

VILLAGE COUNCIL OF WAKEMAN, OHIO
ORDINANCE NO. 2021-O-8

AN ORDINANCE AMENDING ORD. No.: 2020-O-13 FIXING THE COMPENSATION OF OFFICERS, CLERKS AND EMPLOYEES OF THE VILLAGE AND DECLARING AN EMERGENCY

WHEREAS, Section 731.13 of the Ohio Revised Code requires that the legislative authority of a village shall fix the compensation and bonds of all officers, clerks, and employees of the village except as otherwise provided by law.

WHEREAS, Council previously fixed the compensation of officers, clerks, and employees in Ord No.: 2019-O-12, 2020-O-3 and 2020-O-13; and

WHEREAS, to maintain the efficient fiscal operations, Village Council deems it necessary to adjust the compensation of officers, clerks, and employees from time to time.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1. FIXING COMPENSATION. That Village Council hereby AMENDS Ord No.: 2020-O-13 and fixes the compensation of officers, clerks, and employees of the Village as follows:

SALARIED EMPLOYEES

| | | | |
|-----------------------------|--------------------|--|--|
| <u>POLICE CHIEF:</u> | <i>(full time)</i> | <i>\$46,737.60 per annum (\$1797.60/pay period)</i> | |
| | | <small><i>*Note: Annual salary based upon \$22.47/hour</i></small> | |
| <u>ADMINISTRATOR:</u> | <i>(full time)</i> | <i>\$45,999.98 per annum (\$1,769.23/pay period)</i> | |
| <u>FISCAL OFFICER:</u> | <i>(full time)</i> | <i>\$28,080.00 per annum (\$1,080.00/pay period)</i> | |
| | <i>(full time)</i> | <i>(during six-month probationary period)</i> | |
| | | <i>\$25,480.00 per annum (\$ 980.00/pay period)</i> | |

HOURLY EMPLOYEES

| | <u>PER HOUR</u> |
|--|--|
| POLICE CHIEF: <i>(full time)</i> <i>\$46,737.60 per annum</i> | <i>\$22.47</i> |
| Police Sergeant: | <i>(full time) (not to exceed _____) \$14.49</i> |
| Police Officer: | <i>(full time) (not to exceed _____) \$12.00</i> |
| Police Sergeant: | <i>(part time) (not to exceed 2 Sergeants) \$13.25</i> |
| Police Corporal: | <i>(part time) (not to exceed 2 Corporals) \$12.25</i> |
| Police Officer: | <i>(part time) (not to exceed _____) \$10.50-\$11.25</i> |
| STREETS, WATER AND SEWER, SUPERINTENDENT: <i>(full time)</i> | <i>\$18.27</i> |
| <i>(during 6-month probationary period)</i> | <i>\$11.67</i> |
| <i>Streets, Water and Sewer, Assistant Superintendent:</i> | <i>\$16.67</i> |
| <i>Streets, Water and Sewer, Employee:</i> | <i>\$14.95</i> |

| | | |
|--|--------------------------------------|----------|
| | (during 6-month probationary period) | \$13.95 |
| Utility Billing Clerk/Assistant Village Fiscal Officer (Part time) | | \$ 12.25 |
| | (during 6-month probationary period) | \$ 11.00 |
| Village Employee: (Part-time) | | \$ 10.00 |

WEEKEND DAY FOR WATER TESTING. *The Village employee who comes into work on weekends specifically to perform water testing will be paid a \$25.00 flat rate fee per weekend day to perform said testing. The person actually testing the water shall receive this rate of pay for this work only or holiday pay if the water testing is performed on a recognized legal holiday. In the event the employee is called into work during a weekend for another purpose, i.e., snow plowing or to repair a waterline break, etc., the employee shall perform the water testing during the time he is called in and shall only be paid his regular rate of pay for the call-in time.*

HEALTH INSURANCE. *Council may, provide health insurance coverage for each current full-time employee who requests said coverage. Regarding any full-time employee who is hired or attains full-time status after the effective date of this ordinance, he or she shall be eligible to request health insurance coverage under any plan procured by Council after the satisfactory completion of a six (6) month probationary period after being hired or attaining full-time status.*

FISCAL OFFICER. *The Village Fiscal Officer's salary shall be paid as follows: 50% from the general fund, 25% from the sewer fund and 25% from the water fund, based upon a time study performed in September 2016. Fiscal Officer shall also receive a stipend for use of personal cell phone in amount of \$73.17 per month. See also Section 135.02(c) of the Wakeman Codified Municipal Code which provides in part as follows:*

(c) The Village Fiscal Officer shall be paid biweekly from the General Fund, the Water Operating Fund and the Sewer Operating Fund. (Ord. 2006-O-11. Passed 6-12-06; and. Ord. 2010-O-30. Passed 12-13-10.)

ADMINISTRATOR. ~~*The Village Administrator shall keep track of all time expended each day during each pay period. Then, he shall be compensated from the general fund, street construction, maintenance and repair fund, sewer fund and water fund relative to the percentage of time expended relative to each of the aforementioned funds.*~~

ADMINISTRATOR. *The Village Administrator salary shall be paid as follows: 25% from the general fund; 25% from the street construction, maintenance, and repair fund; 25% from the sewer fund; and 25% from the water fund. Administrator shall also receive a stipend for use of a personal cell phone in the amount of \$73.11 per month (See Wakeman Council Meeting minutes dated July 8, 2019)*

SECTION 2. REPEAL. That this Ordinance hereby repeals, rescinds and replaces

any and all previous Ordinances inconsistent herewith including, but not limited to parts of Ord No.: 2019-O-12, 2020-O-3, and 2020-O-13.

SECTION 3. EFFECT. That this Ordinance shall take effect as of the first regular pay period beginning January 1, 2021.

SECTION 4. RETROACTIVE. Council expressly intends the amendments adopted herein to operate retrospectively pursuant to Section 1.48 of the Ohio Revised Code and Section 101.07(b) of the Wakeman Codified Municipal Code.

Council further finds that the amendments herein to be remedial in nature and the retroactive application does not takes away or impair vested rights acquired under current existing laws, nor does it create new obligations, nor imposes a new duty, nor attaches a new disability, in respect to transactions or considerations already passed and adopted.

SECTION 5. SEVERABILITY. This Ordinance and the various parts, sentences, paragraphs, sections, and clauses thereof are hereby declared to be severable. Should any part, sentence, paragraph, section, or clause be declared unconstitutional, null, or void by a court of competent jurisdiction, such declaration shall not have any effect on the validity of the remaining parts, sentences, paragraphs, sections, and clauses of this Ordinance.

SECTION 6. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 705.15 and 731.17(A)(2)]

SECTION 7. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): *To retroactively apply beginning 1/1/21.*

SECTION 8. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 14 day of June, 2021.

AUTHENTICATION and ATTESTATION
(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.


MAYOR


FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: 0 ABSTAIN: 0

First Reading: June 14, 2021
Second Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

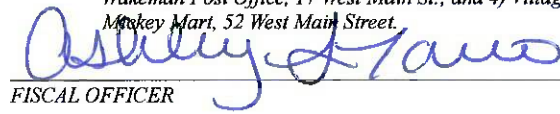
PREPARED BY AND APPROVED AS TO FORM [See also 731.21(B)]:


VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF POSTING
(RC 731.21 and 731.25)

In a municipal corporation in which no newspaper is generally circulated, I hereby certify pursuant to R.C. 731.24, that a summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) Wakeman Public Library, 18 East Abbott Street; and 2) Electronically online at official Village website.; and 3) Wakeman Post Office, 17 West Main St.; and 4) Village of Wakeman Municipal Building, 59 Hyde Street; and 5) Monkey Mart, 52 West Main Street.


FISCAL OFFICER