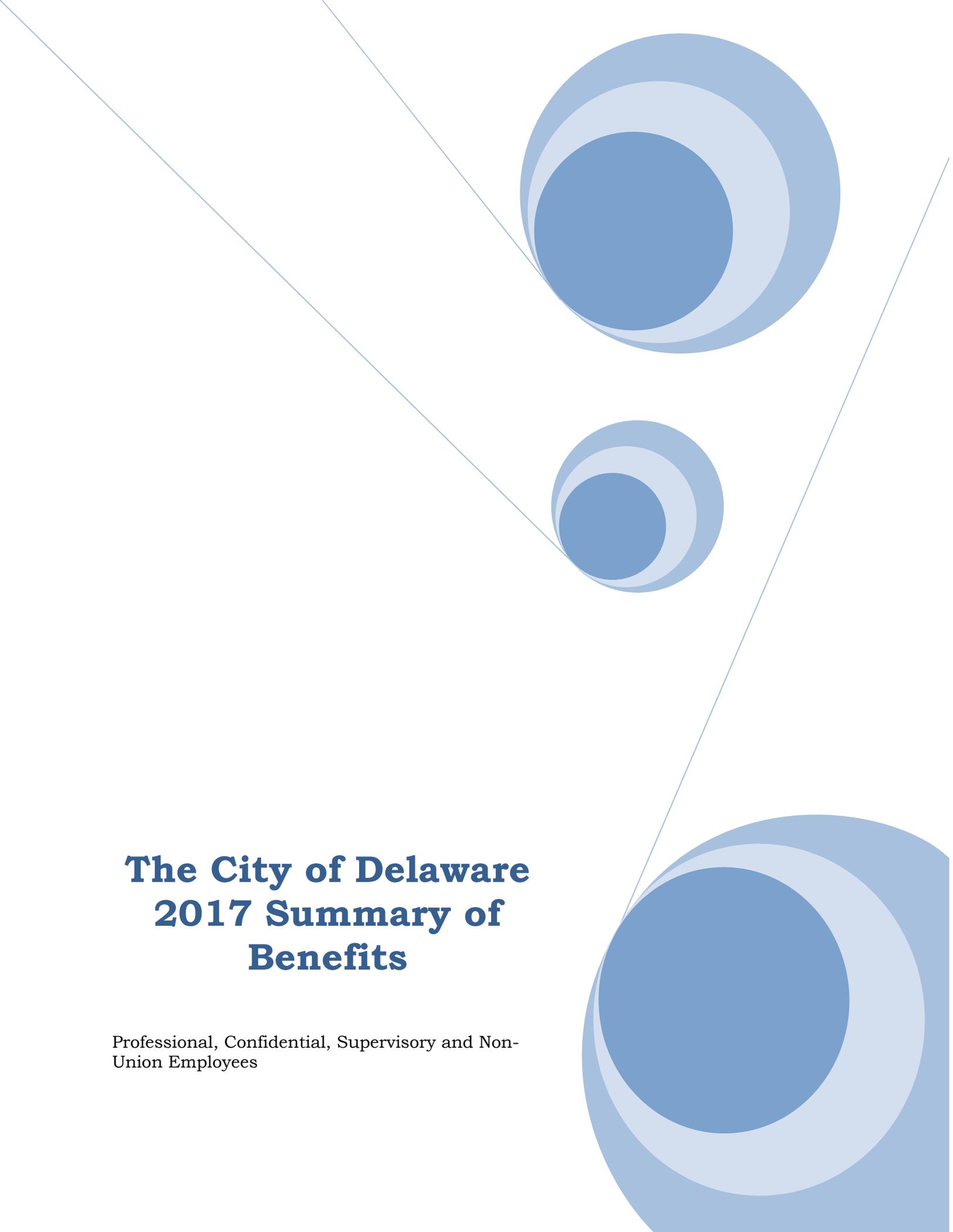
YEAS___NAYS___
ABSTAIN ___

PASSED: _____, 2016

YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR

A decorative graphic on the right side of the page features three overlapping circles in shades of blue, arranged vertically. Two thin blue lines intersect at the top right, forming a large 'V' shape that frames the circles. The circles are positioned in the upper right, middle right, and lower right areas of the page.

The City of Delaware 2017 Summary of Benefits

Professional, Confidential, Supervisory and Non-
Union Employees

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SECTION I WAGES AND PAY PLAN

A. Non-Union Employee Pay Plan

The following pay schedule is to be effective December ~~31, 2015~~ **28, 2016** and the table below reflects a **2%** increase for each step. Step increases shall take effect the first full pay period following the employee's anniversary date.

<u>PAY GRADE</u>	<u>POSITION</u>
M1	Administrative Assistant, Police Administrative Aide, Desktop Technician, CLERK OF COUNCIL
M2	Airport Technician, Watershed Coordinator, Police Assistant
M3	Economic Development Communications Specialist
M4	Cemetery Manager, Financial Specialist I, Arborist
M5	CMMS Analyst, Administrative Services Specialist, Right-of-Way Inspector, Zoning Technician, CMMS/CSR Technician
M6	Police Technician
M7	Building & Code Enforcement Officer I, Customer Service Liaison, Facility Maintenance Supervisor
M8	Engineering Technician, Airport Operations Supervisor, Division Supervisor, Financial Specialist II, Executive Assistant, Building & Code Enforcement Officer II, Golf Course Superintendent, Project Manager I, Collections Manager
M9	Assistant City Attorney/Prosecutor
M10	Development Planner
M11	No Current Position
M12	GIS Coordinator, Project Manager II, Airport Manager, Construction Inspection Manager, IT Project Coordinator, Budget Analyst
M13	Vacant
M14	Information Systems & Network Administrator, Human Resource Manager, Assistant Prosecutor, DATABASE ANALYST
M15	Project Engineer I, Assistant Water Manager, Assistant Wastewater Manager, Parks Superintendent
M16	No current position
M17	Project and Maintenance Manager, Public Works Superintendent, Accountant, Zoning Administrator, Water Manager, Wastewater Manager, Community Affairs Coordinator, Project Engineer II, Income Tax Administrator
M18	Project Engineer III
M19	Deputy City Engineer
M20	No current position

Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5
M1	18.13	18.83	19.49	20.38	21.19
M2	18.65	19.75	20.17	21.01	21.82
M3	19.58	20.36	21.19	22.04	22.91
M4	20.36	21.18	22.03	22.94	23.83
M5	21.41	22.34	23.68	24.56	25.29
M6	22.28	23.30	24.60	25.53	26.31
M7	23.15	24.25	25.58	26.53	27.37
M8	24.43	25.47	26.49	27.62	28.77
M9	25.43	26.47	27.56	28.72	29.93
M10	26.44	27.54	28.69	29.89	31.15
M11	27.50	28.60	29.87	31.06	32.34
M12	28.64	29.77	31.03	32.29	33.67
M13	29.75	30.96	32.27	33.61	35.03
M14	30.91	32.22	33.57	34.96	36.43
M15	32.14	33.52	34.92	36.36	37.84
M16	33.47	34.84	36.30	37.80	39.35
M17	34.80	36.22	37.80	39.30	40.96
M18	36.16	37.67	39.30	40.91	42.61
M19	37.64	39.20	40.88	42.52	44.28
M20	39.13	40.73	42.52	44.24	46.06

B. Department Head Pay Plan

The following pay schedule for the positions below is to be effective December 30, 2015 **28, 2016**.

DH III		RANGE
Dean Stelzer	Finance Director	\$100,800.00 to \$141,120.00
Darren Shulman	City Attorney	
Bruce Pijanowski	Police Chief	
John Donahue	Fire Chief	
DH II		\$84,000.00 to \$117,600.00
Bill Ferrigno	Public Works Director/City Engineer	
David Efland	Planning Director	
Scott Stowers	IT Director	
Doug Stewart	Assistant Fire Chief	
Brad Stanton	Public Utilities Director	
Jackie Walker	Assistant City Manager	
DH I		\$70,000.00 to \$98,000.00
Jerry Warner	Chief Building Official	
Sean Hughes	Economic Development Director	
Ted Miller	Parks & Natural Resource Director	
Melissa Schiffel	City Prosecutor	

C. Safety Forces Pay Plan

The following pay schedule is to be effective December 30, 2015 **28, 2016**. The table below reflects a **2%** increase for each step. Step increases shall take effect the first full pay period following the employee’s anniversary date.

Pay Grade	STEP 1		STEP 2		STEP 3	
	Hourly	Annual	Hourly	Annual	Hourly	Annual
SF1	46.88	\$97,508.74	48.64	\$101,179.10	50.40	\$104,828.26

<u>PAY GRADE</u>	<u>POSITION</u>
SF1	Police Captain

1. Maximum Vacation Accrual

If an employee enters into the Management Pay Plan with more than the maximum accrual of vacation hours allowed, the following will occur: 1.the employee may request a pay out to take the current level below the maximum allowed or 2. the current accrual will be “frozen” as a maximum cap for the calendar year. The last pay of each year will be the next annual cap if the accrual is lower than the previous cap. This will continue to occur until the employee reaches the maximum management accrual rate.

2. Initial Compensatory Time

Prior to entering the Management Pay Plan all compensatory time will be paid out according to the provision in the respective bargaining contract and the employee compensation time will be zero (0).

3. Clothing Maintenance Allowance

The positions of Police Chief and Police Captain shall receive an annual clothing maintenance allowance of three hundred and forty dollars (\$340) in January of each year.

4. Uniforms Allowance

The Management Pay Plan positions in the Police and Fire Departments will receive replacement uniform items when determined by the Chief that replacement is necessary.

D. Overtime Pay and Compensatory Time: Non-Exempt Employees

For employees who are entitled to overtime pay or compensatory time off under the provisions of the Fair Labor Standard Act they shall be entitled to overtime pay or compensatory time as described below:

1. Employees shall be compensated at straight-time rates for all hours in active pay status, except that all hours in paid status in excess of forty (40) hours in any workweek shall be compensated for at a rate of time and one-half. Payment in cash shall be made for any overtime due at the time of separation from City service.
2. In lieu of cash payment, the employee may request to be compensated for overtime by compensatory time off in accordance with the law. Such compensatory time off shall be equal to one and one-half (1.5) hours for each hour of overtime compensation to which the employee is entitled. All requests for use of compensatory time are subject to approval of the department head. Compensatory time shall be taken at a time mutually agreeable to the supervisor and the employee.
3. Employees can accumulate up to eighty (80) hours of compensatory time. When an employee has eighty (80) hours of accumulated compensatory time, all further overtime will be paid in cash.
4. At no time shall compensatory time be converted to any other form of leave or compensation; except when an employee separates from City service. Upon termination of employment, a non-exempt employee shall be paid for unused compensatory time provided that the time was earned after April 14, 1986 at a rate of compensation not less than:
 - a) The average regular rate (hourly rate) received by such employee during the last 3 years of the employee's employment, or
 - b) The final regular rate (hourly rate) received by such employee, whichever is higher.

5. Compensatory time shall be submitted on the regular payroll sheet detailing the time earned and taken.

E. Compensatory Time: Exempt Employees

Employees exempt under the Fair Labor Standard Act shall not be entitled to overtime pay but shall be entitled to compensatory time as described below:

1. No existing compensatory time balances will be carried over from an outside position or when the employ transfers into the Management Pay Plan.
2. Compensatory time shall be earned for approved work that exceeds eight (8) hours per day and such employees may receive said compensatory time at the rate of one (1) hour for each hour worked in excess of eight (8) hours per day.
3. The maximum accrual of compensatory time shall be eighty (80) hours.
4. Compensatory time must be used in minimum increments of one (1) hour and maximum increments of twenty four (24) hours per pay period.
5. At no time shall compensatory time be converted to any other form of leave or compensation. Upon termination of employment, an exempt employee is not entitled to payment for unused compensatory time.
6. Compensatory time shall be submitted on the regular payroll sheet detailing the time earned and taken.

SECTION II ACCRUED TIME AND VARIOUS LEAVES

A. Vacation

1. The vacation year for employees shall end at the close of business on the last pay period that ends in the month of December.
2. Each full-time employee shall accrue vacation leave by pay period at the annual rate of work hours based on years of full time total service which is established in the schedules contained in Section 3 of this article. Years of total full time service is defined to be the total of all periods of employment for the City of Delaware. Any period of interruption of service due to resignation, layoff, disciplinary suspension, or discharge for cause, will not be included in the computation of total service. Time not in paid status, excepting military leave, shall also be excluded in computing total service. In computing years of service, the higher rate of accrual will be on the first day of the first pay period in which a year of service is completed.
3. The following vacation accrual schedules are established:

Years of Total Service	Vacation Hrs/Year	Vacation Hrs/Pay
Start through 5 years	80.6	3.1
6 through 10 years	119.6	4.6
11 through 15 years	161.2	6.2
16 plus years	200.2	7.7

4. Any vacation balance in excess of the maximum accrual shall become void as of the close of business on the last day of the last pay period that ends in the month of December.

Years of Total Service	Maximum Accrual of Vacation Hours
Start through 5 years	241.8
6 through 10 years	358.8
11 through 15 years	483.6
16 plus years	600.6

5. Eligibility

- a. To be eligible for biweekly (pay period) vacation accumulation, an employee must be in paid status for a minimum of 72 hours within that pay period; except that when an employee is required to report for work and does so report and is denied work because of circumstances beyond their control, absence from work for the balance of that day shall not be construed as unpaid work status.
- b. An employee in full-time status who is to be separated from the City service through discharge, resignation, retirement or layoff, and who has unused vacation leave to their credit, shall be paid in a lump sum for such unused vacation leave in lieu of granting a vacation leave after his last day of active service with the City. Such payment shall be paid at the employee's hourly rate of pay at time of separation.
- c. When a member dies while in paid status in the City service, any unused vacation leave to their credit shall be paid in a lump sum to the surviving spouse, or such other person the employee may have designated in writing.
- d. To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment inside the State of Ohio:
 - 1) Employees will only be eligible to transfer years of service from a public agency as defined by State law.
 - 2) The amount of years of service that can be transferred is unlimited.
 - 3) Prior employment must be in full-time status.
- e. To be eligible to transfer years of service for determination of vacation benefits to the City of Delaware from prior employment outside the State of Ohio:
 - 1) Employees will only be eligible to transfer years of service from their immediate previous employer.
 - 2) Said previous employer must be a public agency.
 - 3) Employment with the City of Delaware must take place within twelve months of termination from their immediate previous employer.
 - 4) The maximum amount of years of service that can be transferred is five (5) years.
 - 5) Present employees are not eligible.
 - 6) Prior employment must be in full-time status.
- f. An employee may elect to trade three (3) weeks of vacation time, or the equivalent of vacation time earned in one year, whichever is greater, for equivalent pay during ~~any~~ **THE** calendar year. **CONVERSION OF VACATION TIME MAY OCCUR IN JANUARY, JUNE, OR DECEMBER OF EACH YEAR.** An employee must

inform the Department Head prior to August 1 of the year preceding the calendar year in which he intends to make the trade and must maintain at least forty (40) hour of vacation time in the employee's account after said trade takes place.

B. Sick Leave

1. Each City employee shall be entitled to sick leave with pay of four and six-tenths (4.6) hours for each completed eighty (80) hours of service. An employee may use sick leave, upon approval of his or her Department Head, for absence due to personal illness, pregnancy, injury, exposure to contagious disease which could be communicated to other employees, and for illness or injury of the employee's spouse, dependent children, step-children or parent. It is the option of a supervisor, with cause, to require return to work documentation from the employee.
2. If an employee used 0 hours of sick leave in any one calendar year, that employee shall be credited with an additional three (3) vacation days the following year. If an employee uses between one (1) and eight (8) hours of sick leave in any one calendar year that employee shall be credited with an additional two (2) vacation days the following year. If an employee uses between nine (9) and sixteen (16) hours of sick leave in any one calendar year that member shall be credited with one (1) additional vacation day the following year. At the employee's option, any additional vacation days earned can be **CONVERTED TO PAY IN THE MONTHS OF JANUARY, JUNE, OR DECEMBER OF THE YEAR THE ADDITIONAL VACATION IS EARNED** ~~taken in the form of vacation leave or compensation in cash.~~
3. To be eligible to transfer sick leave to the City of Delaware from prior employment inside the State of Ohio:
 - a. Employees will only be eligible to transfer sick leave from a public agency as defined by the State of Ohio.
 - b. Employment with the City of Delaware must take place within ten (10) years of termination from their previous employer.
 - c. The maximum amount of sick leave hours that can be transferred is unlimited as long as it is accrued at a rate of no greater than 15 days per year.
4. To be eligible to transfer sick leave to the City of Delaware from prior employment outside the State of Ohio:
 - a. Employees will only be eligible to transfer sick leave from their immediate previous employer.
 - b. Said previous employer must be a public agency.

- c. Employment with the City of Delaware must take place within twelve (12) months of termination from their immediate previous employer
 - d. The maximum amount of sick leave hours that can be transferred is six hundred (600).
 - e. Any sick leave time so transferred shall have been accumulated at the rate of one and one-fourth days per month of employment.
 - f. Present employees are not eligible.
5. Any City employee who has accumulated at least 100 days of sick leave credit may convert any excess thereof up to fifteen (15) days per year of sick leave to vacation leave on the basis two (2) sick leave days for one (1) day vacation leave. Such annual conversion, if made, shall occur in December for the year of conversion.
 6. Any employee separated from City service for other than just cause shall be paid for all accumulated and unused sick leave on the basis of one (1) hour of pay for every two (2) hours of unused sick leave. Total sick leave pay out cannot exceed sixteen (16) weeks pay.
 7. For Employees Hired After November 1, 2013

Each member hired by the City of Delaware after November 1, 2013 may transfer accrued sick leave hours from previous employment with any public agency but such sick leave hours will not be eligible for conversion or payment upon separation pursuant to section 5. In addition, sick leave usage by members who transfer in sick leave hours will first be charged to sick leave hours accumulated while employed by the City of Delaware. Members will only be eligible to utilize hours transferred in from prior public employment when they have no balance of sick leave available from sick leave accrued while employed by the City of Delaware.

B. Holiday and Personal Days

1. The following are designated as paid holidays for covered employees:

New Year's Day, January 1	Little Brown Jug Day, ½ day ¹
Martin Luther King Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving Day
Independence Day, July 4	Day before Christmas, ½ day
Labor Day	Christmas Day, December 25
2. If one of the holidays set forth above occurs while an employee is on vacation leave, such day shall not be charged against his/her vacation leave.

¹ In the event that an office remains open on a designated paid holiday all affected staff may take the corresponding time off for that holiday on another date, upon prior approval of their supervisor and/or department director.

3. In the event that the Federal Government designates a specific day for any of the aforesaid holidays, then such holiday shall be observed by the City in accordance with such federal designation. When any such holiday falls on a Saturday it shall be observed on the Friday immediately preceding, and when any such holiday falls on a Sunday, it shall be observed on the Monday immediately following, provided that the employee works their last regularly scheduled work day preceding and following the holiday.
4. For each of the holidays specified in Section 1 of this article on which a FLSA non-exempt employee works, they shall be entitled to holiday compensation equal to double the employee's regular rate of pay, except that the employee shall be entitled to holiday compensation at two and one-half times the employee's regular rate of pay if they work on any of the following holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. Only eight (8) hours per day will be used when computing the holiday rate. Compensation for holidays may be in the form of cash or compensatory time off.
5. Employees shall be credited with 32 hours of personal leave a year.
6. All employees will be permitted to accumulate three (3) years' worth of holiday compensatory time and personal leave. Once an employee accumulates the maximum allowable number of personal leave/holiday compensatory time then future personal leave/holiday compensatory time will be compensated for in cash, at the time they are earned. An employee may elect to cash in up to one year's worth of personal leave each year (32 hours) **IN THE MONTHS OF JANUARY, JUNE, OR DECEMBER EACH YEAR.** An employee must inform his or her Department Head prior to August 1 of the year preceding the calendar year in which they intend to make the trade.

C. Funeral Leave

Each covered employee shall be entitled to funeral leave with pay according to the following schedule:

Leave for Death of:	Days/Hours of Leave	
	Local Funeral	Other Funeral
Immediate Family Member	1 - 3 Days	1 - 5 Days
Other Relative	May Use Up To One Scheduled Work Day of Accrued Leave	May Use Between 1-3 Scheduled Work Days of Accrued Leave

- One work day/shift is automatic for the day of the funeral, but additional time up to the maximum shall be given only with approval of the Department Head.
- All leave time with approval of the Department Head.

1. For the purposes of this section, "Immediate Family Member" means spouse, child, brother, sister, parents, step-child, step-brother, step-sister and step-parents, grandparents, grandchildren, sister-in-law, brother-in-law and parents-in-law.
2. For the purposes of the article, "Local Funeral" means a funeral in the City of Delaware, or within fifty (50) miles thereof.

D. Special Leave

In addition to other leaves authorized herein, the City Manager may authorize a special leave of absence, with or without pay, for purposes beneficial to the employee and/or the City.

For exempt employees who are absent, if the absence cannot be covered or paid through appropriate leave time, said employees shall be subject to a reduction in pay, unless the absence is less than one workday.

F. Jury Duty Leave

An employee, while serving on a jury in any court of record in Delaware County, or any adjoining county, will be paid his regular salary for each of his workdays during the period of time so served. Time so served shall be deemed active and continuous service for all purposes. All jury fees received from the court of record shall be assigned to the City of Delaware.

When an employee has been released from Jury Duty they shall report back to work if more than two (2) hours are left in the workday

G. Court Leave

Time off with pay shall be allowed employees who are subpoenaed to attend any court of record in Delaware County, Delaware, Ohio, or any adjoining county, as a witness in civil matters, as they pertain to City matters. All witness fees shall be assigned to the City of Delaware.

H. Injury Leave

All regular full-time City employees shall be entitled to injury leave with pay, less any Worker's Compensation weekly salary benefits which he/she may be awarded by the Ohio Industrial Commission (OIC), for a period not to exceed 30 consecutive working days for employees working a 40-hour workweek for each injury incurred in the performance of employment duties with the City, provided that the following procedures are followed:

1. In all cases of personal injury to any regular full-time City employee as a result of the performance of employment duties, the employee shall complete an accident/injury investigation form and in conjunction with his/her Department Head shall report such injury to the Department of Administrative Services immediately and ensure that a claim is filed with the BWC.

2. In the event that time off from work is required by the injured employee, they will be granted injury leave from the first day of injury, if the proper documentation is submitted to the City of Delaware. This documentation will include, but not be limited to, a statement from the employee's physician, an Agreement covering Compensation Reimbursement, any necessary BWC forms and other documents as may be required by the City. In the event that the BWC determines that the injury is NOT employment related, any time the employee is, or has been, absent from work shall be deducted first from any accrued sick leave, then accrued vacation, or accrued compensatory time off, other than compensatory time for overtime worked.
3. During the period of time an injured employee is being paid under this policy, all normal benefits given to regular full-time City employees shall remain in force with no deductions to earned sick leave and/or vacation time.
4. In all cases where more than 30 consecutive working days are needed for injury leave for employees working a 40-hour workweek, the City Manager may extend such leave, if such necessity is determined to his/her satisfaction. Each employee requesting such an extension under this policy may be required to furnish a current affidavit from a licensed physician setting forth the need for the extension.

SECTION III INSURANCE

A. Hospitalization, Surgical and Major Medical

The City will continue to provide comprehensive hospitalization, surgical and major medical coverage for all full-time members and their dependents. Beginning January 1, 1999, or at some date thereafter, the City may implement a Preferred Provider Organization (PPO). The Plan if implemented will provide for the following deductibles and co-payments as follows:

	NETWORKS PROVIDERS	NON-NETWORK PROVIDERS
Annual Deductible Single Family	None None	\$ 500.00 \$1000.00
Office Visit Co-pay	\$10.00	N/A
ER Visit Co-Pay	\$50.00 unless admitted into the hospital, otherwise co-insurance will apply in excess of the deductible	N/A
Co-insurance Single Family	90/10% of first \$1,000 80/20% of next \$3,000 90/10% of first \$2,000 80/20% of next \$5,000	50/50% of first \$5,000 50/50% of first \$10,000

1. Contributions will be deducted from the member's gross income prior to taxes, subject to compliance with all applicable tax regulations.
2. Effective January 1, 2013 employees will contribute to the cost of the health benefit plan in an amount equal to 15% of the established monthly COBRA rate utilized by the City. Annual changes to the calculated COBRA rate will be applied to the monthly employee contributions on the first full pay-period in April of each year. Contributions will be deducted from all members in a paid status based on twelve (12) months times the monthly rate, divided by the number of pay periods per year. *An example would be \$56.95/mo. x 12 = \$683.40, \$683.40/26 pay periods = \$26.28 per pay period.* In the event federal tax regulations are changed so that medical benefit plans are no longer tax exempt, the City will not be responsible to pick up the member's tax burden.

The City will permit employees who have alternate health plan options through a spouse to opt out of the City plan in return for a payment of

\$100.00 per month. Families who have both spouses employed full time by the City of Delaware will not be eligible to opt out of the plan. One spouse will carry the cost of the plan minus the opt out payment. The employee will provide proof that they do in fact have other coverage before the City will drop that employee's current coverage.

The City will continue to provide dental coverage if it is not provided under the employee's spouse's insurance. A member may elect to return to coverage under the City's insurance plan by notifying the City in writing of any substantial changes in their qualifying family circumstances. The member must give thirty (30) days notice of his or her election to return to the City's plan, except in the case of an emergency, such as sudden loss of spouse's coverage, divorce or other change in family status. The plan will comply with Internal Revenue Code Section 125 which governs this matter.

3. Employees who opt out of the health insurance program will be compensated as follows:

No Coverage	\$100 per month
Maintain Prescription Only	\$ 60 per month
Maintain Dental Only	\$ 65 per month
Maintain Prescription and Dental	\$ 55 per month

* An employee may not elect to have medical coverage only.

4. Payments will begin on the first pay period of the month following 30 days notice of an employee's desire to drop coverage. A form will be provided which will contain all information necessary to discontinue coverage under the plan. The form must be signed and returned to the Department of Administrative Services. Until such time that an employee is effectively dropped from City coverage, they will be subject to any payroll contributions.
5. All payments made in lieu of insurance coverage will be included as other pay on employee's paycheck. This income will not be included in income subject to OPERS contributions but will be subject to all applicable taxes.

B. Prescription Plan

The City will provide a prescription card plan for members and their dependents.

The retail benefits will be the following with the City paying the higher amount and the employee paying the lesser amount of prescription coinsurance:

- 80/20% for generic drugs
- 50/50% name brand drugs with a \$25 co-pay for each disbursement

The mail order benefits will be the following:

- 90/10% for generic drugs and
- 75/25% for name brand drugs with no \$25 co-pay.

The maximum expense an employee will pay for coinsurance is \$250 annually for single coverage and \$500 for family annually for prescription benefits, however, the \$25 co-pay for retail name brand drugs will not count towards the calculation of the \$250 or the \$500 coinsurance maximum and will always apply even after an employee reaches the coinsurance maximum expenditure.

C. Dental Care Plan

The City will maintain the current dental coverage for all members. Please refer to the Plan Document for specific covered services

D. Life Insurance

The City will provide the following amount of life insurance:

- Department Heads = \$50,000
- Assistant Fire and Police Chiefs = \$50,000
- Pay Grades M11 through M20 = \$40,000
- Police Captain and Fire Captain = \$40,000
- Pay Grades M 1 through M10 = \$30,000

E. VISION PLAN

THE CITY WILL PROVIDE A VISION PLAN FOR MEMBERS AND THEIR DEPENDENTS COVERED BY THIS SUMMARY OF BENEFITS. THE CITY WILL CONTRIBUTE \$6.00 PER MONTH ON BEHALF OF THE EMPLOYEE. THE EMPLOYEE WILL BE RESPONSIBLE FOR THE BALANCE OF THE MONTHLY COST OF THE COVERAGE SELECTED.

SECTION IV OTHER COMPENSATION

A. Longevity Compensation

Employees shall receive, in addition to other pay called for herein, Longevity Compensation based on completed years of service according to the following table:

After five (5) years of continuous service	\$550.00 / year
After ten (10) years of continuous service	\$750.00 / year
After fifteen (15) years of continuous service	\$950.00 / year
After twenty (20) years of continuous service	\$1150.00 / year

1. Longevity compensation shall be paid, in accordance with the above schedule, in two (2) separate lump sum payments during the first pay periods in June and December of each year.
2. Upon termination of service for any reason, employees who are eligible for longevity pay under this section (or in the event of death, the surviving spouse or estate) will be paid, as part of their terminal pay, the final partial year of longevity compensation, prorated to the number of months completed during said partial year since the employee's last payment date.
3. For the purpose of this section, continuous years of service shall include approved military leave.

B. Automobile Expense Reimbursement

Employees shall receive reimbursement for business use of their personal vehicle. Reimbursement will be in accordance with Internal Revenue Service (IRS) regulations for not-taxable reimbursements and shall be at the IRS per mile reimbursement rate in effect when the business use miles were incurred. Department Heads as department heads employed by the City prior to January 1, 1999 who had received a monthly automobile allowance will only be reimbursed for business use of their personal vehicle for travel outside the City limits.

C. Non-Uniformed Clothing Allowance

All employees covered under this pay plan in Pay Grades M1 through M9 who are not provided with a uniform shall receive an annual clothing allowance of \$150.00. Such allowance shall be utilized to purchase necessary work related items of clothing such as, but not limited to: steel toed boots, coats, rain gear, rubber boots, gloves etc. All purchases of clothing shall be the responsibility of the employee. Upon hire the clothing allowance will be prorated based on the full months of service for that year.

D. Call In Pay

Both exempt and nonexempt employees shall be eligible for "on call" compensation for weekly periods when assigned the responsibility of directing Parks, Public Works, or Utility personnel in response to service requests during non-scheduled work periods. Employees assigned to this "on call" status shall serve in this posture for weekly time periods as authorized by the respective Department Head. Said employees shall be responsible for responding to after hour service requests. Employees assigned to an "on call" status shall be compensated at a weekly rate of between \$25.00 and \$50.00 as determined by the City Manager. On call compensation shall be paid in addition to regular and overtime wages earned during the pay period. On call assignments will be posted in June and December of each year for the following six-month period. Changes to the schedule must be made in advance with approval of the Department Head.

SECTION V MISCELLANEOUS

A. Personnel Files

The official personnel files of all employees shall be maintained in the Department of Administrative Services (DAS). All employee personnel records shall include but not limited to, applications, performance evaluations, promotions, acts of reward and recognition, disciplinary actions and any other pertinent information pertaining to the job performance of the individual employee. Copies therein shall be available to the employee.

DAS shall be responsible for the care and maintenance of all personnel files and records. Department heads shall be responsible for promptly forwarding all pertinent personnel information and documentation to DAS. Employees may, during normal office hours, review their official personnel files.

B. Parks and Recreation Credit

The City shall provide each employee with a credit to be applied to a Jack Florance Pool membership, City Golf Course membership or punch-card, or City rentals (shelters or Hilborn Room). The amount of the credit shall be \$60.00. Employees shall abide by the stipulations set forth by the managing organization both in definition and restrictions. This credit amount is fixed, regardless of changes in membership fees that may occur. **IN ADDITION, THE CITY WILL PROVIDE TO EACH MEMBER A 20% DISCOUNT ON ALL INDIVIDUAL REGISTRATIONS FOR CITY RECREATION PROGRAMS.**

Credits may not be used to purchase memberships or to secure rentals beyond the calendar year for which it is issued. Credits will not be re-issued if lost or stolen and must be surrendered at the time of registration/ purchase. Credits are non-transferrable.



FACT SHEET

AGENDA ITEM NO: 11

DATE: 12/22/16

ORDINANCE NO:

RESOLUTION NO: 16-56

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Darren Shulman, City Attorney

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION ACCEPTING THE NEGOTIATED CHANGES TO EXPIRING CONTRACTS BETWEEN THE CITY OF DELAWARE AND THREE BARGAINING GROUPS.

BACKGROUND:

The Public Work, Utilities, and Parks and Natural Resources, FOP Clerical and Water/Wastewater Plant Operators contracts expire on December 31, 2016. We have had negotiations with all groups and have come to tentative agreements with each of them. The details are listed below:

Public Works, Utilities, and Parks and Natural Resources employee group with the following changes:

1. 2% wage increases in each of the three years of the contract.
2. Shifting from a quartermaster system for boot and bib replacement to a maximum reimbursement of \$350 per year for boots and \$250 every three years for bibs.
3. Adding a \$50 per week 'on call' payment for employees placed on call.
4. A \$6 per month contribution towards the vision plan offered by the city.

FOP Clerical group with the following changes:

1. 1.9% wage increase in year one, followed by 2% wage increases in year

- two and three of the contract.
2. Increasing the shift differential from \$.65 to \$.80 per hour.
3. Increase clothing maintenance allowance to \$400 per year.
4. The first step in the pay plan will be extended from one year to 1.5 years.

Water/Wastewater Plant Operator group with the following changes:

1. 2% wage increases in each of the three years of the contract.
2. A \$6 per month contribution towards the vision plan offered by the city.

REASON WHY LEGISLATION IS NEEDED:

In order to finalize the tentative agreements, this resolution needs to be adopted by City Council.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

Public Works, Utilities, and Parks and Natural Resources employee group with the following changes:

5. 2% wage increases in each of the three years of the contract.
6. Shifting from a quartermaster system for boot and bib replacement to a maximum reimbursement of \$350 per year for boots and \$250 every three years for bibs.
7. Adding a \$50 per week 'on call' payment for employees placed on call.
8. A \$6 per month contribution towards the vision plan offered by the city.

FOP Clerical group with the following changes:

5. 1.9% wage increase in year one, followed by 2% wage increases in year two and three of the contract.
6. Increasing the shift differential from \$.65 to \$.80 per hour.
7. Increase clothing maintenance allowance to \$400 per year.
8. The first step in the pay plan will be extended from one year to 1.5 years.

Water/Wastewater Plant Operator group with the following changes:

3. 2% wage increases in each of the three years of the contract.
4. A \$6 per month contribution towards the vision plan offered by the city.

POLICY CHANGES:

N/A

PRESENTER(S):

Darren Shulman, City Attorney

RECOMMENDATION:

ATTACHMENT(S)

N/A

RESOLUTION NO. 16-56

A RESOLUTION ACCEPTING THE NEGOTIATED CHANGES TO EXPIRING CONTRACTS BETWEEN THE CITY OF DELAWARE AND THREE BARGAINING GROUPS.

WHEREAS, the existing contract with the Public Works, Utilities, and Parks and Natural Resources, FOP Clerical, and Water/Wastewater Plant Operators employee groups expires on December 31, 2016; and

WHEREAS, adoption of the new negotiated contract with the groups, effective January 1, 2017, requires approval of a majority of City Council members and a majority of the members of the employee groups.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Delaware, State of Ohio:

SECTION 1. The City Manager is hereby authorized to sign a contract with the Public Works, Utilities, and Parks and Natural Resources employee group with the following changes:

1. 2% wage increases in each of the three years of the contract.
2. Shifting from a quartermaster system for boot and bib replacement to a maximum reimbursement of \$350 per year for boots and \$250 every three years for bibs.
3. Adding a \$50 per week 'on call' payment for employees placed on call.
4. A \$6 per month contribution towards the vision plan offered by the city.

SECTION 2. The City Manager is hereby authorized to sign a contract with the FOP Clerical group with the following changes:

1. 1.9% wage increase in year one, followed by 2% wage increases in year two and three of the contract.
2. Increasing the shift differential from \$.65 to \$.80 per hour.
3. Increase clothing maintenance allowance to \$400 per year.
4. The first step in the pay plan will be extended from one year to 1.5 years.

SECTION 3. The City Manager is hereby authorized to sign a contract with the Water/Wastewater Plant Operator group with the following changes:

1. 2% wage increases in each of the three years of the contract.
2. A \$6 per month contribution towards the vision plan offered by the city.

That this resolution shall take effect and be in force immediately after its passage.

PASSED: _____, 2016

ACCEPT___ REJECT___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 12

DATE: 12/22/16

ORDINANCE NO: 16-114

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: John Donahue, Fire Chief

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF MUTUAL UNDERSTANDING REGARDING USAGE OF A SCBA FIT TEST MACHINE BY THE DELAWARE CITY FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

BACKGROUND:

The existing two (2) SCBA Fit Test equipment owned by the Fire Chiefs Association of Delaware County is currently obsolete and will not be able to be repaired should maintenance be required. The Fire Chiefs are pursuing replacement of the equipment through the State of Ohio Development Services Agency and the Local Government Safety Capital Grant Program. The cost for one fit test machine is \$12,995.00.

REASON WHY LEGISLATION IS NEEDED:

This is an MOU with other governmental agencies within Delaware County.

COMMITTEE RECOMMENDATION:

N/A

FISCAL IMPACT(S):

There is no financial impact to the Fire Department or City budget.

POLICY CHANGES:

None

PRESENTER(S):

John L. Donahue, Fire Chief

RECOMMENDATION:

Approval

ATTACHMENT(S)

Draft MOU

ORDINANCE NO. 16-114

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF MUTUAL UNDERSTANDING REGARDING USAGE OF A SCBA FIT TEST MACHINE BY THE DELAWARE CITY FIRE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the Fire Chiefs' Association owes SCBA Fit Test equipment, which it is replacing through the State of Ohio Development Services Agency and the Local Government Safety Capital Grant Program; and

WHEREAS, the Fire Chiefs' Association makes this equipment available for use by fire departments in the county.

NOW, THEREFORE, BE IT ORDAINED by the City of Delaware, Ohio:

SECTION 1. The City Manager is hereby authorized to enter into a Memorandum of Understanding with the Fire Chief's Association to use the fit test equipment

SECTION 2. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 3. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure, necessary to provide for the public peace, property, health, safety, welfare, and to permit the city to sign the MOU in time for the Association to participate in the Local Government Safety Capital Grant Program, and as such, will be in full force immediately upon its passage.

VOTE ON RULE SUSPENSION: YEAS___ NAYS___
ABSTAIN ___

VOTE ON EMERGENCY CLAUSE: YEAS___ NAYS___
ABSTAIN ___

PASSED: _____, 2016 YEAS___ NAYS___
ABSTAIN ___

ATTEST: _____
CITY CLERK MAYOR

Memorandum of Mutual Understanding SCBA Fit Test

This Memorandum of Mutual Understanding describes the responsibilities and usage of a SCBA Fit Test machine and equipment between Berlin Township Fire Department; BST&G Fire District; Concord Township Fire & Rescue; City of Delaware Fire Department; Elm Valley Fire District; Genoa Township Fire Department; Harlem Township Division of Fire; Liberty Township Fire Department; Orange Township Fire Department; Porter Kingston Fire District; Radnor Township Fire Department; Scioto Township Fire Department; Tri-Township Fire District; Delaware County EMA; and the Fire Chiefs' Association of Delaware County.

1. Roles and Responsibilities

- a. Fire Chiefs' Association of Delaware County's role will be to maintain ownership of the SCBA Fit Test machines and maintain them in working condition.
- b. Delaware County EMA shall have the responsibility of maintaining an inventory of the parts and location of fit test machines.
- c. The fire departments in Delaware County will have the responsibility of returning the SCBA fit test machines with all of their associated parts to Delaware County EMA.

2. Financial Contributions

- a. The Fire Chiefs' Association of Delaware County will provide the (2) current SCBA fit test machines as a trade in for the value provided in the estimate.

3. Sharing and Usage

- a. The Fire Chiefs' Association of Delaware County authorizes the Delaware County EMA staff to coordinate the scheduling of the fit test machines. The machines will have an inventory and inspection completed prior to leaving and an inspection completed upon return by EMA staff. Any parts that are missing from the return inventory will be the responsibility of the last Department that used the fit test machine to purchase and replace those missing parts. Each Delaware County Fire Department will have the SCBA fit test machine for 3 calendar months. All scheduling must be conducted through Delaware County EMA.

4. Repairs and Maintenance

- a. The Fire Chiefs' Association of Delaware County will use funds from the Association fund to pay for the preventative maintenance and testing. Any expenditure of Funds from the Fire Chief's Association of Delaware County will require an affirmative vote by a quorum of the membership of the association.
- b. If a repair is needed and the current Association fund cannot pay for the repair, each of the Delaware County Fire Departments listed in this Memorandum of Mutual Understanding will share the cost equally.

Delaware Fire Department

R. Thomas Homan, City Manager



MEMORANDUM

TO: City Council
FROM: Dean Stelzer, Finance Director
DATE: December 20, 2016
RE: Year End Supplemental Ordinance

Final 2016 supplemental appropriations are being requested as follows:

General Fund

Income Tax Refunds (\$15,000) – Tax refunds issued for 2016 where higher than anticipated.

Transfer to CIP (\$550,000) – Additional transfer to the Capital Improvement Plan Fund based on allocating the bulk of the 2016 budget surplus for increased capital projects.

Transfer to General Reserve Fund (\$157,973) – This transfer keeps our General Fund Reserve at 5% of actual revenues per our Financial Management Policy. The balance in this reserve fund will be \$1,031,296 at the close of 2016.

Street Maintenance and Repair (\$4,000) – PERS pension contributions exceeded the estimated budget amount due in part to overtime costs being higher than the budgeted amount and also due to the year-end timing of PERS contributions.

Police and Fire Disability Pension Funds (\$7,000 each) – These funds are transferred into the General and Fire/EMS funds and are based on property tax collections received. The amount received for 2016 was higher than anticipated.

Golf Course Fund (\$1,500) – Seasonal wages exceeded the budgeted amount.

Sewer Fund Administration (\$5,500) – PERS pension costs exceeded the appropriated amount due to year-end payroll/selling of time issues and the allocation of utility administrative personnel costs between water and sewer administration. I will be reviewing the cost allocations next year.

Health Insurance Fund (\$398,000) – Health insurance claims and stop loss premiums were higher than anticipated in 2016 exceeding the appropriated amounts. Stop loss coverage will reimburse the city for most of the increased medical claims.

Berkshire JEDD Fund (\$65,250) – This fund collects and distributes the income tax for the outlet mall JEDD based on our agreement with Berkshire Township. The amounts budgeted for 2016 were rough estimates based on the construction work and the projected opening of the mall. The amounts actually collected exceeded the budget estimate.

Perpetual Care Fund (\$1,600) – This was a new fund created in 2015 to account for money donated to the cemetery in past years to be used for holiday decorations on specific graves. We did not establish an appropriation in the fund for 2016 and thus the supplemental. We have appropriated funds for this purpose in 2017.

State Building Permit Fund (\$5,000) – This fund is an agency fund established to account for State of Ohio commercial building inspection fees collected by the city on behalf of the State and remitted to the State. The amount of fee revenue collected in 2016 exceeded the estimated amount.



FACT SHEET

AGENDA ITEM NO: 13

DATE: 12/22/16

ORDINANCE NO: 16-115

RESOLUTION NO:

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: Dean Stelzer, Finance Director

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE, AND DECLARING AN EMERGENCY.

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Dean Stelzer, Finance Director

RECOMMENDATION:

ATTACHMENT(S)

ORDINANCE NO. 16-115

AN ORDINANCE SUPPLEMENTING THE 2016 APPROPRIATIONS ORDINANCE, AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend the 2016 Annual Appropriations Ordinance to provide for the purchase of items or services through the end of fiscal year 2016

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Delaware, State of Ohio:

SECTION 1. That the Finance Director is hereby authorized and directed to establish the following new fund within the Chart of Accounts for the City:

Performance Bond Fund (Fund 804)

SECTION 2. That there is hereby appropriated from the unencumbered balance of the General Fund \$722,973 to the following accounts:

Income Tax Refunds (101-0031-5601)	\$ 15,000
Transfer to CIP (101-0032-5701)	\$ 550,000
Transfer to General Reserve Fund (101-0032-5711)	\$ 157,973

SECTION 3. That there is hereby appropriated from the unencumbered balance of the Street Maintenance and Repair Fund \$4,000 to:

SMR Admin. – PERS (200-2010-5100)	\$ 4,000
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SECTION 4. That there is hereby appropriated from the unencumbered balance of the Police Disability Pension Fund \$7,000 to:

Transfer to General Fund (261-2610-5710)	\$ 7,000
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SECTION 5. That there is hereby appropriated from the unencumbered balance of the Fire Disability Pension Fund \$7,000 to:

Transfer to Fire/EMS Fund (262-2620-5710)	\$ 7,000
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SECTION 6. That there is hereby appropriated from the unencumbered balance of the Golf Course Fund \$1,500 to:

Wages (501-5010-5100)	\$ 1,500
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SECTION 7. That there is hereby appropriated from the unencumbered balance of the Sewer Fund \$5,500 to:

PERS Admin (540-5410-5101)	\$ 5,500
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SECTION 8. That there is hereby appropriated from the unencumbered balance of the Self Insurance Trust Fund \$398,000 to:

Stop Loss Ins. (610-6101-5281)	\$ 150,000
Medical Claims (610-6101-5285)	\$ 225,000
ACA Excise Tax (610-6101-5700)	\$ 23,000

SECTION 9. That there is hereby appropriated from the unencumbered balance of the Berkshire JEDD Fund \$65,250 to:

JEDD Board Distribution (711-7110-5601)	\$ 650
City Fiscal Fee Distribution (711-7110-5602)	\$ 2,600
Berkshire Twsp. Distribution (711-7110-5605)	\$ 37,000
City Distribution (711-7110-5606)	\$ 25,000

SECTION 10. That there is hereby appropriated from the unencumbered balance of the Cemetery Perpetual Care Fund \$1,600 to:

Christmas Arrangements (750-0750-5333)	\$ 1,600
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SECTION 11. That there is hereby appropriated from the unencumbered balance of the State Building Permit Fee Fund \$5,000 to:

State Building Permits (803-8030-5230)	\$ 5,000
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SECTION 12. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including Section 121.22 of the Revised Code.

SECTION 13. EMERGENCY CLAUSE. That this ordinance is hereby declared to be an emergency measure necessary to provide for the public peace, safety, health and welfare of the City, and for the further reason that such action is necessary to provide for purchases through the end of the fiscal year being December 31, 2016, and as such will be in full force and effect immediately upon its passage.

VOTE ON RULE SUSPENSION:

YEAS ___ NAYS ___
ABSTAIN ___

VOTE ON EMERGENCY CLAUSE:

YEAS ___ NAYS ___
ABSTAIN ___

PASSED: _____, 2016

YEAS ___ NAYS ___
ABSTAIN ___

ATTEST: _____
CITY CLERK

MAYOR



FACT SHEET

AGENDA ITEM NO: 14

DATE: 12/22/16

ORDINANCE NO:

RESOLUTION NO: 16-57

READING: FIRST

PUBLIC HEARING: NO

TO: Mayor and Members of City Council

FROM: R. Thomas Homan, City Manager

VIA: ---

TITLE OF PROPOSED ORDINANCE/RESOLUTION:

A RESOLUTION APPOINTING MEMBERS TO VARIOUS BOARDS, COMMISSIONS, AND/OR COMMITTEES, AND SPECIFYING THE TERM OF THE APPOINTMENTS.

BACKGROUND:

REASON WHY LEGISLATION IS NEEDED:

COMMITTEE RECOMMENDATION:

FISCAL IMPACT(S):

POLICY CHANGES:

PRESENTER(S):

Carolyn Kay Riggle, Mayor

RECOMMENDATION:

ATTACHMENT(S)

