



## COUNCIL UPDATE

MARCH 8, 2019

### MEETINGS & REMINDERS

Monday, March 11	-	6:15 p.m.	-	Joint Meeting with the School Board
Wednesday, March 13	-	5:30 p.m.	-	Landmark Commission
	-	7:00 p.m.	-	Planning Commission (Agendas are attached for both)
	-	6:30 p.m.	-	Committee of the Whole Meeting (Executive Session Only)
Thursday, March 14	-	6:00 p.m.	-	Meet Your Police
Friday, March 15	-	9:30 a.m.	-	Commission on Aging

### LEGISLATION

- Wage and Salary Ordinance, Second Reading. This legislation establishes salary schedules, position classifications and other compensation, and benefits for officers and employees of the City.

### UPDATES

- HB 62 – Transportation Budget Update  
The House of Representatives passed their version of HB 62 on Thursday by a vote of 71-27. There were many changes made to the bill since we last discussed it, most notably a reduction from the 18 cents increase to an increase of 10.7 cents which would be implemented over two years. Those changes are outlined in the enclosed brief by the Ohio Municipal League. The bill will move to the Senate where more changes are expected. We will continue to lobby for the Governor's and the Ohio Department of Transportation's minimum ask of 18 cents.

- Council Candidate Workshop.  
The workshop held for council candidates this week went well. 14 candidates attended on a cold and snowy evening where they learned more about City operations. The candidates asked great questions and many expressed their gratitude for the event.
- Superintendent Search.  
City Council and the City Manager were invited to participate in meet and greets with the finalists for Superintendent this week. We were pleased to meet four excellent candidates for this important position in our community. Council will receive an update on the search process at the Joint Meeting on Monday.
- Park Synagogue. Park Synagogue is celebrating its 150th Anniversary this year. In recognition of their relationship with Cleveland Heights they are donating 2 benches at Cain Park- one at each box office. The dedication will be at Cain Park on May 19 . All of Council is invited.

## UPDATE FROM OHIO MUNICIPAL LEAGUE

### HOUSE PASSES HB 62 SUBSTITUTE BILL WITH LESSER GAS TAX INCREASE, OTHER SUBSTANTIAL CHANGES

Late Wednesday evening, the House Finance Committee voted 30-3 to pass Substitute HB 62, the Transportation Budget. On Thursday afternoon, the full House of Representatives passed Sub. HB 62 by a vote of 71-27. Due to an omnibus amendment adopted in the House Finance Committee and an amendment adopted on the House floor, Sub. HB 62 was passed with several changes to several key components - many of which impact municipalities.

According to Sub. HB 62 as passed by the full House of Representatives, the gas tax would be increased by 10.7 cents over two years; 7 cents in October of this year and 3.7 cents in October of 2020. This varies from the Governor's proposed 18-cent increase effective July of this year. The original omnibus amendment phased in the gas tax over three years, but the bill was amended on the House floor to phase the gas tax in over two years. The indexing included in the Governor's proposal has been removed in the substitute bill. Sub. HB 62 would also increase the diesel tax by 20 cents over three years. Additionally, electric and hybrid vehicles would be charged a \$200 and \$100 motor vehicle registration fee, respectively. 50% of these revenues will be directed to the Highway Operating Fund under the Ohio Department of Transportation, and 50% will be distributed among local governments.

Here are the changes made in Sub. HB 62 that benefit municipalities:

- State and local gas tax share change

The substitute bill changes the distribution of the gas tax between the state and the local governments. As opposed to the current 60-40% split, the bill directs 55% of the gas tax to the state and 45% to local governments.

- Catastrophic Snowfall Fund

Sub. HB 62 designates \$250,000 each year to the newly-created Catastrophic Snowfall Fund, which will provide finding assistance to local governments that encounter 18 or more inches of snowfall at one time.

- \$5 permissive license fee to municipalities and townships

The bill allows a \$5 permissive licensing fee for municipalities and townships. The revenues collected from these fees would be designated for infrastructure maintenance and improvements.

- Transportation improvement district funding

Sub. HB 62 would earmark \$4.5 million a year for Transportation Improvement Districts (TID) facilitating funding for cost of projects with local governments. This continues the amount currently earmarked in the previous budget, keeping an important source of funding running for many local projects.

- Oil and Gas Well Fund

The bill redistributes \$5 million a year from Oil and Gas Well Fund to local governments in the Utica and Marcellus shale region. \$3 million of those funds are to be used for capital improvements; \$1 million is to be used by townships for road maintenance and construction; and \$1 million is dedicated to the general funds of municipalities and townships with a shale oil or gas well.

- Public transit

Sub. HB 62 increases funding for public transit to \$100 million a year.

- Ohio's Road to Our Future Joint Legislative Study Committee

The bill would create the Ohio's Road to Our Future Joint Legislative Study Committee to study alternative sources of revenues, expense mitigation, evolving technology, innovative finance techniques, asset leverage and conditions, employee demographics and a vehicle-miles traveled approach to transportation funding. The creation of this committee was recommended by the League and we are grateful the legislature has recognized the merits of such a committee aim to dedicate time and resources to consciously planning future funding for Ohio's transportation infrastructure system.

Here are the changes that are a concern for municipalities:

- Change in township distribution amount

Sub. HB 62 contains a change in increased gas tax distributions to townships that could give certain townships an unfair and disproportionate portion of the local government share of the gas tax. The change allows townships to choose between getting their designated percentage of the local government share of the gas tax, or receiving a figure based on their township road mileage and township vehicle registration - which ever figure is higher. This allows townships to receive a disproportionate amount of the local government share of the gas tax, with the difference being taken from the pockets of the municipalities and the counties.

- Red light traffic cameras and LGF

Changes were made regarding local government use of traffic cameras. Sub. HB 62 eliminates administrative hearings for traffic violations issued by traffic cameras and specifies that the local authority must file a certified copy of the ticket in question with the court while making a non-refundable advanced deposited of all applicable court costs and fees. Despite the Ohio Supreme Court ruling confirming municipalities have the constitutional authority to use red light traffic cameras, it would require all local governments using traffic cameras to file a report each fiscal year with the Tax Commissioner showing civil fines collected for traffic violations issued via traffic camera. The Tax Commissioner would then reduce the monthly LGF funding to that local government in an amount equal to one-twelfth the gross amount of all such fines collected. If a local government did not report, their LGF distribution would be halted entirely.

- Electric scooters: possible preemption

More ambiguous language is included in HB 62 dealing with the use of low-speed electric scooters on public roads. There is concern Sub. HB 62 would give the state the exclusive right to regulate low-speed electric scooters, maintaining they are not vehicles and they are subject to traffic law requirements regardless of where they are operated. It also mandates that municipalities and counties process any violations, while providing no funding for the processing of those violations. The League is still examining this language.

Sub. HB 62 now heads to the Senate for further hearings and more possible changes. The bill will continue to move quickly through the legislative process as it must be sent to the Governor's desk by the end of March.

We want to thank the both the Governor and the House of Representatives for hearing and taking seriously the concerns of our local governments, and we look forward to continuing our work with the legislature on Sub. HB 62. We also want to thank each local official who came to Columbus to testify, as City Manager Shelley Dickstein of Dayton did this week. Our work on the Transportation Budget is not finished, and we will continue alert our members of the bill's movement through the legislative process.



# CLEVELAND HEIGHTS

## **AGENDA (tentative) – CH-UH BOARD OF EDUCATION AND CLEVELAND HEIGHTS CITY COUNCIL JOINT MEETING**

### **COUNCIL CHAMBERS**

**Monday, March 11, 2019  
Joint Meeting  
6:30 p.m.**

**Cleveland Heights City Hall  
40 Severance Circle  
Cleveland Heights, Ohio**

Call to Order	6:30
Introduction of Interim Superintendent (President Sourini)	6:30 – 6:35
Update on the Superintendent Search (President Sourini)	6:35 – 6:40
Promoting Biking & Walking to School (Councilwoman Dunbar)	6:40 – 7:00
CH Economic Development Update (Director Tim Boland)	7:00 – 7:15
Update on Pool Pilot Project (Director Joe McRae)	7:15 – 7:30
Refugee Services Update and Memo of Understanding (Mayor Roe)	7:30 – 7:45
Suggestions for Future Items	7:45 – 8:00



# CLEVELAND HEIGHTS

## Committee of the Whole

**March 11, 2019**

### **Agenda**

1. Executive Session Following Joint Meeting
  - *To consider the terms of a lease of City-owned real property*
  - *To discuss the appointment of a public official*



# CLEVELAND HEIGHTS

## MEMORANDUM

TO: Landmark Commission Members, Staff and Interested Parties  
FROM: Kara Hamley O'Donnell, City Planner II/Historic Preservation Planner  
DATE: March 7, 2019  
RE: Notification for March meeting

A regular meeting of the Cleveland Heights Landmark Commission is scheduled for:

**Wednesday, March 13, 2019**  
**5:30 p.m.**  
**City Manager's Conference Room, Cleveland Heights City Hall**  
**40 Severance Circle, Cleveland Heights**

## A G E N D A

1. Call to order
2. Minutes of the January 3, 2019, Regular Meeting
3. Minutes of the February 26, 2019, Special Meeting
4. New Business
  - Garfield Monument, Lake View Cemetery, renovations
  - Beaumont School, demolish Painter Mansion
  - Medusa Building, 3008 Monticello Boulevard, Landmark designation (Commission may vote to designate and refer to Planning Commission for recommendation)
5. Staff report
6. Old Business
  - Master Plan/CLG/Landmark Ordinance
  - Potential Landmarks
    - Lang House, 1737 Andrews Road
    - Amos N. Barron House, 2233 Devonshire Road
    - Werk House, 2956 Washington Boulevard
    - 952 Woodview Road
    - Harry Payer House, 2420 Derbyshire Road
    - Gill-Herget House, 2178 Harcourt Drive
  - Landmark properties update
  - Preservation activities & lectures
  - CH-UH Archives group/Cleveland Memory/Cleveland Historical
  - National Register of Historic Places, district updates
  - Development updates
  - Landmark Commission research/write-up on Landmarks/historic districts
7. New Business
8. 7:10 p.m. Medusa Building, 3008 Monticello Boulevard, review Planning Commission recommendation, vote on designation



CLEVELAND  
HEIGHTS

CITY OF CLEVELAND HEIGHTS  
PLANNING COMMISSION AGENDA

There will be a meeting of the Planning Commission of the City of Cleveland Heights at **7:00 p.m. on Wednesday, March 13, 2019**, in Council Chambers, located on the second floor of City Hall, 40 Severance Circle.

**A G E N D A**

1. Call to Order
2. Approval of Minutes for the February 13, 2019, meeting.
3. **19-06: GMG Cleveland LLC, 3008 Monticello Blvd, C-1 Office**, requests Planning Commission recommendation that Medusa Building be declared a Cleve. Hts. Landmark per Code ch. 143 & 1111.
4. **19-03: Pugh Fitness, 2490 Lee Road #100B**, C-1 Office, requests Planning Commission find personal training class similar to adult education & issue conditional use permit per Code chapters 1111, 1115, 1131, 1151 & 1153.
5. **19-04: B. Sferra, 2277 Lee Road**, C2X Multi-Use, requests conditional use permit to operate catering facility & meeting room/party center per Code ch. 1111, 1115, 1131, 1151, 1153 & 1161.
6. **19-05: Grandview-Bellfield Devel't, 2165 – 2175 Bellfield & 2172 Grandview (PPN 685-26-075, -076, & -077; 685-26-033, -034, -035)**, "B" Two-Fam., requests lot joining & cond. use permit to demolish 2 houses (2171 & 2175 Bellfield) & construct 64-space parking lot per Code chapters 1111, 1115, 1121, 1151, 1153, 1161, & 1166.
7. Old Business
8. New Business
9. Adjournment

Proposed: 3/4/2019

ORDINANCE NO. 19-2019 (AS), *Second Reading*

By Council Member Stein

An Ordinance establishing salary schedules, position classifications and other compensation, and benefits for officers and employees of the City; and declaring an emergency.

WHEREAS, Article 5, Section 4 of the Cleveland Heights Charter requires this Council to “fix by ordinance the salary, rate, or amount of compensation of all officers and employees of the City;” and

WHEREAS, Cleveland Heights Codified Ordinance Section 139.21 generally requires this Council to “establish employees’ wages, hours of work, sick leave benefits, paid hospitalization benefits, vacations, legal holidays, and all other forms of fringe benefits and other conditions of employment by ordinance.”

BE IT ORDAINED by the Council of the City of Cleveland Heights, Ohio that:

Except as otherwise specifically provided herein, effective the date stated in the separate sections hereof, the following salary schedules and other compensation for described position classifications will be in effect for such classifications as of April 1, 2019; provided, however, that if the revenues received by the City are not sufficient to meet the foregoing salaries, all salaries shall be reduced by the City Manager to a point which will not exceed the appropriated revenues of the City.

The salary of any officer or employee may, from time to time, be reduced or increased by the City Manager or her designee, but not below or above the amounts specifically fixed herein for such classifications.

Additional temporary classifications may be established by the City Manager when, in the judgment of the City Manager, job specifications and duties differ significantly from existing classifications as herein provided when a new temporary classification is warranted.

The City Manager shall advise Council when such new classification is warranted with the salary being determined by using the hourly rate for the full-time position as a maximum rate.

ORDINANCE NO. 19-2019 (AS)

**SECTION 1.** The following position classifications and salary schedules are hereby established.

Position	FLSA	SG	Min	Mid	Max
City Manager	E	50	\$105,314	\$136,949	\$168,585
Assistant City Manager/ Vice	E	49	\$94,030	\$122,276	\$150,522
Police Chief Fire Chief	E	48	\$83,956	\$109,175	\$134,395
Director(s) of: Communications & Public Engagement Economic Development Finance Housing Human Resources IT Law Parks & Recreation Planning Public Works/ Capital Projects	E	47	\$74,960	\$97,478	\$119,995
Assistant Finance Director Assistant Fire Chief Assistant Law Director Assistant Public Works Director Business Development Manager Capital Projects Manager Utilities Commissioner	E	46	\$66,929	\$87,034	\$107,139
Facilities Superintendent Information Systems Manager	E	45	\$62,167	\$77,709	\$93,250
	E	44	\$55,506	\$69,383	\$83,259

ORDINANCE NO. 19-2019 (AS)

Position	FLSA	SG	Min	Mid	Max
CDBG Program Coordinator/ Planner City Planner I City Planner II Manager - Cain Park Supervisor - Forestry Supervisor - Sanitation Supervisor - Streets Supervisor - Vehicle Maintenance Supervisor - Water/Sewer	E	43	\$49,559	\$61,949	\$74,339
Chief Housing Inspector Digital & Government TV Program Coordinator Parks & Recreation Assistant Commissioner Senior Housing Rehabilitation Specialist Supervisor - Utility Administration	E	42	\$44,249	\$55,312	\$66,374
Graphic Designer Public Relations Specialist	E	41	\$39,508	\$49,385	\$59,262
Office Manager Supervisor – Fitness Center Supervisor - General Recreation Supervisor - Ice Programs Supervisor - Office on Aging Supervisor - Recreation & Aquatics Supervisor - Sport Programs	E	40	\$35,275	\$44,094	\$52,913

Position	FLSA	SG	Min	Mid	Max
	NE	20	\$27.75	\$34.69	\$41.63
Executive Assistant to City Manager	NE	19	\$24.78	\$30.98	\$37.17
Housing Program Coordinator Housing Property Investigator Paralegal	NE	18	\$22.13	\$27.66	\$33.19

ORDINANCE NO. 19-2019 (AS)

Engineer/Inspector Housing Inspector Housing Inspector/ Housing court Representative Housing Rehabilitation Specialist Human Resources Generalist Legal Secretary	NE	17	\$19.75	\$24.69	\$29.63
Accountant GIS Analyst Information Systems Technician Information Systems Technician - Senior Payroll Administrator Utility Inspector	NE	16	\$17.64	\$22.05	\$26.46
Accounts Payable Coordinator Community Relations Assistant Human Resources Coordinator Secretary to Director Special Projects Coordinator Social Worker	NE	15	\$15.75	\$19.69	\$23.62
Administrative Assistant Office Assistant Office Assistant II	NE	14	\$14.06	\$17.58	\$21.09
Finance Clerk Receptionist Utility Billing Clerk	NE	13	\$12.55	\$15.69	\$18.83
		12	\$11.21	\$14.01	\$16.81
Building Attendant Cashier Head Cashier	NE	11	\$10.01	\$12.51	\$15.01
Front Desk Assistant Resident Services Supervisor Van Driver	NE	10	\$8.94	\$11.17	\$13.40

**LEGISLATIVE:**

Council Member

9,270.00

ORDINANCE NO. 19-2019 (AS)

Mayor 11,840.00

**SEASONAL POSITIONS:**

**RECREATION PROGRAMS: SWIMMING POOLS:**

Assistant Supervisor	9.36/hour	15.50/hour
Aquatic Program Supervisor	9.36/hour	13.48/hour
Cashier	8.55/hour	12.36/hour
Guard (A.L.S.)	8.55/hour	11.59/hour
Head Guard	10.00/hour	12.36/hour
Head Cashier	8.55/hour	12.36/hour
Head Coach (Summer)	364.14/ Per biweekly pay period	573.68/
Head Coach Assistant	260.10/ Per biweekly pay period	573.68/
Learn to Swim Coordinator	260.10/per season	573.68/season
Preschool Learn to Swim Coordinator	260.10/per season	573.68/season
Pool Attendant	8.55/hour	10.33/hour
Pool Maintenance	8.55/hour	10.33/hour
Pool Manager	10.40/hour	16.07/hour
Private Instructor Fee	2/3 of private instruction; Fees charged and collected	
Security Guard	8.55/hour	9.53/hour
Sports Assistant	8.55/hour	11.33/hour
Sports Coordinator	10.40/hour	23.65/hour
Sports Supervisor	8.55/hour	23.65/hour
Tennis Court Attendant	8.55/hour	9.18/hour
Tennis Lesson Instructor	10.40/hour	17.22/hour

ORDINANCE NO. 19-2019 (AS)

Tennis Program Coordinator	2,601.00/season	4,489.45/season
Umpire	10.40/hour	23.65/hour
Water Aerobics Instructor	182.07/per session	286.84/session

**PLAYGROUNDS:**

Private Instructor Fee (Tennis)	2/3 of private instruction; Fees charged and collected	
Summer Basketball Coordinator	13.53/hour	20.11/hour
Summer Basketball Counselor	11.44/hour	16.55/hour

**CAIN PARK THEATRE:**

Actor	300.00/week	500.00/week
Assistant Box Office Manager	350.00/week	550.00/week
Assistant Operations Manager	350.00/week	550.00/week
Assistant Production Manager	350.00/week	550.00/week
Assistant Stage Manager	350.00/week	550.00/week
Assistant to General Manager	400.00/week	600.00/week
Box Office Manager	350.00/week	550.00/week
Box Office Staff	8.55/hour	12.36/hour
Carpenter	300.00/week	500.00/week
Costume Shop Manager	350.00/week	550.00/week
Electrician	350.00/week	550.00/week
Events Production Manager	400.00/week	600.00/week
General Technician	300.00/week	500.00/week
Hospitality Coordinator	300.00/week	500.00/week
House Manager	8.55/hour	12.36/hour
Maintenance	8.55/hour	12.36/hour

ORDINANCE NO. 19-2019 (AS)

Operations Assistant	300.00/week	500.00/week
Operations Manager	450.00/week	650.00/week
PR/Marketing Assistant	400.00/week	650.00/week
PR/Marketing Coordinator	300.00/week	500.00/week
Sound Engineer	350.00/week	550.00/week
Stage Manager	350.00/week	600.00/week
Theater Production Manager	400.00/week	650.00/week
Master Wardrobe Coordinator	300.00/week	500.00/week

**ICE SKATING RINK:**

Cashier	8.55/hour	12.36/hour
Hockey Director	2,184.84	2,300.00/season
Ice Safety Guard	8.55/hour	11.20/hour
Instructor - Private	90% of private instruction fees charged and collected. Or a flat fee of \$75.00 (if instructor teaches a minimum of four Learn to Skate classes per session) or \$150.00 (if instructor does not teach or is no longer available for the minimum number of Learn to Skate classes)	
Instructor – Group	16.65/hour	57.31/hour
Learn to Skate Coordinator	208.08/per week	520.00/per week
Office Assistant	8.55/hour	11.26/hour
Supervisor – Assistant	9.36/hour	14.76/hour
Supervisor – Head	10.40/hour	17.22/hour

**YOUTH SPORTS PROGRAMS:**

Youth Hockey Coach	10.40/hour 2,601.00/	22.96/hour or 4,592.00/season
Youth Hockey Program Coordinator	10.40/hour 2,601.00/	22.96/hour or 4,265.00/season
Youth Hockey Skating Instructor	10.40/hour	45.92/hour





ORDINANCE NO. 19-2019 (AS)

2. Architectural Board of Review, \$90.00/meeting attended  
Two Alternate Members, each (at request of ABR Secretary)
3. Board of Zoning Appeals, \$90.00/meeting attended  
Five Members, each  
One Alternate Member (at request of Planning and Development Director)
4. Civil Service Commission, \$90.00/meeting attended  
Three Members, each
5. Planning Commission, \$90.00/month  
Seven Members, each (provided the member attends at least one meeting, either  
regular or special during the month)

**SECTION 2. POLICE**

Sworn members of the Police Department who are members of the police bargaining units shall have the terms, conditions, and benefits of employment as described in the labor agreement and other related documents between the City of Cleveland Heights and the Northern Ohio Patrolmen's Benevolent Association. The agreement covers the period commencing December 28, 2018 through March 31, 2021 and may be extended by agreement of the parties. The fire arms proficiency, gun upon retirement, educational incentive bonus, and the clothing maintenance allowance shall apply to all sworn members of the Department. A copy of the labor agreement and related documents are on file in the Office of the City Manager.

**SECTION 3. FIRE**

Sworn members of the Fire Department who are represented by the International Association of Fire Fighters shall have the terms, conditions, and benefits of employment as described in the labor agreement and other related documents between the City of Cleveland Heights and the International Association of Fire Fighters. The agreement covers the period commencing April 1, 2018 through March 31, 2021 and may be extended by agreement of the parties. The paramedic compensation, academic achievement bonus, and the clothing maintenance allowance shall apply to all sworn members of the Department. A copy of the labor agreement and other related documents are on file in the Office of the City Manager.

**SECTION 4. PUBLIC WORKS and PARKS & RECREATION** Employees in the bargaining unit as described in the memorandum of understanding and other related documents between the City of Cleveland Heights and National Production Workers Union Local 707 of Cleveland representing Service Employees, shall have the terms, conditions, and benefits of employment as described in said memorandum of understanding and other related

ORDINANCE NO. 19-2019 (AS)

documents. That agreement covers the time period commencing January 1, 2015 through December 31, 2017 and may be extended by agreement of the parties. A copy of the memorandum of understanding and other related documents are on file in the Office of the City Manager. Employees may be eligible for supervisor premium pay when such duties are assumed due to absence.

**SECTION 5.            MUNICIPAL COURT**

Judge: Base pay according to the Ohio Revised Code 1901.11 is \$61,750.00

Administrative Judge compensation: \$1,500.00

Total salary: \$63,250.00

	<u>Minimum</u>	<u>Maximum</u>
Acting Clerk of Court	51,000.00	65,402.00
Bailiff	31,518.00	81,600.00
Chief Deputy Clerk	35,700.00	66,300.00
Clerk of Court	45,900.00	91,800.00
Chief Accounting Clerk	25,500.00	40,800.00
Chief Probation Officer	30,600.00	71,400.00
Court Administrator	31,518.00	81,600.00
Deputy Bailiff	23,460.00	51,000.00
Deputy Clerk	23,460.00	44,800.00
Housing Specialist	30,600.00	61,900.00
Information Systems Technician	25,500.00	40,800.00
Law Clerk	10.30/hour	16.75/hour
Magistrate	35,700.00	96,645.00
Probation Officer	30,600.00	60,710.00
Secretary	23,460.00	44,166.00
Security	17.34/hour	25.50/hour

The compensation herein provided for and approved shall be payable in the manner and from the sources as provided for by applicable provisions of the Ohio Revised Code.

**SECTION 6.            VACATION**

(a) All full-time permanent city employees shall accrue vacation leave according to the following schedule:

ALL FULL-TIME PERMANENT CITY EMPLOYEES

<u>Length of Service</u>	<u>Accrual Per Pay Period</u>
Up to and including the sixth year	3.08 hours
7 up to and including 12 years	4.60 hours
13 up to and including 18 years	6.20 hours
19 years or more	7.70 hours

Accrual of vacation days shall be by pay period and begin in the pay period in which the employee's first day of employment occurs. Vacation leave requests will be granted by the department heads in line with the needs of the department. To accommodate scheduling needs, vacation leave may be taken before actually accrued upon approval of the City Manager. When an employee terminates his employment with the city, the City Manager shall deduct from the employee's final pay periods the number of hours of vacation leave taken but not yet accrued. No more than the amount of vacation accrued in the previous twelve-month period may be carried forward into the next calendar year.

Employees shall be paid for vacation leave accrued, but unused, at the time of separation provided the paid vacation does not exceed the employee's eligible annual accrual and further provided that such employee has worked six (6) months or more. Permanent part-time employees after one year of employment are entitled to one week of vacation a year on a prorate basis. After fourth year as a permanent part-time employee, the schedule will follow permanent full-time employee vacation schedules on a prorate basis.

All other full-time employees who transfer from any public agency in the State of Ohio to the City of Cleveland Heights may receive credit for the length of their consecutive service in the former public agency, in accordance with the provisions of the Administrative Code, for purposes of determining accrual of vacation leave during their employment with the City of Cleveland Heights. Accrual of vacation for transfer employees shall be determined according to the schedule set out in subsection (a). Employees who wish to receive credit for their prior public service shall obtain a certified copy of their employment record from their prior employer.

Vacation leave granted under this Section shall be administered pursuant to rules adopted by the City Manager.

(b) For purposes of this Section, the hourly rate of payment for accrued vacation leave shall be determined by the following formula: annual base pay at the time of employee separation divided by 2,080 hours.

**SECTION 7.            SICK LEAVE**

(a) Full-time permanent employees may be eligible for paid sick leave. Sick leave will be accrued at the rate of 4.6 hours per pay period. Approved sick leave taken shall be charged against the employee's accumulated sick leave.

The amount of unused sick leave accumulated as of December 17, 1976 by permanent full-time employees shall be determined under the applicable terms of the Ordinances of the City of Cleveland Heights.

Employees who transfer from any public agency in the State of Ohio to the City of Cleveland Heights may receive credit for unused sick leave accrued during such prior public employment, in accordance with the provisions of the Administrative Code. Credit for accrued sick leave shall not exceed the limits specified for all other employees in subsection (a). Employees who wish to receive credit for accrued sick leave under this subsection shall obtain a certified copy of their sick leave record from their former employer.

All full-time, permanent employees who are in the employ of the City and who have been in the employ of the City for over ten (10) consecutive years may be eligible for payment for accrued unused sick leave earned at the City of Cleveland Heights, accumulated from January 1, 1969 upon termination of their employment for other than disciplinary reasons. The aforesaid requirement that the sick leave be earned at the City of Cleveland Heights shall apply only to employees hired after April 1, 1990. An employee shall be paid out one-quarter (.25) or 25% of sick time accumulated with a maximum of 960 hours for payout purposes. Therefore, the maximum payout that could be achieved is 240 hours.

Accrued Sick Leave	Conversion Ratio
0 - 960 Hours	1/4
961+ Hours	Not Eligible

For purposes of this Section, the hourly rate of payment for accrued sick leave shall be determined by the following formula: annual base pay at the time of termination of employment divided by 2,080 hours.

No employee shall be entitled to sick leave compensation in the event of injury, occupational disease or sickness resulting directly and proximately from the performance of any gainful employment or self-employment other than with the City of Cleveland Heights. A determination not to provide sick leave compensation under this Section shall be made by the City Manager, who shall adopt rules relating to the making of such determination.

Sick leave granted under this Section shall be administered pursuant to rules adopted by the City Manager.

**SECTION 8. LEGAL HOLIDAYS**

(a) The following-named days shall be deemed paid holidays for all employees. No employee shall be required to work on such holidays unless it is determined by the City Manager that public necessity requires his or her services.

- |                                   |                                       |
|-----------------------------------|---------------------------------------|
| 1. The first day of January;      | 7. The eleventh day of November;      |
| 2. The third Monday in January;   | 8. The fourth Thursday in November;   |
| 3. The third Monday in February;  | 9. The fourth Friday in November;     |
| 4. The last Monday in May;        | 10. The twenty-fifth day of December; |
| 5. The fourth day of July;        | 11. Personal Day;                     |
| 6. The first Monday in September; | 12. Personal Day                      |

(b) If any such day falls upon a Sunday, the Monday following shall be deemed to be the holiday. If any such day falls upon a Saturday, the Friday immediately preceding shall be deemed to be the holiday.

(c) Employees paid by the day or hour may be granted leaves of absence with full pay on any holiday named herein when, in the judgment of the City Manager, the public service will not be impaired by their absence.

(d) The foregoing notwithstanding, officers and employees who are exempt employees under the Fair Labor Standards Act shall receive no extra compensation if required to work on any holiday named herein.

**SECTION 9. DEFERRED COMPENSATION PLANS**

(a) The City shall sponsor a 457(b) Plan through payroll deductions, through one or more vendors subject to Council approval.

(b) The administration of the Deferred Compensation Plans shall be under the direction of a committee of three (3) members which shall include the Director of Finance, the City Manager or her designee, and one other employee who shall be appointed by the City Manager and shall be a participating member of the Plan. Payroll deductions shall be made in each instance by the Director of Finance.

(c) The Deferred Compensation Plans hereby authorized shall exist and serve in addition to retirement, pension or benefit systems established for the benefit of employees of the City and no deferral of income under the Deferred Compensation Plans shall effect a reduction of any retirement, pension or other benefit provided by law. However, any sum deferred under a

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Deferred Compensation Plan shall not be included for the purposes of any taxes withheld on behalf of any such employee, except municipal income tax.

(d) In order to encourage and reward extraordinary employee dedication and performance, the City Manager may award a particular employee additional non-salary compensation through contributions to an employee's deferred compensation account.

**SECTION 10. WORK DAYS AND WORK HOURS**

(a) City Hall shall be open from 8:30 a.m. to 5:00 p.m., Monday through Friday. Scheduling of employees to meet the needs of such hours of business shall be conducted through the City Manager.

(b) The normal work hours for employees of the following designated classifications shall be as follows:

1. Employees working in jobs classifications defined as exempt by the Fair Labor Standards Act, as determined by the City Manager after consultation with the Director of Law, shall work such hours as determined by the City Manager.

2. Employees working in jobs defined as non-exempt by the Fair Labor Standards Act, as determined by the City Manager after consultation with the Director of Law, shall work thirty eight (38) hours to forty (40) hours per week as determined by the City Manager. Days of the week and work hours shall be in accordance with the needs of the city, which shall be determined by the City Manager.

3. The Clerk of Courts office shall be open from 8:30 a.m. through 5:00 p.m. or as otherwise determined by the Municipal Court Judge. Employees shall work such hours as established by the Municipal Court Judge.

**SECTION 11. HEALTH CARE INSURANCE AND ANCILLARY BENEFITS**

(a) The City shall purchase or subscribe to and maintain in full force and effect for each full-time employee of the City a health care insurance plan, including medical-surgical protection, covering hospital and surgical benefits and related coverage, through one or more vendors subject to Council approval. Such health care insurance plan shall be maintained so long as such employee remains in the employ of the City. The City shall contribute ninety percent (90%) of the cost of the plan elected by the employee and the employee shall be responsible for any costs above the amount of established employer contribution, *i.e.*, ten percent (10%) of the cost for coverage.

(b) All full-time employees shall be offered participation in a prescription plan through one or more vendors subject to Council approval.

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(c) The City shall offer dental coverage for each full-time employee from one or more vendors subject to Council approval. Such coverage shall have a maximum benefit of \$1,500 per person. Coverage shall include two (2) yearly cleanings and check-up exams and coverage of eighty percent (80%) of basic and major services, less deductibles. Orthodontia benefits for dependents age 19 or younger also shall be offered with a \$1,000 maximum benefit per dependent.

(d) The City shall offer a vision plan for each full-time employee from one or more vendors subject to Council approval. Such coverage shall have a maximum reimbursement of \$150 per person.

(e) The City shall offer a Flexible Spending Account for qualified medical or dependent care expenses to be funded with employee gross earnings through one or more vendors subject to Council approval.

(f) The City shall offer all employees access to an Employee Assistance Program which offers short-term counseling; assistance with locating reliable childcare, general and special educational needs, and resources for the elderly; no cost attorney consultations with discount if retained; no cost financial consultations; nutritional coaching; and fitness coaching.

(g) The availability of health care insurance and ancillary benefits described in this Section to individual, part-time employees may be determined by City Manager pursuant to Codified Ordinance Section 139.20.

**SECTION 12. LIFE INSURANCE**

(a) The City shall purchase or subscribe for and maintain in full force and effect life insurance of \$10,000.00 for each full-time employee until the employee reaches age 70; at age 70, benefits will be reduced by thirty-five percent (35%); and at age 75, benefits will be reduced an additional twenty percent (20%) through one or more vendors subject to Council approval.

(b) The City shall purchase or subscribe for and maintain in full force and effect for each full-time employee accidental death and dismemberment insurance at no cost to employee through one or more vendors subject to Council approval.

(c) Each employee shall be provided the option to buy additional term insurance through payroll deductions through one or more vendors subject to City Council approval.

**SECTION 13. LONGEVITY**

In addition to their regular salary, all full-time, permanent employees covered by this Ordinance shall be paid for each biweekly pay period additional compensation for length of service, as follows:

1 <sup>st</sup> through 5 <sup>th</sup> year of service	<u>April 1, 2014</u> No entitlement
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6 <sup>th</sup> through 10 <sup>th</sup> year of service, inclusive	16.92
11 <sup>th</sup> through 15 <sup>th</sup> year of service, inclusive	33.85
16 <sup>th</sup> through 20 <sup>th</sup> year of service, inclusive	51.24
21 <sup>st</sup> through 25 <sup>th</sup> year of service, inclusive	69.23
26 <sup>th</sup> year and thereafter	76.93

The longevity compensation shall take effect for the entire pay period following the employee's anniversary. All service on a full-time basis with the City shall be considered in applying this section and such service need not be continuous. For the purpose of determining credit for prior periods of employment, only full months of service shall be considered; credit shall be given for employment during authorized leaves of absence for military duty.

All permanent, part-time employees who have served an equivalent of five (5) years of full-time employment with the city will be eligible on a pro rata basis for longevity bonus payable on an annual basis on or about January 31. Entitlement will be effected during the first full year, after the employee meets the five-year threshold. The permanent, part-time employee will follow the same longevity schedule as the permanent full-time employee on a pro rata basis.

**SECTION 14. OVERTIME**

All employees working in job classifications defined as non-exempt by the Fair Labor Standards Act, as determined by the City Manager after consultation with the Director of Law, shall be compensated for overtime at a rate of one and one-half (1.5) times their regular hourly rate of pay. Overtime as used herein shall mean time actually worked over and above forty (40) hours per week when ordered to do so by the City Manager or her designee.

The City Manager shall have the authority, when deemed in the best interests of the City, to pay overtime to those individuals defined as exempt by the Fair Labor Standards Act, as determined by the City Manager in consultation with the Director of Law, at a rate not to exceed one and one-half (1.5) times their regular rate of pay.

**SECTION 15. EMPLOYEE INDEMNIFICATION**

The City shall comply with Chapter 2744 of the Ohio Revised Code relating to employee indemnification.

**SECTION 16. PENSION**

All employees shall be covered as required by law under the Public Employees Retirement System of Ohio unless covered by Ohio Police & Fire Pension Fund. The City shall make all contributions required by law.

**SECTION 17.**

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To the extent that a provision in this Ordinance is covered by a separate labor agreement described in Sections 2, 3, 4 5, or 6 herein, the labor agreement shall supersede the provision of this Ordinance.

**SECTION 18.**

The provisions of this Ordinance shall be deemed to be in effect as of midnight, April 1, 2019. Effective midnight, April 1, 2019, Ordinance No. 15-2018 (AS) and all amendments thereto and provisions of all other ordinances heretofore adopted are repealed to the extent inconsistent herewith.

**SECTION 19.**

Notice of Passage of this Ordinance shall be given by publishing the title and abstract of contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Cleveland Heights.

**SECTION 20.**

This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and welfare of the inhabitants of the City of Cleveland Heights, such emergency being to provide a schedule of adequate compensation for various officers and employees of the City, in order that satisfactory personnel may be retained in the City employ. Wherefore, provided it receives the affirmative vote of five (5) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

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CAROL ANN ROE, Mayor  
President of the Council

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SUSANNA NIERMANN O'NEIL  
Acting Clerk of Council

PASSED: