

CITY COUNCIL

February 7, 2011

The February 7, 2011 City Council meeting was called to order at 7:30 p.m. in Council Chambers by Gary Veith, President. A moment of silence was observed followed by the Pledge of Allegiance to the Flag of the United States of America. City Council members present were Paul Wagner, Evie Hall-Case, Kyle McColly, Chad Smith, Don Spiegel, Scot Swinehart, and Gary Veith.

Others present included: Scott Washburn, Mayor; Mark Ellis, Law Director; David Olds, Police Chief; Randy Moore, Parks Manager; Sally Moore; Bill Thornton; John Hawkins; Austin Pierce; Chanda Neely, Daily Chief Union; and Sarah Bennett, Clerk.

The minutes of the January 17, 2011 City Council meeting, having been mailed to each City Council member, were approved as received.

The minutes of the January 17, 2011 Service Committee meeting, having been mailed to each City Council member, were reviewed.

The minutes of the January 17, 2011 special Safety Committee meeting, having been mailed to each City Council member, were reviewed.

The minutes of the January 20, 2011 special Service Committee meeting, having been mailed to each City Council member, were reviewed.

Mr. Veith provided an update on the progress of the construction of the new Water Treatment Plant.

Mrs. Hall-Case inquired as to how the City would go about enacting an Ordinance requiring property owners to clean up their properties. Information will be obtained from other communities as to Ordinances they may have addressing this matter.

City Council members reviewed a draft policy provided by Mr. Mark Ellis, Law Director, addressing potential re-employment of a retired full-time non-bargaining unit employee. After considerable discussion it was decided that a Resolution will be prepared with the following provisions:

1. Wages. The wages to be paid to the re-employed individual shall not exceed eighty percent (80%) of the employee's final base rate of pay at the time of retirement, as adjusted by across-the-board increases in subsequent payroll ordinances.
2. Vacation. All accrued but unused vacation of the retired employee shall be bought out by the City at the time of retirement. The re-employed individual shall be permitted twenty-five (25) days per year as allowed vacation days off work, but only ten (10) of those days will be compensated vacation time off work after one (1) year of re-employment. The re-employed person shall not be permitted to carry over unused allowed vacation days off.
3. Health Insurance. The re-employed individual shall be entitled to the same health insurance benefits at the same cost as are offered to other full-time non-bargaining unit employees.
4. Sick Leave. The retired employee's accrued and unused sick leave shall be bought out by the City upon the employee's initial retirement, as prescribed by the terms and provisions of the City's Personnel Policy and Procedure Manual. If re-employed, the employee shall accrue sick leave as set forth in the City's Personnel Policy and Procedure Manual, as if he / she were a new employee of the City. Any accrued but unused sick leave of the re-employed individual is not eligible for buyout by the City upon the re-employed individual ending his / her employment with the City for the second time.
5. Length of Re-Employment. The former employee will initially be re-employed for no more than three (3) years, subject to the other terms and conditions stated herein. Thereafter, the contract of re-employment shall be extended on an annual basis, unless either the City or re-employed individual notifies the other of an intent to terminate the employment relationship upon thirty (30) days advance written notice.

6. Layoff Waiver. In the event of fiscal necessity, the re-employed individual shall waive any and all seniority and his / her right to appeal or challenge any lay-off in the event the circumstances of the City would warrant such layoffs.
7. Annual Bonus. The re-employed individual shall be eligible for the annual bonus after five (5) years of re-employment with the City as set forth in the City's Personnel Policy and Procedures Manual.
8. Ten (10) Yr. Step-Up. The re-employed individual shall not be eligible for the 3% pay increase above base pay for employees with 10 or more years of continuous full-time employment with the City.
9. Public Hearing. An employee's request to retire and be re-employed is subject to the public hearing requirements of Ohio Revised Code section 145.381.
10. Final Decision. The appointing authority shall have the ultimate discretion and final authority to determine whether to re-employ an individual following retirement.
11. The re-employed person shall be required to sign a contract of employment detailing all the terms and provisions of his / her re-employment, recognizing his / her at will employment status with the City, and waiving any rights to the contrary.

Mayor Washburn presented the following list of individuals for reappointments to various committees: Judi Lambrite – Tree Commission (3 year term); Sara Lou Brown – Planning Commission (4 year term); and Kenneth Wessler – Park Board (5 year term).

A motion was made by Mr. Veith, seconded by Mrs. Hall-Case, to approve the reappointment of Mrs. Judi Lambrite to the Tree Commission. Upon Roll Call, all members voted Yes. The President declared the motion carried.

A motion was made by Mr. Spiegel, seconded by Mr. Swinehart, to approve the reappointment of Mrs. Sara Lou Brown to the Planning Commission. Upon Roll Call, all members voted Yes. The President declared the motion carried.

A motion was made by Mr. Veith, seconded by Mrs. Hall-Case, to approve the reappointment of Mr. Kenneth Wessler to the Park Board. Upon Roll Call, all members voted Yes. The President declared the motion carried.

Mr. Veith reported on a notice he received from American Electric Power (AEP) concerning a merger with another electric provider and distribution rate increases that may be sought.

City Council members complimented Street Department employees on the work they have done plowing and removing snow.

Mayor Washburn reminded residents of the need to clear catch basins on their streets to prevent possible flooding issues as the snow melts.

There being no further business, the President declared the meeting adjourned.

Sarah J. Bennett, Clerk

Gary Veith, President