



William Biddlecombe Councilmember **Joe Dike** Councilmember **Sam Artino** Councilmember **Monty Tapp** Mayor **Mark Claus** Vice-Mayor **Matt Grieves** Councilmember **Joel Hagy** Councilmember

CITY COUNCIL — REGULAR COUNCIL MEETING

Tuesday, August 8, 2023 @ 6:30 PM

City Council Chambers

417 Main Street

Huron, Ohio 44839

- I. Call To Order** Moment of Silence followed by the Pledge of Allegiance to the Flag
- II. Roll Call of City Council**
- III. Approval of Minutes**
 - III.a** Minutes of the July 11, 2023 regular meeting of Council.
- IV. Oath of Office**

Swearing in of Connor Rospert as full-time patrolman with the Huron Police Department.
- V. Proclamation**
 - V.a** Mayor's Proclamation recognizing George Shtaway for his heroic efforts on July 6, 2023.
- VI. Audience Comments** Citizens may address their concerns to City Council. Please state your name and address for the recorded journal. (3-minute time limit)
- VII. Old Business**
 - VII.a** Ordinance No. 2023-19 (**second reading**) (*submitted by Cory Swaisgood*)

An ordinance establishing the rate for residential solid waste collection and disposal and certifying the costs of same to the Erie County Fiscal Officer for placement on the tax duplicate in 2024.
 - VII.b** Ordinance No. 2023-22 (**second reading**) (*submitted by Andrea Rocco*)

An ordinance amending and restating Chapter 161 Division of Personnel of the Codified Ordinances of the City of Huron.
 - VII.c** Ordinance No. 2023-23 (**second reading**) (*submitted by Andrea Rocco*)

An ordinance amending and restating Chapter 163 Employment Provisions of the Codified Ordinances of the City of Huron.
- VIII. New Business**
 - VIII.a** Resolution No. 58-2023 (*submitted by Erik Engle*)

A resolution certifying unpaid mowing charges to the Erie County Auditor for collection.
 - VIII.b** Ordinance No. 2023-27 (**first reading**) (*submitted by Cory Swaisgood*)

An ordinance determining to proceed with the improvement of certain public places in the City by lighting.

VIII.c Ordinance No. 2023-28 (first reading) (submitted by Cory Swaisgood)

An ordinance levying special assessments for the improvement of certain public places in the City by lighting.

IX. City Manager's Discussion

X. Mayor's Discussion

XI. For the Good of the Order

XII. Executive Session(s)

XIII. Adjournment



MAYOR'S PROCLAMATION

WHEREAS, on July 6, 2023, George Shtaway (age 13) and his mother, both of Willard, were walking on the Huron Pier when they heard yelling; and

WHEREAS, George and his mother shortly realized that the call for help was coming from the water and ran to the edge of the pier, where they saw a man struggling in the water; and

WHEREAS, George immediately retrieved and threw a life preserver ring, several of which are positioned on the pier, to the man in the water; and

WHEREAS, shortly after George threw the life preserver ring to the man, the Huron Police arrived and led the man out of the water via a ladder on the pier; and

WHEREAS, George's quick and heroic actions directly resulted in or substantially contributed to the survival of another; and

WHEREAS, today, August 8, 2023, we are honoring George for his heroic efforts.

NOW THEREFORE, I, Monty Tapp, Mayor, on behalf of the City of Huron and its citizens, do hereby recognize George Shtaway for his kindness, and thank him for his heroic efforts.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the City of Huron, Erie County, Ohio on this 28th day of August, 2023.

Monty Tapp, Mayor



TO: Mayor Tapp and City Council
FROM: Terri Welkener , Clerk of Council
RE: Ordinance No. 2023-19 (**second reading**) (*submitted by Cory Swaisgood*)
DATE: August 8, 2023

Subject Matter/Background

Ordinance No. 2023-19 is in front of Council for the first of three readings. This ordinance will allow the City to certify the garbage rates to be charged to residents for garbage, yard waste, recycling, and bulk pick-up to the Erie County Auditor. The County will then include the amount on the tax duplicate per eligible parcel (all residential units as defined in the Republic Services contract) for 2024.

The current City billing process can be simplified by moving the quarterly billing to a special assessment on eligible residential properties. This will reduce the amount of administrative hours from four times a year to once a year, reducing administration costs. This will also simplify the rate priority in the quarterly billings for water and stormwater, as garbage payments will be part of the property tax bill and attached to the property rather than an individual name in the water billing system. Upon selling of a home, closing documents will settle and transfer the rate to the new owner just like other property taxes.

For seasonals, or any changes to residential garbage, the property would still be charged the full rate on their property tax bill. However, the City will issue a refund to the property owner as dictated in the City's codified ordinances. In addition, we know this could impact renter and owner payment terms. If council is agreeable to this change, the administration will make sure there is an educational piece and communication on this change through the end of the year. Owners will most likely have to pass the fee on to renters. The first property tax bill to residential properties will be in February 2024 for the first six months of 2024 garbage services.

We anticipate this certification to be an annual process. Council will annually be presented with this legislation in July with the rate to be assessed. The rate will be consistent with Republic Services' contract. Council, Finance Committee, and Utilities Committee received presentation on the assessment process in early 2023.

Financial Review

The City is currently charging \$71 a quarter (\$284 annualized) through December 31, 2023. If this legislation is approved on third reading, the City will not include the garbage rate on the quarterly billing beginning January 1, 2024. The new rate charged to residents of \$297.84 per eligible residential unit for 2024 will be included on the property tax bill (billed semi-annually). The City will not charge additional administrative fees.

The Garbage Fund (Fund 201) will continue to track all revenues and expenses of the City's garbage utility.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement, a motion placing Ordinance No. 2023-19 on its second reading is in order.

[Ordinance No. 2023-19 Assessment of Trash Rates to Auditor \(1\).docx](#)

ORDINANCE NO. 2023-19
Introduced by Joe Dike

AN ORDINANCE ESTABLISHING THE RATE TO BE PAID BY RESIDENTIAL PROPERTY OWNERS FOR THE PERIOD OF JANUARY 2024 THROUGH DECEMBER 2024 FOR RESIDENTIAL SOLID WASTE COLLECTION AND DISPOSAL; AUTHORIZING AND DIRECTING THE DIRECTOR OF FINANCE TO CERTIFY THE COSTS OF SAME TO THE ERIE COUNTY AUDITOR FOR PLACEMENT ON THE TAX DUPLICATE FOR COLLECTION WITH OTHER CITY TAXES IN 2024

WHEREAS, the Huron City Council adopted Ordinance No. 2023-15 on June 27, 2023 enacting new Codified Ordinance 931.04 (Rates for Collection and Disposal), for the collection method for solid waste collection fees by certification of the amounts due for same onto the residential real property tax duplicate for collection by the County Auditor on an annual basis, and

WHEREAS, pursuant to Huron Codified Ordinance Section 931.04, Council seeks to assess the costs of solid waste collection and disposal within the City by certifying said amounts to the County Auditor for collection in 2024; and

WHEREAS, annually, Council is to set the rate to be paid for solid waste collection and disposal pursuant to Codified Ordinance Section 931.04.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1. For the period of January 2024 through December 2024 each dwelling unit shall be charged the amount of \$297.84 per dwelling unit (\$24.82 per month) for solid waste collection and disposal;

SECTION 2. The Director of Finance is hereby authorized and directed to certify to the County Auditor for each dwelling unit within the City of Huron as determined in the solid waste collection and disposal contract with Republic Services, the assessment shown therein, to be collected in 2024, and the same is hereby ratified and affirmed;

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

SECTION 4. In accordance with Section 3.06 of the Charter of the City of Huron, Ohio, this Ordinance shall take effect thirty (30) days following its adoption.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



TO: Mayor Tapp and City Council
FROM: Terri Welkener , Clerk of Council
RE: Ordinance No. 2023-22 (**second reading**) (*submitted by Andrea Rocco*)
DATE: August 8, 2023

Subject Matter/Background

Changes since first reading: Pronouns have been changed to be gender neutral throughout Chapter 161.

Administration is requesting Council approval on amendments to various employment and personnel provisions in the codified ordinances, to be effective January 1, 2024 . These amendments will be on Council's agenda for first reading at the July 25th meeting (ORD 2023-22 and ORD 2023-23). Attached you will find a redlined version of each chapter, and a clean version of each chapter. As with all three reading ordinances, we strongly prefer to make most major edits on the first reading to ensure a true three readings. This is why we are sending this our early for your review.

- The purpose of these amendments are as follows:
- Consistency throughout the codified ordinances and City's employee manual.
- Clarity on specific processes around employment practices and leave time accruals/payouts.
- To align certain policies and processes with current practices and the collective bargaining agreements.
- To align certain language with federal employment laws.
- Provide attractive benefits for recruitment of potential employees, such as leave time carryover and usage.
- Remove outdated language that do not apply to current City practices and employees.

Summary of Code Changes to Chapter 161 (Division of Personnel)

- Changes mainly clean up language on classified positions (fire and police), full-time and part-time employees.
- 161.08 - Changes were made to the appointment and probation process to not conflict with bargaining units. Current language was amended to refer to bargaining unit agreements where applicable.
- 161.10 – Additional disciplinary reasons were added to the code, such as theft and violating City policy. The drug and alcohol policy was removed, as this is in bargaining agreements and the City's employee manual.
- 161.11 – The personnel appeals process was changed to only apply to non-bargaining employees. The bargaining agreements have a separate negotiated appeal process.
- No changes to salaries and rates were made.

Financial Review

There is no future financial impact to recommended changes in Chapter 161.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement, a motion placing Ordinance No. 2023-23 on its second reading is in order.

[Ordinance No. 2023-22 Chapter 161 \(2\).docx](#)

[Ordinance No. 2023-22 Exh A Chapter 161.pdf](#)

[Ordinance No. 2023-22 Exh B Chapter 161 \(2\).docx](#)

ORDINANCE NO. 2023-22
Introduced by Mark Claus

AN ORDINANCE AMENDING AND RESTATING CHAPTER 161 DIVISION OF PERSONNEL.

WHEREAS, City Staff and counsel for City on employment law and human resource matters have evaluated Chapter 161 and have determined that various provisions are in need of enhancement and improvement to accurately reflect current policies and procedures, and to ensure the effective and efficient operation of the City pertaining to employment and human resources matters;

WHEREAS, the City hereby adopts a new and amended and restated Ordinance to repeal and amend and restate Chapter 161 (Division of Personnel) to address the concerns of the City Staff and counsel for City on employment law and human resource matters.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

Section 1: That Chapter 161 Division of Personnel of the Codified Ordinances of the City of Huron, Ohio WHICH CURRENTLY READS AS FOLLOWS: (refer to Exhibit "A" attached), shall be and hereby is repealed.

Section 2: That Chapter 161 Division of Personnel of the Codified Ordinances of the City of Huron, Ohio is hereby amended to read as follows: (refer to Exhibit "B" attached)

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance shall take effect and be in force from and after the time period contained in Section 3.06 of the Charter of the City of Huron.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

CHAPTER 161

Division of Personnel

161.01 Creation and composition.

161.02 Purpose and amendment of personnel regulations.

161.03 Definitions.

161.04 Position and salary schedule.

161.04.1 Full-time salaries of the Law Director, Finance Director, Service Director, Fire Chief and Police Chief.

161.05 Applications and applicants.

161.06 Examinations.

161.07 Eligible lists.

161.08 Appointment and probation.

161.09 In-service activities.

161.10 Discipline

161.11 Appeals procedure.

161.12 Layoff and reinstatement.

161.13 Political activity.

CROSS REFERENCES

Contract interest - see CHTR. §5.08

Merit system established - see CHTR. §8.01

Exempt positions - see CHTR. §8.02

Personnel officer - see CHTR. §8.03

Personnel Appeals Board - see CHTR. §8.04, 8.05

Political activity - see CHTR. §8.06 et seq.

Promotional examinations - see CHTR. §8.09

Removal from office - see CHTR. §12.04

Division established; head - see ADM. 157.01

Employment provisions - see ADM. Ch. 163

Bonds required - see ADM. 163.01

161.01 CREATION AND COMPOSITION.

There is hereby created a Division of Personnel which shall be composed of the Personnel Officer as established by Section 8.03 of the City Charter.

(Ord. 1976-35. Passed 12-13-76.)

161.02 PURPOSE AND AMENDMENT OF PERSONNEL REGULATIONS.

(a) It is the purpose of this chapter to give effect to the provisions of the City Charter by establishing rules, standards and procedures for the operation of the merit system.

(b) The Personnel Officer shall prepare, in consultation with the City Manager, such amendments to this chapter as may, from time to time, be deemed desirable. Such amendments shall be recommended to Council for adoption. (Ord. 1976-35. Passed 12-13-76.)

161.03 DEFINITIONS.

(a) "Allocation" means the assignment of an individual position to an appropriate class on the basis of the kind, difficulty and responsibility of the work actually performed in the position.

(b) "Appointing authority" means the officer or agency having power under the Charter and ordinances to make appointments to positions in the classified service.

(c) "Classified service" shall consist of all full-time firefighters and police officers who are employees of the City, except those specifically exempted by the Charter.

(d) "Classes of positions" shall consist of all positions in the classified service which are sufficiently alike in duties, authority and responsibility to be treated in the same manner for personnel purposes.

(e) "Class specifications" are those duties imposed upon the personnel of each division by the Administrative Code.

(f) "Demotion" means the change of an employee from a position in one salary grade to a position in another salary grade having a lower maximum salary rate.

(g) "Eligible" means a person whose name is on a list prepared by the Personnel Officer as the result of passing an open competitive examination or on a re-employment list.

(h) "Eligible list" means a list of eligibles, in the order of their final grades in an open competitive examination, or in an order determined by this chapter, prepared by the Personnel Officer.

(i) "Position" means a group of duties and responsibilities designed to be performed by an individual. Positions shall be created and abolished by the City Manager.

(j) "Probationary period" means the working test period during which a bargaining unit employee is required to demonstrate his fitness by actual performance of the duties of the position to which he has been appointed.

(k) "Promotion" means the change of an employee from a position in one salary grade to a position in another salary grade having a higher maximum salary rate.

(l) "Regular employee" means a full-time police officer or firefighter who has passed a physical examination, has been appointed to a position in the classified service from an eligible list and who has satisfactorily completed his probationary period..

(m) "Full-time, employee" means a person who regularly works a forty-hour work week, or a person who works a twenty-eight day schedule at a yearly salary as a full-time employee of the Fire Division and in both cases are either on a probationary period or a regular employee.

(n) "Part-time employee" means a person who regularly works 29 hours a week or less and is paid by the hour, and does not receive any of the fringe benefits as set forth in other sections of this Code.

(o) "He, him and his" shall also mean when used in this Code, she, her and hers.

(p) "Administrative employee" means the City Manager, Director of Finance, Fire Chief, Police Chief and Police Captain.

(Ord. 1976-35. Passed 12-13-76; Ord. 1985-20. Passed 7-22-85.)

161.04 POSITION AND SALARY SCHEDULE

(a) The position and salary schedule, marked Exhibit "A", which is attached hereto and made a part of this Code shall be effective as of January 1, 2023.

(b) The Personnel Officer, in conjunction with department and division heads and subject to the approval of the City Manager, shall annually review and make recommendations to Council for changes in the following schedule.

(c) The adopted position and salary schedule shall provide the basis for compensation of all municipal employees. The City Manager shall adopt an administrative policy, subject to approval of the City Council, to address those positions which are in existence and have not attained the minimum base salary range or have exceeded the maximum base salary range. A position may be assigned a salary lower than the minimum base salary range or

higher than the maximum base salary range provided for that salary grade of that position, but is subject to administrative policy. Prior to appointment of a new employee, the City Manager shall consult the position and salary schedule for determination of placement within the relevant classification. Appointments shall normally be made at the minimum rate for the specified pay scale. Evaluation of an appointee's qualifications and experience shall be considered and may provide the basis for compensation in excess of the minimum base salary.

(d) Salary increases within an established range shall not be automatic, but can be given on the following bases:

(1) A merit increase recommended, in writing, to the City Manager by the appropriate department or division head and approved by the City Manager. Such a recommendation is to be based on standards of performance or other pertinent data.

(2) A merit increase recommended and approved by the City Manager. Such a recommendation is to be based on standards of performance or other pertinent data.

(3) An across the board increase granted to all full-time non-bargaining unit employees and recommended by the City Manager.

(4) A change in the employee's classification.

(e) Salary increases granted on the basis of subsection (d)(1), (2) and (3) hereof are dependent on the provisions of moneys appropriated in the annual appropriation ordinance. Salary increases granted on the basis of subsection (d)(1) and (2) hereof shall not be granted to an employee more frequently than once in each six months. No salary advancement shall be given before the employee completes the first six months of his probationary period. However, when the minimum salary for the particular position is increased during such employee's probationary period, such employee shall be compensated at such higher salary from the date of the passage of the salary ordinance.

(f) The salary rate established for an employee shall represent his total remuneration, not including reimbursement for official travel and except as otherwise provided, in this chapter (overtime pay, cost-of-living allowance, premium pay and/or on-call status). No reward, gift or other thing of value received from any source for the performance of his duties shall be retained by an employee. Notwithstanding the foregoing, employees of the Police Division, during off-duty time, may accept special duty assignments for police work only when authorized by the Police Chief.

(g) Whenever an employee works for a period less than the regularly established number of hours per day, days per week or weeks per month, the amount paid shall be proportionate to the time actually employed.

(h) All full-time employees except department heads, administrative employees, **exempt employees** and Fire Division employees shall be compensated for each hour worked in excess of forty hours per week at a rate equal to one and one-half times their straight rate.

All full-time employees of the Fire Division shall be compensated for each hour worked in excess of 212 hours during any twenty-eight day work period at a rate equal to one and one-half times their straight rate.

Authorization of all overtime shall be under the control of the City Manager. If any full-time non-exempt employee, other than department and division heads, requests the City Manager to grant compensatory time off in lieu of compensation for such employee’s authorized overtime, the City Manager **or Department Head** shall be authorized but not required to allow such request.

The City Manager shall be authorized, but not required, to grant compensatory time off to those administrative employees not entitled to overtime compensation at such times and to such extent that the City Manager, in his sole discretion deems justifiable under the circumstances relating to each such administrative employee.

(i) (EDITOR’S NOTE: This subsection was repealed by Ordinance 1988-2, passed January 25, 1988.

(j) Except as otherwise provided in any one or more controlling collective bargaining agreements, each employee of the Division of Utilities and of the Division of Streets and Parks, when placed on an “on call” basis by the department or division head, shall receive compensation in addition to his regular salary in an amount equal to two (2) hours of such employee’s regular rate for each such twenty-four (24) hour period that the employee is on call. Such “on call” pay shall be in addition to pay for actual hours worked on call.

(Ord. 1976-35. Passed 12-13-76; Ord. 1980-10. Passed 2-4-80; Ord. 1982-2. Passed 1-25-82; Ord. 1983-30. Passed 11-28-83; Ord. 1985-20. Passed 7-22-85; Ord. 1985-32. Passed 12-16-85; Ord. 1986-2. Passed 1-13-86; Ord. 2014-33. Passed 12-23-14. Ord. 2022-66. Passed 11-22-22.)

**CITY OF HURON
FULL TIME POSITION AND SALARY SCHEDULE**

POSITION TITLE	Pay Scale	BASE SALARY RANGE	
		Min.	Max.
Water Superintendent	9	\$57,276	\$85,914
Police Sergeant			
Fire Captain			
Parks and Recreation Operations Manager			
Planning Director	8	\$54,264	\$79,396
Human Resources Director	7	\$49,968	\$75,452
Recreation Program Manager	6	\$48,980	\$75,000

Fire Lieutenant			
Street Foreman			
Finance Specialist Payroll			
Planning and Zoning Manager			
Chief Operator			
Firefighter	5	\$44,990	\$68,508
Police Officer			
Water Distribution Foreman			
Management Services Coordinator			
Executive Administrative Asst./Clerk of Council	4	\$43,225	\$61,850
Permit Technician/Admin Asst.			
Maintenance Worker 3			
Zoning Inspector - FT	3	\$40,861	\$60,000
Parks and Municipal Ground Coordinator			
Finance Specialist Customer Service			
Maintenance Worker 2			
Maintenance Worker 1	2	\$37,080	\$56,000
Parks Maintenance Worker I			
Administrative Assistant	1	\$34,299	\$41,921

Supplemental Salary Schedule			
POSITION TITLE	Pay Scale	BASE SALARY RANGE	
		Min.	Max.
Assistant City Manager	VIII	\$54,478	\$90,000
Information Technology Manager	VIII	\$57,000	\$95,000
Director of Parks and Recreation	VI-C	\$48,676	\$85,000
Boat Basin Facility Manager	VI-B	\$37,403	\$51,500
Assistant Water Superintendent	V	\$35,160	\$60,600
Clerk of Court	V	\$45,000	\$76,000
Probation Officer	III	\$23,825	\$47,000
Deputy Clerk of Court	III	\$26,000	\$51,000

Finance Clerk	II	\$22,180	\$45,400
Executive Assistant		\$23,000	\$33,500
Municipal Judge		\$35,000	\$35,500

Part Time and Seasonal Position Salary Schedule		
	BASE SALARY RANGE	
POSITION TITLE	Min.	Max.
Deputy Court Clerk	\$10.10/hr.	\$18.00/hr.
Police/Dispatch Secretary		
Police Officer		
Court Bailiff/Court Security Officer		
Finance Clerk		
Customer Service Clerk		
Management Assistant		
General Maintenance Worker		
Zoning Inspector - PT		
Street Maintenance		
Parks Maintenance	\$10.10/hr.	\$14.00/hr.
Recreation		
Dockhand		
Basic EMT/FF	\$12.00/hr.	\$15.00/hr.
Basic Paramedic/FF	\$15.00/hr.	\$18.00/hr.

(Ord. 2022-66; Passed 11-22-22)

161.04.1 FULL-TIME SALARIES OF THE LAW DIRECTOR, FINANCE DIRECTOR, SERVICE DIRECTOR, FIRE CHIEF AND POLICE CHIEF.

The following positions and commensurate salaries are effective January 1, 2022:

Position	Base Salary
Law Director	\$150,000.00
Finance Director	\$111,000.00
Service Director	\$111,000.00
Fire Chief	\$100,000.00
Police Chief	\$100,000.00

(Ord. 2022-68. Passed 12-27-22.)

161.05 APPLICATIONS AND APPLICANTS.

(a) All entrance examinations shall be publicly announced by the Personnel Officer as he/she deems necessary or desirable. The announcement shall specify the title of the position for which the examination is to be held; the time, place and manner of making applications; and any other information deemed pertinent by the Personnel Officer.

(b) Applications shall be made on forms prescribed by the Personnel Officer.

(c) The Personnel Officer shall reject any application which indicates on its face that the applicant does not possess the minimum qualifications required or which is not received within the time limit fixed for filing for the position. Notice of such rejection shall be given to the applicant, and such rejection shall be final. (Ord. 1976-35. Passed 12-13-76.)

(d) All applicants must be citizens of the United States or legally permitted to work in the United States, of good moral character, of temperate habits, of sound health and physically able to perform the duties of the position applied for. (Ord. 2002-23. Passed 10-14-02.)

(e) The Personnel Officer shall make inquiry of employers, educational institutions and character references given by the applicant to verify the statements made in the application. If the facts so ascertained indicate the unsuitability of the applicant, the Personnel Officer may reject his application and notify him to that effect, and such rejection shall be final. (Ord. 1976-35. Passed 12-13-76.)

(f) Every applicant for entrance examination for the uniformed fire service shall be, in addition to the requirements set forth in subsections (c), (d) and (e) hereof, at the time of application, no less than twenty years of age and not over thirty-nine years of age. However, in a case where an applicant has had experience as a full time firefighter in the State of Ohio, the Personnel Officer may, at his discretion, accept applicants over thirty-nine years of age, with one year of increased age allowed for each year so served.

(g) Every applicant for entrance examination in the uniformed police service shall, in addition to the requirements set forth in subsections (c), (d) and (e) hereof, hereof, at the time of application, no less than twenty-one years of age and not over thirty-nine years of age. have successfully completed the Basic Peace Officers Training course at the time of his or her original appointment as a police officer in the Police Division. However, in a case where an applicant has had experience in the State as a full time police officer, the Personnel Officer may, at his discretion, accept applicants over thirty-nine years of age, with one year of increased age allowed for each year so served.

(Ord. 1994-10. Passed 6-13-94.)

(h) Every applicant for entrance examination for the uniformed police service and fire service shall pay an application fee established by the Personnel Officer in an even dollar amount calculated to cover the cost of the examination forms and study materials.

(Ord. 1994-33. Passed 12-19-94.)

161.06 EXAMINATIONS.

(a) All examinations shall be of such type as will test fairly the relative capacity and fitness of the applicants to discharge efficiently the duties for which the examination is given. Their content shall be determined by the Personnel Officer and he shall be responsible for the evaluation of the results. The examinations may be written or oral, physical or performance tests, and may be any combination of these.

(b) The Personnel Officer may require applicants to submit proof of their age, citizenship and military service at the time of the examination.

(c) Each person who takes an examination shall be given written notice as to whether he passed or failed such examination and of his relative standing on the eligible list, if he was successful. Each person shall be entitled to inspect his own papers, but not those of other candidates, during regular office hours, under the supervision of the Personnel Officer.

(d) Before any person is appointed as a probationary employee, he shall be required to submit to a medical examination administered by a physician selected for that purpose by the Personnel Officer with the approval of the City Manager. A certificate by such physician, in a form prescribed by the City Manager, that the person so examined is in good health and is physically capable of performing the duties of the position, shall be prerequisite to appointment. The expense of this pre-employment physical examination shall be paid by the City.

(e) The City Manager may require the medical examination of any employee at any time during the term of the employee's service or as a prerequisite to call back for employment as set forth in Section 161.12(b). The expense of medical examinations prescribed in this section shall be paid by the City.

(f) Whenever in the judgment of the City Manager, Personnel Officer and the division head, positions above the entrance level should be filled by promotion, a promotional

examination shall be given. Eligibility to take a promotional examination shall be determined by the Personnel Officer with the approval of the City Manager. Promotions shall be based upon a written competitive examination, length of service, a written evaluation from the department or division head and a personal interview by the City Manager, Personnel Officer and division head. The Personnel Officer shall determine the content of the examinations and shall be responsible for the evaluation of the results. Examinations shall be competitive unless the Personnel Officer finds that the number of persons qualified for promotion is insufficient to justify competition, in which case the promotional examination shall be noncompetitive in character, or as otherwise provided in Section 8.09 of the Charter. The Personnel Officer shall give written notice of the promotional examination which shall set forth the date, time and place and procedures and rules, as determined by the Personnel Officer which apply to the promotional examination.

161.07 ELIGIBLE LISTS.

(a) The Personnel Officer shall prepare and keep open to public inspection, from the results of each examination, an eligible list of the persons whose average grade is not less than seventy and who are otherwise eligible for appointment. Such persons shall take rank upon the eligible list in the order of their relative grades. Any person who is eligible for appointment at the time of the preparation of the eligible lists except for not having attained the age of twenty-one years, shall have his or her name included on such list with a notation that he or she is not eligible for appointment until having attained the age of twenty-one. Whenever it becomes necessary to hold a subsequent examination in order to obtain additional eligibles, the Personnel Officer may consolidate existing lists for the same position by rearranging the names of those whose names appear on an existing list which is to be merged with a new list in the order of their relative grades. Any eligible on an existing list shall have an opportunity to compete in the examination. (Ord. 1984-3. Passed 1-23-84.)

(b) The term of eligibility of each list and of the names appearing thereon shall be for two years. (Ord. 2007-7. Passed 4-10-07.)

(c) Regular employees laid off for lack of funds or work shall be placed on a reemployment eligible list and remain on such list for one year or for a period equal to his length of employment with the City, whichever is longer.

(d) A probationary employee, who is laid off for lack of funds or work while the original employment eligible list from which he was appointed is still in effect, shall be restored to his original place on that list.

(e) The name of any person appearing on an eligible list who:

(1) Fails to report or arrange within six days (Sundays and holidays excluded) for an interview with an appointing authority;

- (2) Fails to respond to a notice from the Personnel Officer;
- (3) Declines an appointment without reasons satisfactory to the Personnel Officer; or
- (4) Cannot be located by the postal authorities,

shall not thereafter be certified to any appointing authority as eligible for appointment. The eligible person shall be notified to this effect unless his whereabouts are unknown. His name may again be certified from the eligible list only in case a thoroughly satisfactory explanation of the circumstances is made to the Personnel Officer. In case an eligible person's name appears on more than one list, appointment to a position in one class shall be considered a waiver for appointment from other eligible lists for classes the salary of which is equal or lower.

(f) If at any time after the creation of an eligible list, the Personnel Officer has reason to believe that any person whose name appears on any list is disqualified for appointment because of false statements made in his application, physical disability or for other comparable reasons, such person shall be notified and given an opportunity to be heard. If such person fails to appear for hearing, or upon being heard, fails to satisfy the Personnel Officer, his name shall be removed from such eligible list.

(Ord. 1976-35. Passed 12-13-76.)

161.08 APPOINTMENT AND PROBATION.

(a) Within two weeks after any certification of an eligible list has been made by the Personnel Officer, the appointing authority shall appoint one of the persons so certified to fill the vacancy. A notice of appointment shall be filed with the Director of Finance.

(b) Every original or promotional appointment from an eligible list shall be for a probationary period as agreed to in the collective bargaining agreements.

(c) Probationers shall become regular employees at the end of their probationary period, provided the evaluations indicate satisfactory performance of their duties.

(d) Probationers may be removed or demoted at any time during the probationary period. Such removals or demotions shall not be subject to appeal. Copies of all such notices shall be filed with the Personnel Officer and Director of Finance.

(e) Whenever an emergency exists which requires that a vacancy be filled at once in order to maintain public services, the City Manager may appoint any qualified person temporarily to perform the duties of the position.

(Ord. 1976-35. Passed 12-13-76.)

161.09 IN-SERVICE ACTIVITIES.

An annual report of the activities of the Personnel Officer shall be submitted to the City Manager within thirty days following the close of the City's fiscal year. The Personnel Officer shall make such other reports as may be required by the City Manager or by Council.

(Ord. 1976-35. Passed 12-13-76.)

161.10. DISCIPLINE.

(a) If an employee's conduct falls below a desirable standard, he is subject to disciplinary action. Some examples of cause for discipline are:

- (1) Failure to follow the orders of the supervisor or department head;
- (2) Absence from work without permission;
- (3) Being habitually absent or tardy;
- (4) Failure to perform assigned work in an acceptable manner;
- (5) Being wasteful of material, property or working time;
- (6) Inability to get along with fellow employees so that work is hindered or not up to required standards;
- (7) Failure to pay just debts;
- (8) Violating the Drug and Alcohol Policy;
- (9) Rudeness in dealing with the public;
- (10) Conduct unbecoming an employee;
- (11) Any act of dishonesty, theft or fraud;
- (13) Violating City Policy
- (14) Any criminal offense.

Any disciplinary action which affects the pay or status of the employee, such as suspension from duty without pay, demotion in rank and salary and dismissal, shall be exercised only by the City Manager.

(b) The duty of maintaining discipline among the City employees shall rest primarily with the City Manager.

(c) An appeal shall be allowed from disciplinary action as provided in the Charter, Administrative Code and in this chapter, if requested by the non-bargaining unit employee affected.

(Ord. 1997-34. Passed 9-8-97.)

161.11 APPEALS PROCEDURE.

(a) In any case of reduction in pay or status, suspension for more than five days or removal of a non-bargaining employee, the appointing authority shall furnish such employee with a copy of the order of reduction, suspension or removal, which order shall state the reason therefor. Such order shall also be filed with the Personnel Appeals Board.

(b) Within ten days following the filing of such order with the Personnel Appeals Board, the non-bargaining employee may file an appeal, in writing with the Board. In the event such an appeal is filed, the Board shall forthwith notify the appointing authority and shall hear such appeal within thirty days from and after its filing with the Board. The Personnel Appeals Board may affirm, disaffirm or modify the judgment of the appointing authority.

(c) In cases of removal or reduction in pay for disciplinary reasons, either the appointing authority or the non-bargaining employee may appeal from the decision of the Personnel Appeals Board to the Court of Common Pleas in accordance with the procedure provided by Ohio R.C. 119.12.

(Ord. 1976-35. Passed 12-13-76.)

161.12 LAYOFF AND REINSTATEMENT.

(a) Whenever there is lack of work or lack of funds requiring a reduction in the number of employees of the City, the City Manager shall determine the classes of employment in which such reduction shall be made and the number to be laid off. The employees to be laid off shall be determined by the department and division head based on length of service. Such determination shall be submitted to the City Manager for action.

(b) When the work or financial situation permits, those who have been laid off shall be called back to work by the City Manager according to their status on the re-employment eligibility list and placed on available work at the appropriate pay.

(c) Any person who previously worked as a regular full-time police officer or firefighter and who voluntarily terminated his service with the City, may be considered for rehiring as a probationary employee in his prior classification, within a three-year period of the date of his voluntary termination, upon written recommendation of the department head or division head and with the approval of the City Manager. Rehiring under these circumstances may be done without a prior written competitive examination provided such person passes a medical examination as provided in Section 161.06(d).

(Ord. 1976-35. Passed 12-13-76.)

161.13 POLITICAL ACTIVITY.

See Charter, Section 8.07 . (Ord. 1962-41. Passed 12-26-62.)

CHAPTER 161
Division of Personnel

- 161.01 Creation and composition.
- 161.02 Purpose and amendment of personnel regulations.
- 161.03 Definitions.
- 161.04 Position and salary schedule.
- 161.04.1 Full-time salaries of the Law Director, Finance Director, Service Director, Fire Chief and Police Chief.
- 161.05 Applications and applicants.
- 161.06 Examinations.
- 161.07 Eligible lists.
- 161.08 Appointment and probation.
- 161.09 In-service activities.
- 161.10 Discipline
- 161.11 Appeals procedure.
- 161.12 Layoff and reinstatement.
- 161.13 Political activity.

CROSS REFERENCES

- Contract interest - see CHTR. §5.08
- Merit system established - see CHTR. §8.01
- Exempt positions - see CHTR. §8.02
- Personnel officer - see CHTR. §8.03
- Personnel Appeals Board - see CHTR. §8.04, 8.05
- Political activity - see CHTR. §8.06 et seq.
- Promotional examinations - see CHTR. §8.09
- Removal from office - see CHTR. §12.04
- Division established; head - see ADM. 157.01
- Employment provisions - see ADM. Ch. 163
- Bonds required - see ADM. 163.01

161.01 CREATION AND COMPOSITION.

There is hereby created a Division of Personnel which shall be composed of the Personnel Officer as established by Section 8.03 of the City Charter.

(Ord. 1976-35. Passed 12-13-76.)

161.02 PURPOSE AND AMENDMENT OF PERSONNEL REGULATIONS.

(a) It is the purpose of this chapter to give effect to the provisions of the City Charter by establishing rules, standards and procedures for the operation of the merit system.

(b) The Personnel Officer shall prepare, in consultation with the City Manager, such amendments to this chapter as may, from time to time, be deemed desirable. Such amendments shall be recommended to Council for adoption. (Ord. 1976-35. Passed 12-13-76.)

161.03 DEFINITIONS.

(a) "Allocation" means the assignment of an individual position to an appropriate class on the basis of the kind, difficulty and responsibility of the work actually performed in the position.

(b) "Appointing authority" means the officer or agency having power under the Charter and ordinances to make appointments to positions in the classified service.

(c) "Classified service" shall consist of all full-time firefighters and police officers who are employees of the City, except those specifically exempted by the Charter.

(d) "Classes of positions" shall consist of all positions in the classified service which are sufficiently alike in duties, authority and responsibility to be treated in the same manner for personnel purposes.

(e) "Class specifications" are those duties imposed upon the personnel of each division by the Administrative Code.

(f) "Demotion" means the change of an employee from a position in one salary grade to a position in another salary grade having a lower maximum salary rate.

(g) "Eligible" means a person whose name is on a list prepared by the Personnel Officer as the result of passing an open competitive examination or on a re-employment list.

(h) "Eligible list" means a list of eligibles, in the order of their final grades in an open competitive examination, or in an order determined by this chapter, prepared by the Personnel Officer.

(i) "Position" means a group of duties and responsibilities designed to be performed by an individual. Positions shall be created and abolished by the City Manager.

(j) "Probationary period" means the working test period during which a bargaining unit employee is required to demonstrate their fitness by actual performance of the duties of the position to which they have been appointed.

(k) "Promotion" means the change of an employee from a position in one salary grade to a position in another salary grade having a higher maximum salary rate.

(1) "Regular employee" means a full-time police officer or firefighter who has passed a physical examination, has been appointed to a position in the classified service from an eligible list and who has satisfactorily completed probationary period..

(m) "Full-time, employee" means a person who regularly works a forty-hour work week, or a person who works a twenty-eight-day schedule at a yearly salary as a full- time employee of the Fire Division and in both cases are either on a probationary period or a regular employee.

(n) "Part-time employee" means a person who regularly works 29 hours a week or less and is paid by the hour, and does not receive any of the fringe benefits as set forth in other sections of this Code.

(o "Administrative employee" means the City Manager, Director of Finance, Fire Chief, Police Chief and Police Captain.

(Ord. 1976-35. Passed 12-13-76; Ord. 1985-20. Passed 7-22-85.)

161.04 POSITION AND SALARY SCHEDULE

(a) The position and salary schedule, marked Exhibit "A", which is attached hereto and made a part of this Code shall be effective as of January 1, 2023.

(b) The Personnel Officer, in conjunction with department and division heads and subject to the approval of the City Manager, shall annually review and make recommendations to Council for changes in the following schedule.

(c) The adopted position and salary schedule shall provide the basis for compensation of all municipal employees. The City Manager shall adopt an administrative policy, subject to approval of the City Council, to address those positions which are in existence and have not attained the minimum base salary range or have exceeded the maximum base salary range. A position may be assigned a salary lower than the minimum base salary range or higher than the maximum base salary range provided for that salary grade of that position, but is subject to administrative policy. Prior to appointment of a new employee, the City Manager shall consult the position and salary schedule for determination of placement within the relevant classification. Appointments shall normally be made at the minimum rate for the specified pay scale. Evaluation of an appointee's qualifications and experience shall be considered and may provide the basis for compensation in excess of the minimum base salary.

(d) Salary increases within an established range shall not be automatic, but can be given on the following bases:

(1) A merit increase recommended, in writing, to the City Manager by the appropriate department or division head and approved by the City Manager. Such a recommendation is to be based on standards of performance or other pertinent data.

(2) A merit increase recommended and approved by the City Manager. Such a recommendation is to be based on standards of performance or other pertinent data.

(3) An across-the-board increase granted to all full-time non-bargaining unit employees and recommended by the City Manager.

(4) A change in the employee's classification.

(e) Salary increases granted on the basis of subsection (d) (1), (2) and (3) hereof are dependent on the provisions of moneys appropriated in the annual appropriation ordinance. Salary increases granted on the basis of subsection (d) (1) and (2) hereof shall not be granted to an employee more frequently than once in each six months. No salary advancement shall be given before the employee completes the first six months of their probationary period. However, when the minimum salary for the particular position is increased during such employee's probationary period, such employee shall be compensated at such higher salary from the date of the passage of the salary ordinance.

(f) The salary rate established for an employee shall represent their total remuneration, not including reimbursement for official travel and except as otherwise provided, in this chapter (overtime pay, cost-of-living allowance, premium pay and/or on-call status). No reward, gift or other thing of value received from any source for the performance of their duties shall be retained by an employee. Notwithstanding the foregoing, employees of the Police Division, during off-duty time, may accept special duty assignments for police work only when authorized by the Police Chief.

(g) Whenever an employee works for a period less than the regularly established number of hours per day, days per week or weeks per month, the amount paid shall be proportionate to the time actually employed.

(h) All full-time employees, except department heads, administrative employees, exempt employees and Fire Division employees shall be compensated for each hour worked in excess of forty hours per week at a rate equal to one and one-half times their straight rate.

All full-time employees of the Fire Division shall be compensated for each hour worked in excess of 212 hours during any twenty-eight-day work period at a rate equal to one and one-half times their straight rate.

Authorization of all overtime shall be under the control of the City Manager. If any full-time non-exempt employee, other than department and division heads, requests the City Manager to grant compensatory time off in lieu of compensation for such employee's authorized overtime, the City Manager or Department Head shall be authorized, but not required, to allow such request.

The City Manager shall be authorized, but not required, to grant compensatory time off to those administrative employees not entitled to overtime compensation at such times and to such extent that the City Manager, in their sole discretion deems justifiable under the circumstances relating to each such administrative employee.

(i) (EDITOR'S NOTE: This subsection was repealed by Ordinance 1988-2, passed January 25, 1988.

(j) Except as otherwise provided in any one or more controlling collective bargaining agreements, each employee of the Division of Utilities and of the Division of Streets and Parks, when placed on an “on call” basis by the department or division head, shall receive compensation in addition to their regular salary in an amount equal to two (2) hours of such employee’s regular rate for each such twenty-four (24) hour period that the employee is on call. Such “on call” pay shall be in addition to pay for actual hours worked on call.

(Ord. 1976-35. Passed 12-13-76; Ord. 1980-10. Passed 2-4-80; Ord. 1982-2. Passed 1-25-82; Ord. 1983-30. Passed 11-28-83; Ord. 1985-20. Passed 7-22-85; Ord. 1985-32. Passed 12-16-85; Ord. 1986-2. Passed 1-13-86; Ord. 2014-33. Passed 12-23-14. Ord. 2022-66. Passed 11-22-22.)

CITY OF HURON
FULL TIME POSITION AND SALARY SCHEDULE

POSITION TITLE	Pay Scale	BASE SALARY RANGE	
		Min.	Max.
Water Superintendent	9	\$57,276	\$85,914
Police Sergeant			
Fire Captain			
Parks and Recreation Operations Manager			
Planning Director	8	\$54,264	\$79,396
Human Resources Director	7	\$49,968	\$75,452
Recreation Program Manager	6	\$48,980	\$75,000
Fire Lieutenant			
Street Foreman			
Finance Specialist Payroll			
Planning and Zoning Manager			
Chief Operator	5	\$44,990	\$68,508
Firefighter			
Police Officer			
Water Distribution Foreman			
Management Services Coordinator	4	\$43,225	\$61,850
Executive Administrative Asst./Clerk of Council			
Permit Technician/Admin Asst.			

EXHIBIT B

Maintenance Worker 3	3	\$40,861	\$60,000
Zoning Inspector - FT			
Parks and Municipal Ground Coordinator			
Finance Specialist Customer Service			
Maintenance Worker 2	2	\$37,080	\$56,000
Maintenance Worker 1			
Parks Maintenance Worker I			
Administrative Assistant	1	\$34,299	\$41,921

Supplemental Salary Schedule			
POSITION TITLE	Pay Scale	BASE SALARY RANGE	
		Min.	Max.
Assistant City Manager	VIII	\$54,478	\$90,000
Information Technology Manager	VIII	\$57,000	\$95,000
Director of Parks and Recreation	VI-C	\$48,676	\$85,000
Boat Basin Facility Manager	VI-B	\$37,403	\$51,500
Assistant Water Superintendent	V	\$35,160	\$60,600
Clerk of Court	V	\$45,000	\$76,000
Probation Officer	III	\$23,825	\$47,000
Deputy Clerk of Court	III	\$26,000	\$51,000
Finance Clerk	II	\$22,180	\$45,400
Executive Assistant		\$23,000	\$33,500
Municipal Judge		\$35,000	\$35,500

Part Time and Seasonal Position Salary Schedule		
POSITION TITLE	BASE SALARY RANGE	
	Min.	Max.
Deputy Court Clerk	\$10.10/hr.	\$18.00/hr.
Police/Dispatch Secretary		
Police Officer		
Court Bailiff/Court Security Officer		
Finance Clerk		

Customer Service Clerk		
Management Assistant		
General Maintenance Worker		
Zoning Inspector - PT	\$10.10/hr.	\$24.00/hr.
Street Maintenance		
Parks Maintenance		
Recreation	\$10.10/hr.	\$14.00/hr.
Dockhand		
Basic EMT/FF	\$12.00/hr.	\$15.00/hr.
Basic Paramedic/FF	\$15.00/hr.	\$18.00/hr.

(Ord. 2022-66; Passed 11-22-22)

161.04.1 FULL-TIME SALARIES OF THE LAW DIRECTOR, FINANCE DIRECTOR, SERVICE DIRECTOR, FIRE CHIEF AND POLICE CHIEF.

The following positions and commensurate salaries are effective January 1, 2022:

<u>Position</u>	<u>Base Salary</u>
Law Director	\$150,000.00
Finance Director	\$111,000.00
Service Director	\$111,000.00
Fire Chief	\$100,000.00
Police Chief	\$100,000.00

(Ord. 2022-68. Passed 12-27-22.)

161.05 APPLICATIONS AND APPLICANTS.

(a) All entrance examinations shall be publicly announced by the Personnel Officer as they deem necessary or desirable. The announcement shall specify the title of the position for which the examination is to be held; the time, place and manner of making applications; and any other information deemed pertinent by the Personnel Officer.

(b) Applications shall be made on forms prescribed by the Personnel Officer.

(c) The Personnel Officer shall reject any application which indicates on its face that the applicant does not possess the minimum qualifications required or which is not received within the time limit fixed for filing for the position. Notice of such rejection shall be given to the applicant, and such rejection shall be final. (Ord. 1976-35. Passed 12-13-76.)

(d) All applicants must be citizens of the United States or legally permitted to work in the United States, of good moral character, of temperate habits, of sound health and physically able to perform the duties of the position applied for. (Ord. 2002-23. Passed 10-14-02.)

(e) The Personnel Officer shall make inquiry of employers, educational institutions and character references given by the applicant to verify the statements made in the application. If the facts so ascertained indicate the unsuitability of the applicant, the Personnel Officer may reject their application and notify them to that effect, and such rejection shall be final. (Ord. 1976-35. Passed 12-13-76.)

(f) Every applicant for entrance examination for the uniformed fire service shall be, in addition to the requirements set forth in subsections (c), (d) and (e) hereof, at the time of application, no less than twenty years of age and not over thirty-nine years of age. However, in a case where an applicant has had experience as a full-time firefighter in the State of Ohio, the Personnel Officer may, at their discretion, accept applicants over thirty-nine years of age, with one year of increased age allowed for each year so served.

(g) Every applicant for entrance examination in the uniformed police service, in addition to the requirements set forth in subsections (c), (d) and (e) hereof, shall at the time of application be no less than twenty-one years of age and not over thirty-nine years of age, and must have successfully completed the Basic Peace Officers Training course at the time of their original appointment as a police officer in the Police Division. However, in a case where an applicant has had experience in the State as a full-time police officer, the Personnel Officer may, at their discretion, accept applicants over thirty-nine years of age, with one year of increased age allowed for each year so served.

(Ord. 1994-10. Passed 6-13-94.)

(h) Every applicant for entrance examination for the uniformed police service and fire service shall pay an application fee established by the Personnel Officer in an even dollar amount calculated to cover the cost of the examination forms and study materials.

(Ord. 1994-33. Passed 12-19-94.)

161.06 EXAMINATIONS.

(a) All examinations shall be of such type as will test fairly the relative capacity and fitness of the applicants to discharge efficiently the duties for which the examination is given. Their content shall be determined by the Personnel Officer and they shall be responsible for the evaluation of the results. The examinations may be written or oral, physical or performance tests, and may be any combination of these.

(b) The Personnel Officer may require applicants to submit proof of their age, citizenship and military service at the time of the examination.

(c) Each person who takes an examination shall be given written notice as to whether they passed or failed such examination and of their relative standing on the eligible list, if they were successful. Each person shall be entitled to inspect their own papers, but not

those of other candidates, during regular office hours, under the supervision of the Personnel Officer.

(d) Before any person is appointed as a probationary employee, they shall be required to submit to a medical examination administered by a physician selected for that purpose by the Personnel Officer with the approval of the City Manager. A certificate by such physician, in a form prescribed by the City Manager, that the person so examined is in good health and is physically capable of performing the duties of the position, shall be prerequisite to appointment. The expense of this pre-employment physical examination shall be paid by the City.

(e) The City Manager may require the medical examination of any employee at any time during the term of the employee's service or as a prerequisite to call back for employment as set forth in Section 161.12(b). The expense of medical examinations prescribed in this section shall be paid by the City.

(f) Whenever in the judgment of the City Manager, Personnel Officer and the division head, positions above the entrance level should be filled by promotion, a promotional examination shall be given. Eligibility to take a promotional examination shall be determined by the Personnel Officer with the approval of the City Manager. Promotions shall be based upon a written competitive examination, length of service, a written evaluation from the department or division head and a personal interview by the City Manager, Personnel Officer and division head. The Personnel Officer shall determine the content of the examinations and shall be responsible for the evaluation of the results. Examinations shall be competitive unless the Personnel Officer finds that the number of persons qualified for promotion is insufficient to justify competition, in which case the promotional examination shall be noncompetitive in character, or as otherwise provided in Section 8.09 of the Charter. The Personnel Officer shall give written notice of the promotional examination which shall set forth the date, time and place and procedures and rules, as determined by the Personnel Officer which apply to the promotional examination.

161.07 ELIGIBLE LISTS.

(a) The Personnel Officer shall prepare and keep open to public inspection, from the results of each examination, an eligible list of the persons whose average grade is not less than seventy and who are otherwise eligible for appointment. Such persons shall take rank upon the eligible list in the order of their relative grades. Any person who is eligible for appointment at the time of the preparation of the eligible lists except for not having attained the age of twenty-one years, shall have their name included on such list with a notation that they are not eligible for appointment until having attained the age of twenty-one. Whenever it becomes necessary to hold a subsequent examination in order to obtain additional eligibles, the Personnel Officer may consolidate existing lists for the same position by rearranging the names of those whose names appear on an existing list which is to be merged with a new list in the order of their relative grades. Any eligible on an existing list shall have an opportunity to compete in the examination. (Ord. 1984-3. Passed 1-23-84.)

(b) The term of eligibility of each list and of the names appearing thereon shall be for two years. (Ord. 2007-7. Passed 4-10-07.)

(c) Regular employees laid off for lack of funds or work shall be placed on a reemployment eligible list and remain on such list for one year or for a period equal to their length of employment with the City, whichever is longer.

(d) A probationary employee, who is laid off for lack of funds or work while the original employment eligible list from which they were appointed is still in effect, shall be restored to their original place on that list.

(e) The name of any person appearing on an eligible list who:

(1) Fails to report or arrange within six days (Sundays and holidays excluded) for an interview with an appointing authority;

(2) Fails to respond to a notice from the Personnel Officer;

(3) Declines an appointment without reasons satisfactory to the Personnel Officer; or

(4) Cannot be located by the postal authorities,

shall not thereafter be certified to any appointing authority as eligible for appointment. The eligible person shall be notified to this effect unless their whereabouts are unknown. Their name may again be certified from the eligible list only in case a thoroughly satisfactory explanation of the circumstances is made to the Personnel Officer. In the event an eligible person's name appears on more than one list, appointment to a position in one class shall be considered a waiver for appointment from other eligible lists for classes the salary of which is equal or lower.

(f) If at any time after the creation of an eligible list, the Personnel Officer has reason to believe that any person whose name appears on any list is disqualified for appointment because of false statements made in their application, physical disability or for other comparable reasons, such person shall be notified and given an opportunity to be heard. If such person fails to appear for hearing, or upon being heard, fails to satisfy the Personnel Officer, their name shall be removed from such eligible list.

(Ord. 1976-35. Passed 12-13-76.)

161.08 APPOINTMENT AND PROBATION.

(a) Within two weeks after any certification of an eligible list has been made by the Personnel Officer, the appointing authority shall appoint one of the persons so certified to fill the vacancy. A notice of appointment shall be filed with the Director of Finance.

(b) Every original or promotional appointment from an eligible list shall be for a probationary period as agreed to in the collective bargaining agreements.

(c) Probationers shall become regular employees at the end of their probationary period, provided the evaluations indicate satisfactory performance of their duties.

(d) Probationers may be removed or demoted at any time during the probationary period. Such removals or demotions shall not be subject to appeal. Copies of all such notices shall be filed with the Personnel Officer and Director of Finance.

(e) Whenever an emergency exists which requires that a vacancy be filled at once in order to maintain public services, the City Manager may appoint any qualified person temporarily to perform the duties of the position.

(Ord. 1976-35. Passed 12-13-76.)

161.09 IN-SERVICE ACTIVITIES.

An annual report of the activities of the Personnel Officer shall be submitted to the City Manager within thirty days following the close of the City's fiscal year. The Personnel Officer shall make such other reports as may be required by the City Manager or by Council.

(Ord. 1976-35. Passed 12-13-76.)

161.10. DISCIPLINE.

(a) If an employee's conduct falls below a desirable standard, they are subject to disciplinary action. Some examples of cause for discipline are:

- (1) Failure to follow the orders of the supervisor or department head;
- (2) Absence from work without permission;
- (3) Being habitually absent or tardy;
- (4) Failure to perform assigned work in an acceptable manner;
- (5) Being wasteful of material, property or working time;
- (6) Inability to get along with fellow employees so that work is hindered or not up to required standards;
- (7) Failure to pay just debts;
- (8) Violating the Drug and Alcohol Policy;
- (9) Rudeness in dealing with the public;
- (10) Conduct unbecoming an employee;
- (11) Any act of dishonesty, theft or fraud;

- (13) Violating City Policy;
- (14) Any criminal offense.

Any disciplinary action which affects the pay or status of the employee, such as suspension from duty without pay, demotion in rank and salary and dismissal, shall be exercised only by the City Manager.

(b) The duty of maintaining discipline among the City employees shall rest primarily with the City Manager.

(c) An appeal shall be allowed from disciplinary action as provided in the Charter, Administrative Code and in this chapter, if requested by the non-bargaining unit employee affected.

(Ord. 1997-34. Passed 9-8-97.)

161.11 APPEALS PROCEDURE.

(a) In any case of reduction in pay or status, suspension for more than five days or removal of a non-bargaining employee, the appointing authority shall furnish such employee with a copy of the order of reduction, suspension or removal, which order shall state the reason therefor. Such order shall also be filed with the Personnel Appeals Board.

(b) Within ten days following the filing of such order with the Personnel Appeals Board, the non-bargaining employee may file an appeal, in writing with the Board. In the event such an appeal is filed, the Board shall forthwith notify the appointing authority and shall hear such appeal within thirty days from and after its filing with the Board. The Personnel Appeals Board may affirm, disaffirm or modify the judgment of the appointing authority.

(c) In cases of removal or reduction in pay for disciplinary reasons, either the appointing authority or the non-bargaining employee may appeal from the decision of the Personnel Appeals Board to the Court of Common Pleas in accordance with the procedure provided by Ohio R.C. 119.12.

(Ord. 1976-35. Passed 12-13-76.)

161.12 LAYOFF AND REINSTATEMENT.

(a) Whenever there is lack of work or lack of funds requiring a reduction in the number of employees of the City, the City Manager shall determine the classes of employment in which such reduction shall be made and the number to be laid off. The employees to be laid off shall be determined by the department and division head based on length of service. Such determination shall be submitted to the City Manager for action.

(b) When the work or financial situation permits, those who have been laid off shall be called back to work by the City Manager according to their status on the re-employment eligibility list and placed on available work at the appropriate pay.

(c) Any person who previously worked as a regular full-time police officer or firefighter and who voluntarily terminated their service with the City, may be considered for rehiring as a probationary employee in their prior classification, within a three-year period of the date of their voluntary termination, upon written recommendation of the department head or division head and with the approval of the City Manager. Rehiring under these circumstances may be done without a prior written competitive examination provided such person passes a medical examination as provided in Section 161.06(d).

(Ord. 1976-35. Passed 12-13-76.)

161.13 POLITICAL ACTIVITY.

See Charter, Section 8.07 . (Ord. 1962-41. Passed 12-26-62.)



TO: Mayor Tapp and City Council
FROM: Cory Swaisgood
RE: Ordinance No. 2023-23 (**second reading**) (*submitted by Andrea Rocco*)
DATE: August 8, 2023

Subject Matter/Background

Changes since first reading: Pronouns have been changed to be gender neutral throughout Chapter 163.

Administration is requesting Council approval on amendments to various employment and personnel provisions in the codified ordinances, to be effective January 1, 2024. These amendments will be on Council's agenda for first reading at the July 25th meeting (ORD 2023-22 and ORD 2023-23). Attached you will find a redlined version of each chapter, and a clean version of each chapter. As with all three reading ordinances, we strongly prefer to make most major edits on the first reading to ensure a true three readings. This is why we are sending this out early for your review.

- The purpose of these amendments are as follows:
- Consistency throughout the codified ordinances and City's employee manual.
- Clarity on specific processes around employment practices and leave time accruals/payouts.
- To align certain policies and processes with current practices and the collective bargaining agreements.
- To align certain language with federal employment laws.
- Provide attractive benefits for recruitment of potential employees, such as leave time carryover and usage.
- Remove outdated language that do not apply to current City practices and employees.

Summary of Code Changes to Chapter 163 (Employment Provisions)

- 163.02 – Cleans up language on eligibility of sick leave accrual and carryovers from another political subdivision. Currently, all new hires with prior service from another Ohio political subdivision can carryover up to 15 days of unused sick leave to the City of Huron. The amended language allows new hires to carryover all unused sick leave. However, this leave is restricted and will be tracked as a separate bank of leave.
- All other sick leave accrued as a City employee must be exhausted before using the transferred sick leave.
- Transferred sick leave cannot be donated and will not be paid out upon retirement.
- 163.04 – Provides clarity on holiday hours at December 31st and upon separation. Employees cannot carryover any unused holiday hours after December 31st of each year. Holiday hours cannot be paid out upon separation or retirement.
- 163.05 – The vacation leave section of the codified ordinances was outdated and lacked clarity. The

amended language does not change the amount of vacation accrual for non-bargaining employees, or carryover amounts. A table was added to the ordinance. The fire and police vacation accruals was removed since they must comply with the bargaining unit agreements.

- 163.05 – Currently, all new hires must wait a year before they can accrue and use vacation time. The amended language removes the one-year restriction and also allows the City Manager’s discretion on prior service in the calculation of vacation accruals upon hire.
- 163.07 – Currently, all non-bargaining employees are credited with 2 days of personal leave at the beginning of the year. The bargaining units allow for 3 days of personal leave every year. The amended language increases the personal days to 3 days a year for consistency with bargaining units. The amended language does not allow for a payout of personal leave upon separation and retirement. Personal leave cannot be carried over from year to year with this amended language, as well.

Financial Review

There is no immediate financial impact to recommended changes in Chapter 163. Additional liability will be evident in the future for additional vacation accruals based on experience. Any other additional leave time (e.g. personal and transferred sick) will not impact the budget since there is no payout of leave time for these types of leave upon separation. Departments will have to manage the additional personal day a staff member may be off throughout the year.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement, a motion placing Ordinance No. 2023-23 on its second reading is in order.

[Ordinance No. 2023-23 Chapter 163 \(1\).docx](#)

[Ordinance No. 2023-23 Exh A Chapter 163.pdf](#)

[Ordinance No. 2023-23 Exh B Chapter 163 \(3\).docx](#)

ORDINANCE NO. 2023-23

Introduced by Mark Claus

AN ORDINANCE AMENDING AND RESTATING CHAPTER 163 EMPLOYMENT PROVISIONS.

WHEREAS, City Staff and counsel for City on employment law and human resource matters have evaluated Chapter 163 and have determined that various provisions are in need of enhancement and improvement to accurately reflect current policies and procedures, and to ensure the effective and efficient operation of the City pertaining to employment and human resources matters;

WHEREAS, the City hereby adopts a new and amended and restated Ordinance to repeal and amend and restate Chapter 163 (Employment Provisions) to address the concerns of the City Staff and counsel for City on employment law and human resource matters.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

Section 1: That Chapter 163 Employment Provisions of the Codified Ordinances of the City of Huron, Ohio WHICH CURRENTLY READS AS FOLLOWS: (refer to Exhibit "A" attached), shall be and hereby is repealed.

Section 2: That Chapter 163 Employment Provisions of the Codified Ordinances of the City of Huron, Ohio is hereby amended to read as follows: (refer to Exhibit "B" attached)

Section 3: That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4: That this Ordinance shall take effect and be in force from and after the time period contained in Section 3.06 of the Charter of the City of Huron.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____

CHAPTER 163

Employment Provisions

- 163.01 Surety bonds required.
- 163.02 Sick leave.
- 163.03 Bereavement Leave.
- 163.04 Paid holidays.
- 163.05 Vacations.
- 163.06 Travel expenses; mileage allowance.
- 163.07 Personal leave.
- 163.08 Jury duty.
- 163.09 Military leave.
- 163.10 Training leave.
- 163.11 Emergency leave.
- 163.12 Cost-of-living salary adjustments.
- 163.13 Fringe benefits.
- 163.14 Weather emergencies.

CROSS REFERENCES

- Contract interest - see CHTR. §5.08
- Merit system - see CHTR. §8.01
- Exempt positions - see CHTR. §8.02
- Appeals - see CHTR. §8.05
- Promotional examinations - see CHTR. §8.09
- Personnel Division - see ADM. Ch. 161

163.01 SURETY BONDS REQUIRED.

The persons holding the following positions shall furnish to the Council Clerk a corporate surety bond in at least the amounts designated for each such position. The amount of any premium shall be paid by the City.

	Minimum Bond
City Manager	\$10,000.00
Mayor	2,500.00
Director of Finance	20,000.00
Assistant Director of Finance	20,000.00
Members of Police	2,500.00 each
Building Official	2,500.00
Bookkeeper-Cashier, Division of Income Taxation	20,000.00
Director of Utilities	5,000.00
All other City employees	2,500.00

The surety bond required for all of the above positions may, at the option of the City Manager, be included in a blanket corporate surety bond in at least the combined total of all the individual bonds set forth above.

(Ord. 1997-16. Passed 5-27-97.)

163.02 SICK LEAVE.

(a) Each full-time employee whose salary or wage is paid in whole or in part by the City shall be entitled, for each completed month of service, to sick leave of one and one-quarter (1.25) work days with pay. Full-time employees are entitled to accumulate an unlimited amount of sick leave. Employees with accumulated sick leave may use such sick leave, upon approval of the responsible department head, for absence due to illness, injury, exposure to contagious disease which could be communicated to other employees or for illness of a spouse or dependent child. A full-time salaried employee who transfers from one City department to another shall be credited with the unused balance of his accumulated sick leave. The responsible department head may require an employee taking sick leave to furnish a satisfactory affidavit that his absence was caused by illness due to any causes mentioned in this section. For absences in excess of three (3) consecutive days, the responsible department head shall notify human resources and human resources will follow up with the employee. - This section shall be uniformly administered to full-time and part-time employees.

(b) Effective January 1, 2009, a full-time employee who retires from service with the City may request and shall be paid an amount equal to one day's compensation, at his then

current salary, for every three (3) day's sick leave accumulated while employed by the City of Huron as of the date of retirement, but not to exceed an amount equal to his salary or wage for four hundred eighty (480) hours. This benefit shall only be available to full-time employees who qualify for, and actually take retirement through, their respective public retirement system. No payment for accumulated sick leave shall be available for, and shall not be paid to, full-time employees who resign or are terminated from their employment with the City. No payment for transferred sick leave will be paid at retirement or separation.

(d) A full-time employee who has a minimum of 1,000 hours accumulated sick leave by the end of December of the preceding year may request, in writing, by the last working day of January of any calendar year on a sick leave conversion form provided by the Finance Department and shall be granted the right to convert one-hundred twenty (120) hours sick leave to forty (40) hours personal time. An Employee shall not convert in excess of sixty-four (64) hour's personal time on any calendar year.(40 hours of converted sick time and 24 regular personal hours)

(e) Each full-time employee shall be allowed to transfer accumulated unused sick leave accrued while in the employment of another Ohio political subdivision, but the transferred time ("transferred sick") cannot be computed towards payouts, carryovers or donated time. Transferred sick time cannot be used until all regular accrued sick leave is exhausted. This transferred sick leave will never be paid out at retirement or separation and cannot be used to donate leave.

(Ord. 2008-36. Passed 10-28-08.)

163.03 BEREAVEMENT LEAVE.

(a) A maximum of four days leave of absence shall be granted to any full-time employee due to a death in his immediate family (mother, father, sister, brother, spouse, child, stepson, stepdaughter, stepbrother, stepsister, stepparent, half-brother, half-sister, grandparent, mother-in-law and father-in-law) and such time shall not be deducted from the employee's accumulated sick leave.

(b) A maximum of three days' leave of absence shall be granted to any full-time employee due to a death in the following members of his family: aunts, uncles, nieces, nephews. Such time shall be deducted from his accumulated sick leave.

(c) When, in the opinion of the responsible department head, additional leave of absence for family death is in the best interest of both the City and the employee, such additional leave may be granted and shall be deducted from the employee's accumulated sick leave.

(Ord. 2000-14. Passed 8-28-00.)

163.04 PAID HOLIDAYS.

(a) There shall be eleven paid holidays for full-time employees. These holidays shall be New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the Friday after Thanksgiving Day and Christmas Day. In addition, there shall be three one-half day paid holidays, these being one-half day before Christmas Day, one-half day before New Year's Day and one-half day on Good Friday afternoon. If it shall be necessary to work any or all of these days the employee may substitute working days at the discretion of the department head or City Manager.

(Ord. 2021-26. Passed 7-13-21.)

(b) In case the holiday falls on Saturday, the previous Friday shall be considered as the legal holiday. In case the holiday falls on Sunday, the following Monday shall be considered the legal holiday.

(Ord. 1994-25. Passed 12-12-94.)

(c) Any substituted working day for a holiday day authorized as provided in subsection (a) hereof must be taken by each employee entitled thereto, during the calendar year of such holiday. Unused holiday pay is lost as of December 31st of each year. is earned.

(d) If an employee leaves employment during the year, any used unaccrued holiday hours shall be deducted from the employee's leave payout. Unused accrued holiday hours shall not be paid out upon retirement or separation.

(Ord. 1984-12. Passed 3-12-84.)

163.05 VACATIONS.

(a) The Director of Finance is hereby authorized to account for the hourly accumulation of earned vacation time on the bi-weekly payroll check of every City employee. Earned vacation time on an hourly basis shall be accumulated and taken by all City employees on the following basis according to the chart below. Employees may carry over earned unused vacation time but such carryover shall be limited according to the chart. Upon employment separation or retirement, an employee's vacation leave balance is paid out at the employee's pay rate at separation or retirement. If an employee has used vacation time that had not been accrued yet and then separates from employment, the employee's last paycheck will deduct the used unaccrued time.

Years of Service	Annual Accrual	Annual Hours Earned	Accrual per week	Maximum Annual Carryover
1-6	2 weeks	80	3.08	160
7-12	3 weeks	120	4.62	160
13-19	4 weeks	160	6.15	160
20+	5 weeks	200	7.69	200

In all departments, vacation time off shall be scheduled with the department head. Scheduling of vacation time shall be coordinated so as to avoid disruption of necessary City services and functions of the specific department. Employees entitled to vacation time off shall file their vacation time request with their department head in accordance with departmental procedures designated by the City Manager.

The City Manager may, at his discretion, allow past relevant work experience to count toward prior service for vacation accrual purposes.

163.06 TRAVEL EXPENSES; MILEAGE ALLOWANCE.

In addition to regular salaries and compensation, travel expenses for official purposes shall be paid to officers and employees only when such trips and expenses are lawfully authorized by the City Manager or Council. Prior authorization shall be received in writing by the City Manager before any expenses are incurred.

Any officer or employee authorized to make a trip on official City business shall keep a complete and accurate record of the expenses so incurred. An itemized statement of expenses incurred together with receipts and/or receipted bills shall be submitted to the City Manager or Council for approval. Upon approval, the statement shall be submitted to the Director of Finance for payment. (Ord. 1984-1. Passed 1-9-84.)

Except where otherwise provided for, City personnel shall be allowed mileage reimbursement for the use of personal vehicles when used for travel on official business in an amount approved and authorized by the IRS, and as that amount may change from time to time. (Ord. 1997-10. Passed 3-10-97.)

163.07 PERSONAL LEAVE.

Each full-time employee shall be entitled to two extra days off with pay each calendar year. Such extra days shall be the choice of each employee, subject only to the approval of the department head. These two extra days will end on December 31, 2023. Effective January 1, 2024, each full-time employee shall be entitled to three personal days off with pay each calendar year. Such personal days shall be the choice of each employee, subject only to the approval of the department head. Such personal days shall be added to an

employee's leave accrual balance on January 1 to be used during the same year. Personal days shall not be carried over at the end of the calendar year. If an employee leaves employment during the year, any used unaccrued personal time shall be deducted from the employee's leave payout. Unused accrued personal leave shall not be paid out upon retirement or separation. Unused personal leave balance cannot exceed 64 hours at any one time. All personal leave must be used within the year accrued or it is lost. Sick time converted to personal leave must be used within a year of conversion or it is lost.

163.08 JURY DUTY.

A full-time employee who has been called for jury duty shall, upon notice to his department head, be paid his regular salary or wages less the amount of pay received for jury duty service. (Ord. 1976-35. Passed 12-13-76.)

163.09 MILITARY LEAVE.

(a) All officers and employees of the City who are members of the Ohio National Guard, the Ohio Defense Corps, the Ohio Naval Militia, or who are members of other reserve components of the armed forces of the United States, are entitled to a leave of absence from their respective duties without loss of pay for such time as they are in the military service on field training or active duty for periods not to exceed thirty-one days in any one calendar year.

(b) Any employee of the City who qualifies under subsection (a) above who is called to active duty for a national or state emergency by order of the President of the United States, the Congress of the United States, the Governor of the State of Ohio or the legislature of the State of Ohio shall be granted a leave of absence for the duration of such active duty. During this leave of absence, and at the expiration of the time limit specified in subsection (a) above, such employee shall receive from the City the difference between the employee's gross monthly base wage or salary with the City and the sum of the employee's gross monthly base wage or salary received from the military per month. During the leave of absence, such employee shall continue to accumulate vacation, sick leave, longevity credit, and other such benefits as would normally be available to the employee. Reinstatement rights and other rights shall be in accordance with all relevant provisions of Federal law and their companion rules and regulations.

(Ord. 2002-12. Passed 4-22-02.)

163.10 TRAINING LEAVE.

Employees may be granted leave with pay to attend professional meetings, training institutes and conferences at the discretion of the City Manager or Council.

(Ord. 1976-35. Passed 12-13-76.)

163.11 EMERGENCY LEAVE. REPEAL THIS SECTION

Ord. 1976-35. Passed 12-13-76.)

163.12 COST-OF-LIVING SALARY ADJUSTMENTS.

(EDITOR'S NOTE: Former Section 163.12 was repealed by Ordinance 1991-18, passed July 8, 1991.)

163.13 FRINGE BENEFITS.

(a) Full-time, employees only shall be entitled to receive any and all of the fringe benefits as set forth in the code or as are, from time to time, approved by Council.

(Ord. 1976-35. Passed 12-13-76.)

(b) The City shall provide for each full-time employee, a health insurance policy and a term life insurance policy in such face amounts and with premiums apportioned between the City and each employee as Council shall, from time to time, determine.

(Ord. 1996-8. Passed 3-25-96.)

(c) Council shall have the authorization to make exceptions to this section by motion approved by a majority of its members. (Ord. 1976-35. Passed 12-13-76.)

(d) Any type of fringe benefit (e.g. allowances, personal leave) earned during the year of retirement or separation from employment should be prorated on the employee's retirement or separation payout

163.14 WEATHER EMERGENCIES.

In the event of an emergency due to weather conditions, by reason of which non-bargaining unit employees are unable to report to work at their appointed times, the City Manager shall determine when an emergency exists and which employees were unable to report to work because of such emergency and each of such employees shall be entitled to his or her regular compensation for the missed work time **Employees already scheduled to be off, on or during the declared emergency, are not entitled to be paid.**

(Ord. 1982-16. Passed 4-12-82.)

CHAPTER 163

Employment Provisions

- 163.01 Surety bonds required.
- 163.02 Sick leave.
- 163.03 Bereavement Leave.
- 163.04 Paid holidays.
- 163.05 Vacations.
- 163.06 Travel expenses; mileage allowance.
- 163.07 Personal leave.
- 163.08 Jury duty.
- 163.09 Military leave.
- 163.10 Training leave.
- 163.11 Emergency leave.
- 163.12 Cost-of-living salary adjustments.
- 163.13 Fringe benefits.
- 163.14 Weather emergencies.

CROSS REFERENCES

- Contract interest - see CHTR. §5.08
- Merit system - see CHTR. §8.01
- Exempt positions - see CHTR. §8.02
- Appeals - see CHTR. §8.05
- Promotional examinations - see CHTR. §8.09
- Personnel Division - see ADM. Ch. 161

163.01 SURETY BONDS REQUIRED.

The persons holding the following positions shall furnish to the Council Clerk a corporate surety bond in at least the amounts designated for each such position. The amount of any premium shall be paid by the City.

	<u>Minimum Bond</u>
City Manager	\$10,000.00
Mayor	2,500.00
Director of Finance	20,000.00
Assistant Director of Finance	20,000.00
Members of Police	2,500.00 each
Building Official	2,500.00
Bookkeeper-Cashier, Division of Income Taxation	20,000.00
Director of Utilities	5,000.00
All other City employees	2,500.00

The surety bond required for all of the above positions may, at the option of the City Manager, be included in a blanket corporate surety bond in at least the combined total of all the individual bonds set forth above.

(Ord. 1997-16. Passed 5-27-97.)

163.02 SICK LEAVE.

(a) Each full-time employee whose salary or wage is paid in whole or in part by the City shall be entitled, for each completed month of service, to sick leave of one and one-quarter (1.25) work days with pay. Full-time employees are entitled to accumulate an unlimited amount of sick leave. Employees with accumulated sick leave may use such sick leave, upon approval of the responsible department head, for absence due to illness, injury, exposure to contagious disease which could be communicated to other employees or for illness of a spouse or dependent child. A full-time salaried employee who transfers from one City department to another shall be credited with the unused balance of their accumulated sick leave. The responsible department head may require an employee taking sick leave to furnish a satisfactory affidavit that their absence was caused by illness due to any causes mentioned in this section. For absences in excess of three (3) consecutive days, the responsible department head shall notify human resources and human resources will follow up with the employee. - This section shall be uniformly administered to full-time and part-time employees.

(b) Effective January 1, 2009, a full-time employee who retires from service with the City may request and shall be paid an amount equal to one day's compensation, at their then current salary, for every three (3) day's sick leave accumulated while employed by the City of Huron as of the date of retirement, but not to exceed an amount equal to their salary or wage for four hundred eighty (480) hours. This benefit shall only be available to full-time employees who qualify for, and actually take retirement through, their respective public retirement system. No payment for accumulated sick leave shall be available for, and shall not be paid to, full-time employees who resign or are terminated from their employment with the City. No payment for transferred sick leave will be paid at retirement or separation.

(c) A full-time employee who has a minimum of 1,000 hours accumulated sick leave by the end of December of the preceding year may request, in writing, by the last working day of January of any calendar year on a sick leave conversion form provided by the Finance Department and shall be granted the right to convert one-hundred twenty (120) hours sick leave to forty (40) hours personal time. An Employee shall not convert in excess of sixty-four (64) hours personal time on any calendar year. (40 hours of converted sick time and 24 regular personal hours). Transferred sick time will not be included in the sick leave conversion to personal time.

(d) Each full-time employee shall be allowed to transfer accumulate unused sick leave accrued while in the employment of another Ohio political subdivision, but the transferred time ("transferred sick") cannot be computed towards payouts, personal time conversion, carryovers or donated time. Transferred sick time cannot be used until all regular accrued sick leave is exhausted. This transferred sick leave will never be paid out at retirement or separation and cannot be used to donate leave.

(Ord. 2008-36. Passed 10-28-08.)

163.03 BEREAVEMENT LEAVE.

(a) A maximum of four days leave of absence shall be granted to any full-time employee due to a death in their immediate family (mother, father, sister, brother, spouse, child, stepson, stepdaughter, stepbrother, stepsister, stepparent, half-brother, half-sister, grandparent, mother-in-law and father-in-law) and such time shall not be deducted from the employee's accumulated sick leave.

(b) A maximum of three days' leave of absence shall be granted to any full-time employee due to a death in the following members of their family: aunts, uncles, nieces, nephews. Such time shall be deducted from their accumulated sick leave.

(c) When, in the opinion of the responsible department head, additional leave of absence for family death is in the best interest of both the City and the employee, such additional leave may be granted and shall be deducted from the employee's accumulated sick leave.

(Ord. 2000-14. Passed 8-28-00.)

163.04 PAID HOLIDAYS.

(a) There shall be eleven paid holidays for full-time employees. These holidays shall be New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veterans Day, Thanksgiving Day, the Friday after Thanksgiving Day and Christmas Day. In addition, there shall be three one-half day paid holidays, these being one-half day before Christmas Day, one-half day before New Year's Day and one-half day on Good Friday afternoon. If it shall be necessary to work any or all of these days the employee may substitute working days at the discretion of the department head or City Manager.

(Ord. 2021-26. Passed 7-13-21.)

(b) In case the holiday falls on Saturday, the previous Friday shall be considered as the legal holiday. In case the holiday falls on Sunday, the following Monday shall be considered the legal holiday.

(Ord. 1994-25. Passed 12-12-94.)

(c) Any substituted working day for a holiday day authorized as provided in subsection (a) hereof must be taken by each employee entitled thereto, during the calendar year of such holiday. Unused holiday pay is lost as of December 31st of each year. is earned.

(d) If an employee leaves employment during the year, any used unaccrued holiday hours shall be deducted from the employee's leave payout. Unused accrued holiday hours shall not be paid out upon retirement or separation.

(Ord. 1984-12. Passed 3-12-84.)

163.05 VACATIONS.

(a) The Director of Finance is hereby authorized to account for the hourly accumulation of earned vacation time on the bi-weekly payroll check of every City employee. Earned vacation time on an hourly basis shall be accumulated and taken by all City employees on the following basis according to the chart below. Employees may carry over earned unused vacation time but such carryover shall be limited according to the chart. Upon employment separation or retirement, an employee's vacation leave balance is paid out at the employee's pay rate at separation or retirement. If an employee has used vacation time that had not been accrued yet and then separates from employment, the employee's last paycheck will deduct the used unaccrued time.

Years of Service	Annual Accrual	Annual Hours Earned	Accrual per week	Maximum Annual Carryover
1-6	2 weeks	80	3.08	160
7-12	3 weeks	120	4.62	160
13-19	4 weeks	160	6.15	160
20+	5 weeks	200	7.69	200

In all departments, vacation time off shall be scheduled with the department head. Scheduling of vacation time shall be coordinated so as to avoid disruption of necessary City services and functions of the specific department. Employees entitled to vacation time off shall file their vacation time request with their department head in accordance with departmental procedures designated by the City Manager.

The City Manager may, at their discretion, allow past relevant work experience to count toward prior service for vacation accrual purposes.

163.06 TRAVEL EXPENSES; MILEAGE ALLOWANCE.

In addition to regular salaries and compensation, travel expenses for official purposes shall be paid to officers and employees only when such trips and expenses are lawfully

authorized by the City Manager or Council. Prior authorization shall be received in writing by the City Manager before any expenses are incurred.

Any officer or employee authorized to make a trip on official City business shall keep a complete and accurate record of the expenses so incurred. An itemized statement of expenses incurred together with receipts and/or receipted bills shall be submitted to the City Manager or Council for approval. Upon approval, the statement shall be submitted to the Director of Finance for payment. (Ord. 1984-1. Passed 1-9-84.)

Except where otherwise provided for, City personnel shall be allowed mileage reimbursement for the use of personal vehicles when used for travel on official business in an amount approved and authorized by the IRS, and as that amount may change from time to time. (Ord. 1997-10. Passed 3-10-97.)

163.07 PERSONAL LEAVE.

Each full-time employee shall be entitled to two extra days off with pay each calendar year. Such extra days shall be the choice of each employee, subject only to the approval of the department head. These two extra days will end on December 31, 2023. Effective January 1, 2024, each full-time employee shall be entitled to three personal days off with pay each calendar year. Such personal days shall be the choice of each employee, subject only to the approval of the department head. Such personal days shall be added to an employee's leave accrual balance on January 1 to be used during the same year. Personal days shall not be carried over at the end of the calendar year. If an employee leaves employment during the year, any used unaccrued personal time shall be deducted from the employee's leave payout. Unused accrued personal leave shall not be paid out upon retirement or separation. Unused personal leave balance cannot exceed 64 hours at any one time. All personal leave must be used within the year accrued or it is lost. Sick time converted to personal leave must be used within a year of conversion or it is lost.

163.08 JURY DUTY.

A full-time employee who has been called for jury duty shall, upon notice to their department head, be paid their regular salary or wages less the amount of pay received for jury duty service. (Ord. 1976-35. Passed 12-13-76.)

163.09 MILITARY LEAVE.

(a) All officers and employees of the City who are members of the Ohio National Guard, the Ohio Defense Corps, the Ohio Naval Militia, or who are members of other reserve components of the armed forces of the United States, are entitled to a leave of absence from their respective duties without loss of pay for such time as they are in the military service

on field training or active duty for periods not to exceed thirty-one days in any one calendar year.

(b) Any employee of the City who qualifies under subsection (a) above who is called to active duty for a national or state emergency by order of the President of the United States, the Congress of the United States, the Governor of the State of Ohio or the legislature of the State of Ohio shall be granted a leave of absence for the duration of such active duty. During this leave of absence, and at the expiration of the time limit specified in subsection (a) above, such employee shall receive from the City the difference between the employee's gross monthly base wage or salary with the City and the sum of the employee's gross monthly base wage or salary received from the military per month. During the leave of absence, such employee shall continue to accumulate vacation, sick leave, longevity credit, and other such benefits as would normally be available to the employee. Reinstatement rights and other rights shall be in accordance with all relevant provisions of Federal law and their companion rules and regulations.

(Ord. 2002-12. Passed 4-22-02.)

163.10 TRAINING LEAVE.

Employees may be granted leave with pay to attend professional meetings, training institutes and conferences at the discretion of the City Manager or Council.

(Ord. 1976-35. Passed 12-13-76.)

163.11 EMERGENCY LEAVE. REPEAL THIS SECTION

Ord. 1976-35. Passed 12-13-76.)

163.12 COST-OF-LIVING SALARY ADJUSTMENTS.

(EDITOR'S NOTE: Former Section 163.12 was repealed by Ordinance 1991-18, passed July 8, 1991.)

163.13 FRINGE BENEFITS.

(a) Full-time, employees only shall be entitled to receive any and all of the fringe benefits as set forth in the code or as are, from time to time, approved by Council.

(Ord. 1976-35. Passed 12-13-76.)

(b) The City shall provide for each full-time employee, a health insurance policy and a term life insurance policy in such face amounts and with premiums apportioned between the City and each employee as Council shall, from time to time, determine.

(Ord. 1996-8. Passed 3-25-96.)

(c) Council shall have the authorization to make exceptions to this section by motion approved by a majority of its members. (Ord. 1976-35. Passed 12-13-76.)

(d) Any type of fringe benefit (e.g. allowances, personal leave) earned during the year of retirement or separation from employment should be prorated on the employee's retirement or separation payout.

163.14 WEATHER EMERGENCIES.

In the event of an emergency due to weather conditions, by reason of which non-bargaining unit employees are unable to report to work at their appointed times, the City Manager shall determine when an emergency exists and which employees were unable to report to work because of such emergency and each of such employees shall be entitled to their regular compensation for the missed work time. Employees already scheduled to be off, on or during the declared emergency, are not entitled to be paid.

(Ord. 1982-16. Passed 4-12-82.)



TO: Mayor Tapp and City Council
FROM: Erik Engle
RE: Resolution No. 58-2023 (*submitted by Erik Engle*)
DATE: August 8, 2023

Subject Matter/Background

In the past, Administration prepared and issued certifications to the Erie County Auditor for outstanding invoices requesting to have the outstanding debt certified to the respective property owner's tax duplicate. This was done annually in advance of the Auditor's deadline for filings which is the second Monday in September. Routinely, we will have late certifications as we generally have additional mowing after this deadline.

The Planning & Zoning Department is requesting to have outstanding invoices for the mowing of properties in violation of Chapter 557 to be certified to the Erie County Auditor for collection pursuant to the following Code Sections:

Section 557.03 SERVING OF NOTICE TO ABATE NUISANCE. (a) After a determination has been made as set forth in Section 557.02 that a nuisance exists or that the public health is endangered, then the County Health Commissioner or the City Manager or his nominee/ designee shall cause written notice to be served upon the owner of such lots or lands that such nuisance or endangering of the public health must be abated by cutting or destroying such weeds or grass as set forth in Section 557.01 within seven days from the date of the notice required herein. If the owners or other such persons are nonresidents or other persons whose address is known, notice shall be sent to such address; however, if the address of such owners, or other persons whether residents or nonresidents is unknown, then it shall be sufficient to publish such notice once in a newspaper of general circulation, which published notice shall be deemed to be effective for the then-existing violation of Section 557.01 any and all further violations of Section 557.01 for the then-existing balance of the calendar year, and no additional published notice(s) shall be required for future violations by such owner (for which notice is initially published in accordance with this Section 557.03) for any and all violations of Section 557.01 for the balance of the then-existing calendar year.

557.06 BILL TO BE SENT TO OWNER. When the City Manager causes undesirable weeds, vegetation of rank growth or overgrown yard grass (including front yards, side yards, and rear yards), vegetation and/or wild grass to be cut and the land cleaned of debris as provided in Section 557.05, a statement of cost thereof shall be mailed to the owner of such land by certified mail, return receipt requested. Such statement of cost shall include the following: (a) Administration, publication, and supervision; (b) Transportation of equipment; (c) Equipment rental; (d) Equipment operator; (e) Incidental labor; (f) Cost of equipment damages or repairs directly related to the work performed on owner's property. The minimum charge for all costs referenced in this Section 557.06 (a) through 557.06 (f) shall be seventy-five dollars (\$75.00) for the first hour or portion thereof, and thirty-five dollars (\$35.00) for each additional hour or portion thereof or one hundred twenty-five percent (125%) of the contractual costs whichever is greater.

557.07 NONCOMPLIANCE. Any person not complying with Section 557.06 shall be subject to all available

collection procedures, including but not limited to having certified to his tax duplicate such billing with the County Auditor, in accordance with the Ohio Revised Code.

The Planning & Zoning Department anticipates additional late certifications for this year.

OUTSTANDING PROPERTY MAINTENANCE INVOICES

1/1/2023-07/31/2023

Case #	Case Date	Main Status	Fee Name	Fee Amount	Parcel #	Parcel Address
886	6/28/2023	Invoiced	Mowing	202.50	42-00864 000	926 STROWBF
887	6/27/2023	Invoiced	Mowing	187.50	45-00334 000	301 GUMWOC
872	5/25/2023	Invoiced	Mowing	360.00	42-00767.000	1015 MAIN
858	5/15/2023	Invoiced	Mowing	172.50	43-00018 000	2029 SAND
853	5/9/2023	Invoiced	Mowing	156.25	42-00864 000	926 STROWBR
849	5/5/2023	Invoiced	Mowing	148.13	42-00753 000	353 ONTARIO

Financial Review

The County will collect on the outstanding property maintenance invoices on the City's behalf in 2024 through each property's tax duplicate bill. The payment will be receipted in the Property Maintenance Fund to offset the City's cost to mow the properties.

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion adopting Resolution No. 58-2023 is in order.

[Resolution No. 58-2023 Certify Mowing Charges to Auditor \(2\).docx](#)

RESOLUTION NO. 58-2023
Introduced by Sam Artino

A RESOLUTION CERTIFYING UNPAID MOWING CHARGES TO THE ERIE COUNTY AUDITOR FOR COLLECTION.

BE IT RESOLVED by the Council of the City of Huron, Ohio:

SECTION 1. That, pursuant to Section 557.07 of the Codified Ordinances of the City of Huron, it is hereby determined and declared that the list of mowing charges on file in the office of the Finance Director of the City, which list is hereby incorporated herein by reference, is delinquent and unpaid. The Finance Director is hereby directed to do all things necessary to cause said unpaid mowing charges to be certified to the Erie County Auditor for collection as other taxes, and the Erie County Auditor is hereby requested pursuant to statute, to cause said charges to be extended on the 2023 tax duplicate for collection in one installment.

SECTION 2. That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. § 121.22.

SECTION 3. That this Resolution shall be in full force and effect from and immediately following its adoption.

Monty Tapp, Mayor

ATTEST: _____
Clerk of Council

ADOPTED: _____



TO: Mayor Tapp and City Council
FROM: Cory Swaisgood
RE: Ordinance No. 2023-27 (**first reading**) (*submitted by Cory Swaisgood*)
DATE: August 8, 2023

Subject Matter/Background

Ordinance Nos. 2023-27 and 2023-28 relate to the 2023, 2024 and 2025 Public Lighting Assessment and have been prepared by Bond Counsel following the required publication and noticing period. A total of twenty (20) properties were notified by certified mail as required for estimated assessments of \$250.00 or more. The noticing period for the publication and individual mailings has expired with no appeal letters received; therefore, the legislative process can move forward with the final two ordinances for Council adoption. The Administration has directed bond counsel to prepare legislation based on an anticipated millage of 0.65% (lower than the 2020/2021/2022 millage of 0.73%). The proceeds of the lighting assessment are anticipated to fund the annual liabilities associated with existing street, traffic and facility lighting and maintenance as well as various capital improvement lighting projects.

Ordinance No. 2023-27 provides authorization to proceed with the project as prepared.

Ordinance No. 2023-28 will authorize the assessment as prepared and is the final legislative step in the assessment process.

Adoption of these ordinances will allow Administration to prepare the final legal notice for publication and certify the legislation for submission to the County Auditor for placement and collection of the assessment on property tax records.

Financial Review

The proposed millage of .65% to be collected in 2024, 2025 and 2026 is expected to generate approximately \$167,765 annually over the 3-year time frame and will accommodate the expense related to public lighting costs and the specified capital lighting projects identified. The City accounts for the street lighting assessment collections in the Street Lighting Assessment Fund (Fund 215).

Legal Review

The matter has been reviewed, follows normal administrative procedure and is properly before you.

Recommendation

If Council is in agreement with the request, a motion to place Ordinance No. 2023-27 on its first reading is in order.

[Ordinance No. 2023-27 Notice to Proceed Lighting Assessment.docx](#)

ORDINANCE NO. 2023-27
Introduced by Mark Claus

AN ORDINANCE DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CERTAIN PUBLIC PLACES IN THE CITY BY LIGHTING, AND DECLARING AN EMERGENCY.

WHEREAS, this Council has adopted Resolution No. 50-2023 on June 27, 2023 (the Resolution), declaring the necessity of making the improvement described in Section 1;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Huron, Erie County, Ohio, that:

Section 1: It is determined to proceed with and complete the improvement of certain public places in the City by lighting in accordance with Ordinance No. 2005-39, passed by Council on July 25, 2005.

Section 2: The improvement shall be made in accordance with the provisions of the Resolution and with the plans, specifications, profiles and estimate of cost previously approved and now on file in the office of the Clerk of Council.

Section 3: All claims for damages resulting from the improvement that have been legally filed shall be inquired into prior to completion of the improvement, and the Director of Law is authorized and directed to institute legal proceedings in a court of competent jurisdiction to inquire into those claims.

Section 4: The portion of the cost of the improvement to be assessed in accordance with the Resolution shall be assessed in the manner and pursuant to the payment schedules set forth, and on the lots and lands described, in the Resolution.

Section 5: The estimated special assessments previously prepared and filed in the office of the Clerk of Council are adopted.

Section 6: The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 15 days after its passage.

Section 7: Subject to the provisions of Section 727.24 of the Revised Code, the City Manager is authorized and directed to make and sign (or to confirm) a contract for the improvement, as applicable, and such contract is ratified and approved.

Section 8: 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 adopted 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.

Section 9: This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the City and for the further reason that this ordinance is required to be immediately effective so that it may be timely certified to the County Auditor so as to permit collection starting next year to meet the costs of the improvement, which is needed to reduce or eliminate hazards to pedestrian and vehicular traffic and to provide safe conditions for use of the public places by the residents of the City and service departments of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

ADOPTED: _____

Mayor

ATTEST: _____

Clerk of Council

ORDINANCE NO. 2023-28
Introduced by Mark Claus

AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF CERTAIN PUBLIC PLACES IN THE CITY BY LIGHTING, AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Huron, Erie County, Ohio, that:

Section 1: The special assessments for the cost and expense of improving certain public places in the City by lighting in accordance with Ordinance No. 2005-39 passed by Council on July 25, 2005, pursuant to Resolution No. 50-2023 adopted June 27, 2023, to be levied annually at the rate of 0.65% of the tax value of the property assessed, which special assessments were filed and are on file with the Clerk of Council, are adopted and confirmed. Those special assessments are levied and assessed upon the lots and lands provided for in Resolution No. 50-2023 in the respective amounts set forth in the schedule of special assessments on file, which special assessments are in proportion to the special benefits and are not in excess of any statutory limitation.

Section 2: This Council finds and determines that the special assessments are in the same proportion to the estimated special assessments as the actual cost of the improvement is to the estimated cost of the improvement as originally filed.

Section 3: The special assessment against each lot or parcel of land shall be payable in three annual installments to be collected in the years 2024, 2025 and 2026. All special assessments shall be certified by the Clerk of Council to the County Auditor as provided by law to be placed on the tax duplicate and collected as taxes are collected.

Section 4: The Clerk of Council shall cause a notice of the passage of this ordinance to be published once in a newspaper of general circulation in this City and shall keep on file in the office of the Clerk of Council the special assessments.

Section 5: The Clerk of Council shall deliver a certified copy of this ordinance to the County Auditor within 20 days after its passage.

Section 6: 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.

Section 7: This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, safety and welfare of the City and for the further reason that the levy of the special assessments may be immediately effective so that it may be timely certified to the County Auditor so as to permit collection starting next year to meet the costs of the improvement, which is needed to reduce or eliminate hazards to pedestrian and vehicular traffic and to provide safe conditions for use of the public places by the residents of the City and service departments of the City; wherefore, this ordinance shall be in full force and effect immediately upon its passage; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

ADOPTED: _____

Mayor

ATTEST: _____
Clerk of Council