

12/2/08

**VILLAGE OF PEMBERVILLE, OHIO****ORDINANCE #1438****PASSED: December 2, 2008****2009 ORDINANCE ESTABLISHING MUNICIPAL EMPLOYMENT  
POSITIONS, DEFINING DUTIES AND PROVIDING FOR THE  
COMPENSATION THEREOF****BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF PEMBERVILLE, LOCATED IN  
THE COUNTY OF WOOD AND THE STATE OF OHIO:****SECTION 1: MUNICIPAL POSITIONS IDENTIFIED.**

Municipal positions in the Village of Pemberville that may be filled shall hereafter include a Village Solicitor, a Village Fiscal Officer, a Police Chief, a full-time Police Sergeant, full-time Police Officers, part-time Police Officers, a Streets, Lands & Buildings Superintendent, a Streets, Lands & Buildings Associate, an Electric Superintendent, a part-time Electrical Helper, a Water Superintendent, a Sanitary and Storm Sewer Superintendent, a Utility Associate, a Back-up Operator, Backflow Prevention Technician, a BPA Clerk, a Deputy Fiscal Officer, a Zoning Inspector, a Zoning Clerk, part-time Community Pool Personnel, part-time general laborers and office help. Note: Part-time employees shall receive no fringe benefits, no vacation, no personal days, no sick leave or anything else other than the hourly rate.

**SECTION 2: VILLAGE SOLICITOR**

The Village Solicitor shall be appointed by the Village Council, and shall serve until his successor is duly appointed and approved. The Solicitor shall be an employee of the Village. The Solicitor shall be responsible for attending one (1) council meeting per month, and his/her salary shall include all telephone calls, written or verbal, and personnel opinions, all with respect to members of the Village Council and the Mayor or employees of the Village. In addition, the Solicitor shall be paid on an hourly basis at the rate of \$70.00 per hour for all matters concerning litigation in Courts or public agencies, bonding services, assessment issued, real estate searches, or personnel dispute, or claims that may lead to formal action before an agency or court of law. The entire amount due the Public Employee Retirement System (PERS) of Ohio shall be payable by the Solicitor and deducted from his/her bi-weekly pay for PERS coverage. The Solicitor shall not be eligible for vacation accrual or sick time, but shall be eligible for the Village medical insurance plan. In the event the Solicitor chooses to participate in the Village medical insurance plan, he/she shall be responsible for the entire cost thereof and the premium shall be deducted from his/her salary as aforesaid. Salary for the Village Solicitor for the year of 2009 shall be \$10,800.00 payable in monthly installments per year.

**SECTION 3: VILLAGE FISCAL OFFICER**

The Village Fiscal Officer shall be responsible for all financial matters of the Village, oversee, review and coordinate the work of the Deputy Fiscal Officer, including Payroll, Village Income Tax and other office personnel. The Village Fiscal Officer attends Council meetings, records minutes, prepares ordinances, and coordinates office activities. Additional duties may be assigned as prescribed by operational needs of the Village. Salary for the Village Fiscal Officer for the year 2009 shall be \$36,386.00, payable in biweekly installments based on 26 pays per year.

#### SECTION 4: POLICE CHIEF

The Police Chief shall have such duties as prescribed by the Police Chief contract with the Village and the Ohio Revised Code. The Police Chief shall report to the Mayor and the Village Council. Salary for the Police Chief for the year of 2009 shall be \$47,896.00 payable in biweekly installments based on 26 pays per year. The Police Chief shall be on duty and on call 24 hours per day.

#### SECTION 5: POLICE SERGEANT

The full-time Police Sergeant shall have such duties as are prescribed by the Ohio Revised Code and the Mayor and be under the supervision of the Police Chief. The Police Sergeant shall directly supervise all part-time police personnel and report directly to the Police Chief. In the Police Chiefs absence the Police Sergeant shall assume command of the Police Department. Salary for the Police Sergeant for the year 2009 shall be \$38,192.00, payable in biweekly installments based on 26 pays per year. The Police Sergeant shall be on duty and on call 24 hours per day.

#### SECTION 6: POLICE OFFICERS

The full-time police officer shall have such duties as prescribed by the Ohio Revised Code and be under the supervision of the Police Chief and the Mayor. Compensation shall be \$11.75 per hour payable bi-weekly installments.

#### SECTION 7: PART-TIME POLICE OFFICERS

Part-time officers shall have such duties as prescribed by the Ohio Revised Code and be under the supervision of the Police Chief. Part-time officers shall start at \$10.50 per hour worked payable biweekly installments. After completion of ninety (90) days of service from the date of hire, part-time officers shall receive \$11.00 per hour worked, and after one year from date of hire \$11.50 per hour worked. Any part-time officers hired before January 2004 are paid \$13.00 per hour worked. Part-time Police Officers shall receive no fringe benefits, no vacation, no personal days, no sick leave or anything else other than the hourly rate.

#### SECTION 8: UNIFORMS AND EQUIPMENT

Any full-time or part-time police officer shall be supplied by the Village with necessary uniforms of three short-sleeved shirts, two long-sleeved shirts, three pairs of pants; two summer uniforms shirts and one universal jacket. All other necessary equipment (i.e. weapon, leather gear) will be purchased by the employee from an approved list authorized by the Police Chief. Any departmental uniforms or equipment issued shall remain the property of the Village of Pemberville.

#### SECTION 9: STREETS, LANDS & BUILDINGS SUPERINTENDENT

The Streets, Lands & Buildings Superintendent shall perform the construction, maintenance, reconstruction, cleaning and clearing of the public streets, lands and buildings within the corporation and such other similar duties that he may be assigned. Additional duties may be assigned as prescribed by operational needs of the Village. The compensation for the

Streets, Lands & Buildings Superintendent for the year 2009 shall be \$18.31 per hour payable in bi-weekly installments.

#### SECTION 10: STREETS, LANDS & BUILDINGS ASSOCIATE

The Streets, Lands & Buildings Associate shall perform duties as prescribed by the Streets, Lands & Buildings Superintendent. Additional duties may be assigned as prescribed by operational needs of the Village. The Streets, Lands & Buildings Associate shall report to the Streets, Lands & Buildings Superintendent. The compensation of the Streets, Lands & Buildings Associate for the year 2009 shall be \$16.98 per hour payable in bi-weekly installments.

#### SECTION 11: ELECTRIC SUPERINTENDENT

The Electric Superintendent shall maintain and operate the electric power distribution system of the Village. Additional duties may be assigned as prescribed by operational needs of the Village. In the absence of the Sewer Superintendent and Water Superintendent, the Electric Superintendent shall cover maintenance checks for both, the Water Plants and the Sewer Plant and shall receive no more than three hours of overtime per day compensation. The compensation of the Electric Superintendent for the year 2009 shall be \$27.51 per hour payable in bi-weekly installments.

#### SECTION 12: PART-TIME ELECTRICAL HELPER

The part-time electrical helper shall assist the Electrical Superintendent of the Village as needed. Additional duties may be assigned as prescribed by operational needs of the Village. The electrical helper shall report directly to the electrical Superintendent and shall work no more than 30 hours per week. The compensation of the electrical helper for the year of 2009 shall be \$13.00 per hour payable in bi-weekly installments. The part-time electrical helper shall receive no fringe benefits, no vacation, no personal days, no sick leave or anything else other than the hourly rate.

#### SECTION 13: WATER SUPERINTENDENT

The Water Superintendent shall maintain and operate the well fields, waters plants and the water distribution system of the Village. Additional duties may be assigned as prescribed by the operational needs of the Village. Weekend and holiday equipment checks and maintenance shall be compensated at the rate of overtime and shall not exceed two hours per day. In the absence of the Sewer Superintendent, the Water Superintendent shall cover maintenance checks for the Sewer Plan and shall receive one additional hour of overtime pay. The compensation for the Water Superintendent for the year 2009 shall be \$22.45 per hour payable in bi-weekly installments.

#### SECTION 14: SEWER SUPERINTENDENT

The Sewer Superintendent is responsible for maintaining and operating the sewage treatment plant, its collection system and the storm water system in the Village. Weekend and holiday equipment checks and maintenance shall be compensated at the rate of overtime and shall not exceed one hour per day. In the absence of the Water Superintendent, the Sewer Superintendent shall cover maintenance checks for the Water Plant and shall receive no more than two hours of overtime compensation per day for a total of 3 hours per day. In the absence of the Electrical Superintendent, the Sewer Superintendent shall be responsible for maintenance and operation of the electric power

distribution system of the Village for one hour of straight time per day. Time spent as an electrical line man is compensated at a rate of \$21.51 per hour. Additional duties may be assigned as prescribed by operational needs of the Village. The compensation of the Sewer Superintendent for the year 2009 shall be \$20.51 per hour payable in bi-weekly installments.

#### SECTION 15: UTILITY ASSOCIATE

The Utility Associate will primarily work with the Wastewater Department and assist with the Electric and Water Department as needed. Additional duties may be assigned as prescribed by the operational needs of the Village. The compensation of the Utility Associate for the year 2009 shall be \$15.00 per hour payable in bi-weekly installments.

#### SECTION 16: BACK-UP OPERATOR

The Back-up Operator shall maintain and operate the well fields, water plants, and the water distribution system of the Village in the long-term absence of the Water Superintendent or shall be responsible for maintaining and operating the sewage treatment plant, its collection system, and the storm water system of the Village in the long-term absence of the Sewer Superintendent. The compensation for the Back-up Operator for the year 2009 shall be \$35.00 per hour payable in bi-weekly installments. The Back-Up Operator shall receive no fringe benefits, no vacation, no personal days, no sick leave or anything else other than the hourly rate.

#### SECTION 17: BACKFLOW PREVENTION PROGRAM DEVELOPMENT COORDINATOR & INSPECTOR

The Backflow Prevention Program Development Coordinator & Inspector shall be responsible for the review of the current backflow ordinance, rewriting to current regulations, educating Village administration, public education of backflow requirements survey and inspection of backflow devices, and development of program for future testing and compliance. The compensation for the Backflow Prevention Program Development Coordinator & Inspector for the year 2009 shall be \$35.00 per hour payable in bi-weekly installments. The Backflow Prevention Program Development Coordinator & Inspector shall receive no vacation, no personal days, or no sick leave but shall be eligible for PERS.

#### SECTION 18: BPA CLERK

The BPA Clerk is responsible for the billing and record keeping for the Village utilities. The BPA Clerk is to act as meeting recorder for the Board of Public Affairs meetings. Additional duties may be assigned as prescribed by operational needs of the Village. The hourly rate for this position for 2009 is \$13.00.

#### SECTION 19: ZONING INSPECTOR

The inspector is to file all paper work pertaining to inspection and verify that the work done is in compliance with ordinances and other building requirements. The compensation for the Zoning Inspector shall be \$120.00 per month upon appointment of Village Council.

#### SECTION 20: CLERK OF THE ZONING BOARD of APPEALS

The clerk is to attend the Zoning Board of Appeals meetings and record the minutes and actions taken. The compensation of the Clerk of the Zoning Board of Appeals shall be \$35.00 per meeting upon appointment of Village Council.

#### SECTION 21: DEPUTY FISCAL OFFICER

The Deputy Fiscal Officer shall keep personnel records of all employees, prepare payroll, and shall be assigned duties within the Village relating to Village Income Tax. The Deputy Fiscal Officer shall carry out those duties assigned by the Village Fiscal Officer. The compensation of the Deputy Fiscal Officer for the year 2009 shall be \$15.95 per hour payable in bi-weekly installments.

#### SECTION 22: PART-TIME GENERAL LABORERS, OFFICE HELP AND POOL PERSONNEL

Part-time general laborers and office help shall receive compensation ranging from prevailing minimum wage as established by law up to \$10.00 per hour. Part-time general laborers and office help shall receive no fringe benefits, no vacation, no personal days, no sick leave or anything else other than the hourly rate.

#### SECTION 23: INSURANCE ELIGIBILITY

Full time employees will become eligible for coverage under the health and dental insurance of the Village after ninety (90) days of successful employment.

#### SECTION 24: PHYSICAL EXAMINATIONS

All new full time employees shall have a basic physical exam and the Village will reimburse the employee up to \$200.00. All new full time employees operating vehicles and equipment of the Village shall have a complete physical examination and the Village will reimburse the employee up to \$500.00. All new full time employees covered by the Ohio Police & Fire Pension Fund must pass the physical examination before they will hold a full time position.

#### SECTION 25: PUBLIC MEETINGS AND COMPENSATION

If at anytime an employee is requested to attend a Public Meeting under official business, the employee shall not be at the meeting more than two hours. This does not constitute a call out. Therefore, if an employee is requested to be present for a public meeting, the employee shall use the hours earned hour for hour before the end of said pay period of which the public meeting took place as time off.

#### SECTION 26: EMERGENCY CALL OUTS

A minimum of 2 hours shall be compensated at the overtime rate for emergency call outs.

#### SECTION 27: COMPENSATORY TIME

Any hours worked outside of those scheduled shall be compensated at a rate of time and one half or by compensatory time off. All full-time employees are eligible for compensatory time and shall not keep more than forty (40) hours on the books at any time. Employees may re-accumulate comp time up to forty (40) hours. Once compensatory time is built up to forty (40) hours, the employees shall be paid overtime for any hours worked outside of those scheduled. Compensatory time off can be used throughout the year by the employee just like vacation time as outlined in the Personnel Handbook with one exception, due to compensatory time being time worked, any unused compensatory time shall be cashed out the second pay period of December of each year. Compensatory time shall not be carried over to the next year.

#### SECTION 28: HEALTH INSURANCE

For health insurance purposes, full-time employees, regardless of single or family coverage, shall pay 13% of their personal monthly health insurance based on the selected Village plan. The 13% deduction once established on the first payroll of 2009, will remain the same amount for the 12 month deduction. The 13% deduction will only change if the employee changes marital status or the number of family members. Insurance premiums that change during the wage ordinance year for reasons such as age, will not affect the deduction.

#### SECTION 29: PERS & OP&F CONTRIBUTIONS

The Village shall pay 2% of the employee's share of the contributions to the OPER or OP&F. The payment of the Village under this section constitutes a payment of employee contributions which are made by the employer in lieu of being made by the employee. The employee has no option to accept or receive the money in cash.

#### SECTION 30: EFFECTIVE DATE

All other ordinances inconsistent herewith are hereby repealed, effective December 31, 2008

#### SECTION 31:

It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations in this Council and of any of its committees that result 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 32:

The hourly wages established by this ordinance shall be come effective on December 21, 2008 through December 19, 2009. The salary wages established by this ordinance shall become effective January 1, 2009.

Passed: December 2, 2008

Attest: Debra Cartledge, Village Fiscal Officer

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James Opelt, Mayor