

March 15, 2024

TO: Mayor and City Council Members
FROM: Brian K. Riblet, City Manager *BKR*
SUBJECT: City Council Work Session of Wednesday, March 20, 2024

As a reminder, City Council is scheduled to meet in Work Session on Wednesday, March 20, 2024 at 6:00 p.m.

Work Session

1. Call to Order
2. Roll Call
3. Special Presentation
 - a. Judge Jennifer Kingsley of the 1st District Court of Appeals will provide a update on Departments of the Court System
4. Guest and Residents
5. Legislation for Consideration this Evening
6. Establishing an Agenda for April 3, 2024 Business Session

Pending Legislation

There is no pending legislation

New Legislation

- a. An Ordinance Establishing The Schedule Of Municipal Compensation For Employees — Please find attached correspondence from Human Resources Manager Julie Prickett requesting that City Council adopt this Ordinance to establish a new Schedule of Municipal Compensation for non-bargaining unit employees. It is necessary to establish a new Schedule of Municipal Compensation as the current Schedule does not specify any wage rate adjustments for July 2024 or beyond.

Add this Ordinance to the April 3, 2024 Business Session agenda for first reading. The second reading of the Ordinance will be conducted at the May 1, 2024 Business Session. The third reading will be conducted at the June 5, 2024 Business Session with adoption of the Ordinance requested at that meeting.

- b. An Ordinance Amending Chapter 34, Personnel Policies; Bond— Please find attached correspondence from City Manager Brian Riblet requesting that City Council consider approving proposed modifications to Chapter 34 of the Montgomery Ohio Code of Ordinances.

Add this Ordinance to the April 3, 2024 Business Session agenda for first reading. The second reading of the Ordinance will be conducted at the May 1, 2024 Business Session. The third reading will be conducted at the June 5, 2024 Business Session with adoption of the Ordinance requested at that meeting.

7. Administration Report

8. Law Director Report

9. City Council Member Reports

a. Mrs. Bissmeyer

- i. Appoint Mark Berliant to the Board of Zoning Appeals with a term ending January 31, 2026

Make a motion to appoint

Since this was a Committee recommendation no second is needed

Voice Vote

b. Mrs. Mills-Reynolds

c. Mr. Dobrozsi

d. Mrs. Naiman

e. Mr. Suer

f. Mr. Margolis

g. Mayor Messer

10. Approval of Minutes- March 6, 2024 Business Session

11. Other Business

12. Executive Session

13. Adjournment

Should you have any questions or concerns regarding this information, please do not hesitate to contact me.

C: Connie Gaylor, Executive Assistant/ Clerk of Council
Department Heads
Terry Donnellon, Law Director

March 20, 2024
City Hall
6:00 p.m.

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- g. Mayor Messer

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13. Adjournment

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C: Connie Gaylor, Executive Assistant/Clerk of Council
Department Heads
Terry Donnellon, Law Director

March 13, 2024

TO: Brian K. Riblet, City Manager
FROM: Julia E. Prickett, Human Resources Manager *JEP*
SUBJECT: Municipal Compensation Ordinance

Introduction

Traditionally the City's Schedule of Municipal Compensation for non-collective bargaining and exempt employees is adjusted annually in July to be consistent with collective bargaining employee wage rate adjustments. The current Schedule of Municipal Compensation does not specify any wage rate adjustments for July 2024 or beyond; therefore, a new compensation schedule needs to be adopted.

Background

A long-established goal of the City has been to maintain consistency with cost of living adjustments for its collective bargaining and non-collective bargaining and exempt employees. Last year in collective bargaining with the American Federation of State, County and Municipal Employees (AFSCME), a contract agreement was reached for full-time bargaining unit Public Works Department employees which included wage increases of 3.00% effective in September 2023, 3.75% effective in September 2024, and 4.00% effective in September 2025. Through a collective bargaining agreement with the Fraternal Order of Police (FOP), full-time patrol officers and sergeants will receive a 3.75% wage increase in July 2024. Full-time firefighter/paramedics and fire lieutenants who are under a collective bargaining agreement with the International Association of Firefighters (IAFF) are in the final year of their contract and we will be conducting negotiations with this bargaining unit in the upcoming months.

It should also be noted that a comprehensive position wage survey of comparable local communities (Blue Ash, Forest Park, Indian Hill, Loveland, Madeira, Mason, Sharonville, Springdale and Wyoming) was conducted earlier this year. From the survey results we were able to determine that with an adjustment to the pay ranges for our position classifications consistent with cost of living adjustment (COLA) increases scheduled for our bargaining unit employees, our pay ranges would remain competitive in comparison to these other communities. With a 3.75% COLA increase for July 2024, and a 4.00% COLA increase for July 2025, wage ranges for our position classifications would generally continue to rank among the top third among the surveyed communities.

Recommendation

It is recommended that City Council begin the reading and adoption process at its March 20, 2024 Work Session for a Municipal Compensation Ordinance in order to provide for pay ranges to be established for non-union and exempt positions to be effective beginning with the first day of the first pay period in July 2024. These new pay ranges would reflect a 3.75% cost of living wage increase in July 2024 and a 4.00% cost of living wage increase in July 2025, with these wage rate adjustments being comparable to cost of living adjustments received by our union employees.

C: File

City of Montgomery

10101 Montgomery Road, Montgomery, Ohio 45242 • montgomeryohio.org • 513-891-2424

ORDINANCE NO. _____, 2024

**AN ORDINANCE ESTABLISHING THE
SCHEDULE OF MUNICIPAL COMPENSATION FOR EMPLOYEES**

WHEREAS, Council must establish a Schedule of Municipal Compensation for City employees who are not members of a collective bargaining unit to be effective the first day of the first full pay period in July 2024; and

WHEREAS, the Administration has recommended an increase in compensation for such employees, which is reflected in the Schedule of Municipal Compensation attached hereto; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Ohio:

SECTION 1. Pursuant to requirements of Chapter 34 of the Montgomery Code of Ordinances, the Schedule of Municipal Compensation (“Schedule”) is hereby established to govern the annual compensation of municipal employees who are not governed by collective bargaining agreements, which schedule shall be effective on the first day of the first full pay period in July 2024. The Schedule governing such positions is attached hereto as “Exhibit A” and is hereby made a part of this Ordinance as if fully rewritten herein.

SECTION 2. The Schedule of Municipal Compensation prescribes the basic rates of pay for various classes of employees. Employees will normally be hired at the starting point of the appropriate salary range, but an employee may be placed at a higher location within their pay range at the discretion of the City Manager depending upon qualifications, experience, and education. Employees may move through their

respective salary range based upon work performance as determined through an annual performance review. The amount of the annual merit increase is dependent upon employee performance and funding availability.

SECTION 3. The City Manager is hereby authorized to grant an annual merit bonus, not to exceed two percent (2%) of the base salary of the employee, for full-time employees who have reached the top of their respective pay range. Permanent part-time employees who have reached the top of the pay range may be eligible for a merit bonus of up to 20 hours of pay at their current hourly rate for exceptional work performance.

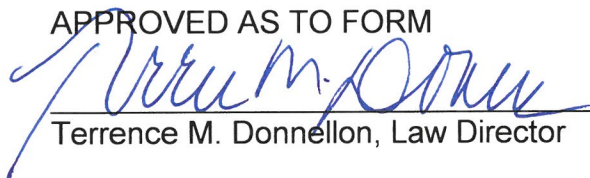
SECTION 4. This Ordinance shall be in full force and effect from and after the earliest period allowed by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Ronald G. Messer, Mayor

APPROVED AS TO FORM



Terrence M. Donnellon, Law Director

Full -Time Schedule

Exhibit "A"

Range	Position	Effective first day of first full pay period in July 2024		Effective first day of first full pay period in July 2025	
		Minimum	Maximum	Minimum	Maximum
1	Assistant City Manager	\$116,292.80	\$166,296.00	\$120,952.00	\$172,952.00
1A	Fire Chief Police Chief Public Works Director Director of Finance	\$116,292.80	\$154,668.80	\$120,952.00	\$160,846.40
1B	Community Development Director Community and Information Services Director	\$110,822.40	\$147,721.60	\$115,252.80	\$153,628.80
2	Assistant Fire Chief Assistant Police Chief Assistant Public Works Director Human Resources Manager Executive Assistant/Clerk of Council	\$106,475.20	\$132,038.40	\$110,739.20	\$137,321.60
3A	Assistant Director of Finance/Tax Commissioner	\$82,534.40	\$108,139.20	\$85,841.60	\$112,465.60
3B	Communications and Engagement Coordinator Recreation Director	\$81,265.60	\$106,371.20	\$84,510.40	\$110,635.20
4	City Planner Public Works Department Supervisor Tax Commissioner	\$72,675.20	\$92,955.20	\$75,587.20	\$96,678.40
5	Construction and Compliance Inspector Mechanic	\$33.66	\$42.40	\$35.01	\$44.10
6	Administrative Coordinator Assistant to the City Manager Office Manager Senior Finance Specialist Clerk of Court	\$31.75	\$39.69	\$33.02	\$41.28
7	Recreation Specialist Customer Service Representative Finance Specialist	\$29.67	\$37.38	\$30.86	\$38.88

All annual, salaried positions in Ranges 1 through 4 are calculated assuming a 26 pay period annual pay schedule, which is the normal annual pay schedule for the City. In the event that the City experiences a year which has 27 bi-weekly pay periods, the City's wage scale will reflect an increase of an additional 1/26th of the maximum salary for the purpose of meeting payroll for the 27th pay period. For all other years, the minimum and maximum salaries are as published on the pay schedule above.

Part - Time Schedule

Exhibit "A"

Range	Position	Effective first day of first full pay period in July 2024		Effective first day of first full pay period in July 2025	
		Minimum	Maximum	Minimum	Maximum
1A	Special Projects Coordinator	\$54.07	\$67.06	\$56.23	\$69.74
1B	Assistant to the City Manager	\$31.75	\$39.69	\$33.02	\$41.28
1C	Finance Specialist	\$26.81	\$33.50	\$27.88	\$34.84
1D	Customer Service Representative Volunteer Coordinator	\$26.25	\$32.72	\$27.30	\$34.03
2	Firefighter/Paramedic	\$20.43	\$26.04	\$21.25	\$27.08
3	Custodian Firefighter/EMT	\$18.24	\$23.26	\$18.97	\$24.19
4	Intern Seasonal Service Worker	\$15.88	\$20.19	\$16.52	\$21.00
6	Auxiliary Police Officer	\$12.26	\$30.68	\$12.75	\$31.91



March 15, 2024

TO: Mayor and City Council Members

FROM: Brian K. Riblet, City Manager *BKR*

SUBJECT: Request to Amend Chapter 34 of the Montgomery Ohio Code of Ordinances

Request

It is necessary for City Council to consider an Ordinance to Amend Chapter 34 of the Montgomery Ohio Code of Ordinances.

Background

Earlier this year, City Administration along with key staff members and members of the Goal F Team of the City of Montgomery 2022-2026 Strategic Plan began a comprehensive review of Chapter 34 of the Montgomery Ohio Code of Ordinances to update many sections to be more adaptive of the current environment locally and regionally, and to be more reflective of the work environment and culture of the City of Montgomery's organization.

As part of our work associated with Goal F of the current Strategic Plan, we evaluated Chapter 34 to continue our desire of cultivating a "Top Workplace" culture and doing this by increasing our abilities to both recruit and retain exceptional employees to ensure our staffing levels and quality of services are meeting the demands of our community.

Details of the proposed modifications for consideration can be found in the attached document of Chapter 34 of the Montgomery Ohio Code of Ordinances.

Recommendation

Staff recommends City Council approve an Ordinance to Amend Chapter 34 of the Montgomery Ohio Code of Ordinances.

ORDINANCE NO. _____, 2024

AN ORDINANCE AMENDING CHAPTER 34, *PERSONNEL POLICIES; BOND*

WHEREAS, Chapter 34 of the Code of Ordinances provides details for compensation and various benefits available to City employees; and

WHEREAS, with an ever-increasing menu of options for employees to enjoy benefits through their employment, the Administration has recommended amending Chapter 34 to confirm some additional benefits which the Administration recommends be given to Montgomery employees; and

WHEREAS, to provide the maximum flexibility possible, the Administration has requested that specific employment benefits be detailed in Chapter 34, but the Administration be given the flexibility within the policies and procedures of the City to define eligibility and refine the terms and conditions under which these evolving benefits are available to employees of the City.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Montgomery, Hamilton County, Ohio, that:

SECTION 1. The attached Chapter 34, *Personnel Policies; Bond*, as revised, is hereby adopted in its entirety as if fully rewritten herein.

SECTION 2. Confirming the intent of the modifications to Chapter 34, Council will establish the budget and appropriations for employee benefits, and so long as such employee benefits have been properly budgeted and approved through appropriations, the City Administration is authorized to define, refine and implement such benefit programs.

SECTION 3. The previous Chapter 34 is hereby revoked in its entirety and the modified Chapter 34 as attached hereto is hereby adopted.

SECTION 4. All Ordinances or parts of Ordinances inconsistent with these modified regulations are hereby repealed.

SECTION 5. All sections, subsections, parts and provisions of this Ordinance are hereby declared to be independent sections, subsections, parts and provisions, and the holding of any section, subsection, part or provision to be unconstitutional, void or ineffective for any reason shall not affect or render invalid any other section, subsection, part or provision of this Ordinance.


SECTION 6. This Ordinance shall take effect the earliest opportunity as allowable by law.

PASSED: _____

ATTEST: _____
Connie M. Gaylor, Clerk of Council

Ronald G. Messer, Mayor

APPROVED AS TO FORM:



Terrence M. Donnellon, Law Director

CHAPTER 34: PERSONNEL POLICIES; BOND

Section

General Provisions

- [34.01](#) Compensation/wages and benefits
- [34.02](#) Roster of personnel
- [34.03](#) Employment authorization
- [34.04](#) Full and part-time personnel
- [34.05](#) Employee leave benefits
- [34.06](#) Statutorily required contributions to pensions and retirement funds
- [34.07](#) Longevity pay
- [34.08](#) Collective bargaining agreement
- [34.09](#) Transitional employment appointments

Bond

- [34.15](#) Municipal officials

Cross-reference:

Civil Service Commission and regulations, see §§ [33.15](#) et seq.

GENERAL PROVISIONS

§ 34.01 COMPENSATION/WAGES AND BENEFITS.

(A) The Council shall establish a general schedule of municipal compensation for all offices and positions in the municipal service:

(1) The compensation of the municipality's regular personnel and the compensation of part-time, temporary and seasonal personnel shall be governed by a schedule established by the Council for such employees. The schedule shall provide a range of pay for each position.

(2) During the first year of employment in the municipal service, an employee shall be compensated at the lower end of the pay range unless the City Manager shall determine that a higher rate, not exceeding the maximum, is warranted by virtue of skill or experience. Such employee's rate of pay may thereafter be increased annually based on satisfactory performance as set by the City Manager in conjunction with the periodic evaluation of performance until the maximum rate is attained.

(B) Elected officials of the municipality shall be paid on a monthly basis. Payroll periods for employees shall be weekly or bi-weekly as the City Manager shall designate.

(C) *Medical.*

(1) Each full-time employee shall be entitled to medical insurance coverage as established by City Council and subject to any negotiated benefits within a collective bargaining agreement. City Council shall choose the insurance carrier, or carriers, to provide such coverage, the plan options to be offered to employees, and the maximum contribution for such coverage to be paid by the City.

(2) If the cost to provide such insurance coverage exceeds the maximum contribution limits established by City Council, 50% of the cost in excess of such maximum contribution shall be paid by the City and 50% of the cost in excess of the maximum contribution shall be paid by the employee. Insurance cost payments to be paid by the employee shall be paid by payroll deduction.

(3) (a) If the administration determines that it is necessary to change insurance coverages and/or if the anticipated cost of insurance coverage, as it exists or as proposed, will exceed the maximum contribution limits established by City Council, then these issues

shall be referred to the Employee/Management Healthcare Benefits Committee (“EHBC”) for review and recommendation to City Council. The EHBC shall be comprised of five members, one of whom shall be appointed by the Police Department bargaining unit, one of whom shall be appointed by the Fire Department bargaining unit, one of whom shall be appointed by the Public Works Department bargaining unit, and one of whom shall be appointed by the administrative employees who are not members of an organized and recognized bargaining unit. The fifth member of the EHBC shall be appointed by the City Manager.

(b) The EHBC shall have the authority to recommend a change in either the level of, or provider for, comprehensive major medical coverage and such additional healthcare benefits as may be authorized by City Council including dental insurance, optical benefits, life insurance or other related benefits. The EHBC shall have the authority to recommend to City Council that Council continue the current plan benefits, even if such plan benefits exceed the maximum contribution limits, if the EHBC determines that such health care benefits at such cost are in the best interest of the City and employees. The EHBC shall not have the authority to modify the maximum contribution limits on employer paid health care benefits. A majority of the EHBC shall constitute a quorum and it may take action or make recommendation only by a consensus vote of its EHBC members. If the EHBC is unable to reach a consensus after exhausting all efforts to do so, their recommendation may be made by a majority of the EHBC members. Council may consider but is not bound by the recommendations of the EHBC.

(D) *Wellness incentive program.* The City may offer a wellness incentive program for its full-time and part-time employees. This program will be developed by the City Manager with the assistance of an employee committee designated by the City Manager. The program shall allow eligible employees to qualify to receive an annual wellness incentive payment in an amount established by City Council. Employees who qualify for an incentive award shall receive their incentive pay no later than March 1 of the year after acceptable levels of program participation by the employee have been achieved.

(E) In addition to the wage compensation, medical insurance and wellness incentive as provided herein, Council may from time to time upon the recommendation from the City Manager authorize additional non-compensatory benefits such as dental insurance, vision benefits, life insurance, accidental death and disability and/or similar benefits.

(F) The compensation and benefits prescribed herein shall constitute the total remuneration for the work performed in the public service by a municipal employee unless otherwise provided by Council.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 12-1989, passed 5-3-89; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 14-2001, passed 11-7-01; Am. Ord. 4-2012, passed 3-7-12; Am. Ord. 6, 2018, passed 6-6-18; Am. Ord. 7, 2020, passed 6-3-20)

§ 34.02 ROSTER OF PERSONNEL.

A roster of all persons in the employment of the municipality shall be maintained by the City Administration. The roster of personnel shall record the full or part-time classification of each position in the municipal service, the person's name, address, date of appointment to, or employment in, the municipal service, the department in which employed, the title of the office or the position held, the salary or compensation of the

officer or employee, and, in the case of resignation, separation or removal, the date thereof.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12)

§ 34.03 EMPLOYMENT AUTHORIZATION.

Department heads shall, on written application to the City Manager setting forth such facts and circumstances which such department head believes justifies the employment of additional personnel, and with the approval of the City Manager, employ such persons as shall be necessary to conduct the work of the department, provided that the total salaries and wages of a department shall not exceed the total amount appropriated for the department or for the purpose which occasions the employment.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12)

§ 34.04 FULL AND PART-TIME PERSONNEL.

(A) For the purposes of determining eligibility for employment benefits set forth within this chapter, except as otherwise mandated by pre-empting state or federal legislation, municipal employees and personnel shall be considered as full-time personnel if they work at least 37.5 hours per week on an annual basis. An employee who works less than 37.5 hours per week on an annual basis is considered a part-time employee. These definitions apply to City authorized benefit programs and are not intended to modify eligibility status under any other state or federal program.

(B) Part-time City employees are not eligible to accrue sick leave, vacation leave, personal leave, holiday pay or longevity bonuses. Part-time employees may participate in any other benefit programs established by City Council consistent with the policies for eligibility and participation as established by the City Council and/or City Manager.

(Ord. 12-1976, passed 5-5-76; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 20-1987, passed 9-2-87; Am. Ord. 13-1995, passed 5-3-95; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12; Am. Ord. 3-2013, passed 2-6-13)

§ 34.05 EMPLOYEE LEAVE BENEFITS.

Full-time employees may also receive the following benefits. Eligibility for such benefits and the qualifying events for such benefits shall be defined by City personnel policies established by the City Manager. The roster of benefits may be expanded by City Administration from time to time if appropriately budgeted and appropriated by City Council.

(A) *Vacation.* Each full-time municipal employee with one or more years of credited service with the City and/or with a state agency or political subdivision of the state upon becoming employed by the City shall be entitled to vacation with pay corresponding to the following schedule. Credited service shall only include full-time service with any other state agency or political subdivision of the state. Full-time service with any such agency or subdivision shall be the same as defined in § 34.04(A).

Completed years of service	Hours to accrue per bi-weekly pay period
Less than 6 years	3.077
6	3.385
7	3.692
8	4.000

9	4.308
10	4.615
11	4.923
12	5.231
13	5.538
14	5.846
15 or more	6.154

(1) *Accumulation rights.* Vacation time may be accumulated and carried over in subsequent calendar years in an amount not to exceed the total amount of vacation earned in a two-year period.

(B) *Sick leave.*

(1) Each full-time employee of the municipality shall be entitled to receive sick leave with pay at the rate of 3.692 hours for each completed 80 hours of service. The policies and procedures for utilizing sick leave shall be established by the City Manager subject to any rights reserved within a negotiated collective bargaining agreement.

(2) When an employee has accumulated 864 hours of unused sick leave, the employee may, subject to policies established by the City Manager, surrender or redeem sick leave days at the employee's then current rate of pay at the rate of one hour of such compensation for each one and one-half hours of sick leave surrendered. The City Manager shall establish rules governing the frequency of redemption, the maximum number of days which may be redeemed within a period, and such other incidents of redemption as may be necessary to protect the public interest and rights of employees. Sick leave cannot be accumulated in excess of 960 hours.

(3) An employee who retires from the City with 5 to 9 years of service with the City of Montgomery shall be paid for one-fourth the value of his or her accrued but unused sick leave up to a maximum accumulated sick leave of 960 hours, which equates to a pay-out of 240 hours.

(4) An employee who retires from the City with 10 to 19 years of service with the City of Montgomery shall be paid for one-third the value of his or her accrued but unused sick leave up to a maximum accumulated sick leave of 960 hours, which equates to a pay-out of 320 hours.

(5) An employee who retires from the City with 20 or more years of service with the City of Montgomery shall be paid for one-half the value of his or her accrued but unused sick leave up to a maximum accumulated sick leave of 960 hours, which equates to a pay-out of 480 hours.

(C) *Jury duty.* If a full-time employee is called for jury duty, the City will permit the employee to take the necessary time off and the City will pay the employee's regular pay, not to exceed their regularly scheduled hours. In order to receive jury duty pay, an employee must present a statement of jury service.

(D) *Bereavement Leave.* Full-time employees are eligible for Bereavement Leave for up to 24 consecutive work hours. Bereavement Leave will be paid at the employee's current rate of pay and will not be deducted from any of the employee's sick leave, vacation leave or personal leave balances.

(E) *Parental Leave*. Non-seasonal, non-probationary, full-time employees experiencing a New Parental Event are eligible for up to 12 consecutive weeks (480) hours) of Paid Parental Leave at 100% base pay immediately following eligible Parental Events. For Fire Department employees on a 24/48-hour schedule, an adjustment to total paid parental leave hours will be made to meet the intent of the Parental Leave Policy. Details of the leave policy can be found in the City's Personnel Policies.

(F) *Holidays*. With the exception of employees whose terms of employment are governed by separate collective bargaining agreements, all full-time employees shall be paid for the holidays declared in this section and should not be required to work on such holidays unless, in the opinion of the employee's supervisor, the failure to work on such holiday would negatively impact public service and/or safety.

(1) The following are recognized holidays for employees other than those whose terms of employment are governed by separate collective bargaining agreements:

- (a) New Years Day;
- (b) Martin Luther King, Jr. Day;
- (c) Memorial Day;
- (d) Independence Day;
- (e) Labor Day;
- (f) Thanksgiving Day;
- (g) The day following Thanksgiving Day;
- (h) Christmas Eve; and
- (i) Christmas Day.

(2) Holidays are scheduled on the day designated by common business practice.

(3) In the event any of the above listed holidays should fall on Sunday, the Monday immediately following such holiday shall be observed as the holiday. In the event any of the above holidays should fall on a Saturday, the Friday immediately preceding the observed date shall be the holiday. If a non-exempt employee is scheduled to work on any of the listed holidays, those employees shall be paid at one and one-half times the rate of pay for the hours worked on the holiday.

(G) *Personal leave*.

(1) Each full-time employee, other than those employees whose terms of employment are governed by a separate collective bargaining agreement, shall be provided with 32 hours annually for personal leave which must be used during the calendar year in which the leave is awarded. Such leave shall not be charged to the employee's vacation time.

(2) Personal leave may be used by the employee subject to the approval of the employee's supervisor and such regulations as the City Manager may promulgate. The regulations may vary among departments and offices.

(3) Personal leave shall be calculated annually and will be pro-rated for new employees. Personal leave not taken shall not carry forward beyond the calendar year. Personal leave not taken shall not be compensable in money unless the City Manager establishes regulations to the contrary.

(H) *Prior service credit*.

(1) Any employee who transfers from one political subdivision of the state to the City shall be credited with the unused balance of his accumulated sick leave up to a maximum of 960 hours upon presentation of appropriate documentation.

(2) Upon presentation of appropriate documentation, any employee previously employed by a political subdivision of the state is entitled to have his prior service with any of these employers counted as service with the City for the purpose of computing vacation credit as detailed in § 34.05(A). The anniversary date of his employment, for the purpose of computing the amount of vacation leave, is the anniversary date of such prior service.

(Ord. 19-1995, passed 6-7-95; Am. Ord. 9-1998, passed 7-1-98; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 12-1999, passed 7-21-99; Am. Ord. 9-2001, passed 8-1-01; Am. Ord. 2-2002, passed 1-2-02; Am. Ord. 9-2004, passed 6-2-04; Am. Ord. 11-2007, passed 8-1-07; Am. Ord. 9-2008, passed 5-7-08; Am. Ord. 4-2012, passed 3-7-12; Am. Ord. 3-2013, passed 2-16-13)

§ 34.06 STATUTORILY REQUIRED CONTRIBUTIONS TO PENSIONS AND RETIREMENT FUNDS.

(A) (1) Effective July 26, 1998, the full amount of the statutorily required employee contributions to the Public Employees Retirement System of Ohio shall be withheld from the gross pay of each employee who is or will become a contributing member of the Public Employees Retirement System of Ohio and shall be "picked up" (assumed and paid to the Public Employees Retirement System of Ohio) by the City. This "pick-up" by the City is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Public Employees Retirement System of Ohio by each person who is a contributing member of the Public Employees Retirement System of Ohio. No person subject to this "pick-up" shall have the option of choosing to receive the statutorily required contribution to the Public Employees Retirement System of Ohio directly instead of having it "picked-up" by the City or of being excluded from the "pick-up".

(2) Effective August 1, 2001, City employees who are or become contributing members of the Public Employees Retirement System of Ohio may purchase additional service credit, tax deferred, and the City of Montgomery shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall "pick up" (assume and pay) such deduction to the Public Employees Retirement System of Ohio. A person electing this "pick up" deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction "picked up" by the City. Members who have elected to participate in this plan cannot increase, decrease, or terminate the amount of the "pick up" deduction.

(B) (1) Effective July 26, 1998, the full amount of the statutorily required contributions to the Police & Firemen's Disability & Pension Fund of Ohio shall be withheld from the gross pay of each employee who is or will become a contributing member of the Police & Firemen's Disability & Pension Fund of Ohio and shall be "picked up" (assumed and paid to the Police & Firemen's Disability & Pension Fund of Ohio) by the City of Montgomery. This "pick-up" by the City of Montgomery is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Police & Firemen's Disability & Pension Fund of Ohio by each person who is a contributing member to the Police & Firemen's Disability & Pension Fund of Ohio. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Police & Firemen's Disability & Pension Fund of Ohio directly instead of having it "picked up" by the City or of being excluded from the "pick up".

(2) Effective August 1, 2001, City employees who are or become contributing members of the Police and Firemen's Disability and Pension Fund may purchase additional service credit, tax deferred, and the City of Montgomery shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall "pick up" (assume and pay) such deduction to the Police and Firemen's Disability and Pension Fund. A person electing this "pick up" deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction "picked up" by the City of Montgomery. Members who have elected to participate in this plan cannot increase, decrease, or terminate the amount of the "pick up" deduction.

(Ord. 7-1998, passed 7-1-98; Am. Ord. 8-1998, passed 7-1-98; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 7-2001, passed 8-1-01; Am. Ord. 8-2001, passed 8-1-01; Am. Ord. 11-2001, passed 9-5-01; Am. Ord. 4-2012, passed 3-7-12)

§ 34.07 LONGEVITY PAY.

(A) All full-time municipal personnel shall be compensated with an annual longevity bonus computed solely upon the employee's tenure in the municipal service of Montgomery and payable at the close of the first full pay period following the employees anniversary of hire. The amount of the bonus shall correspond to the following schedule:

<i>Length of Service</i>	<i>Amount</i>
1 Year	\$100
2 Years or more	\$150 and an additional \$50 per year of service after
5 Years	\$500 and an additional \$50 per year of service after
10 Years	\$1,000 and an additional \$50 per year of service after
15 Years	\$1,500 and an additional \$50 per year of service after
20 Years	\$2,000 and an additional \$50 per year of service after
25 Years	\$2,500 and an additional \$50 per year of service after
30 Years	\$3,000 and an additional \$50 per year of service after

(B) A municipal employee who is rated, graded or tested for qualification or for performance of the duties assigned to that employee shall not receive his or her longevity payment for any year in which the employee fails to secure a satisfactory performance review.

(Ord. 19-1995, passed 6-7-95; Am. Ord. 9-1998, passed 7-1-98; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 12-1999, passed 7-21-99; Am. Ord. 4-2012, passed 3-7-12)

§ 34.08 COLLECTIVE BARGAINING AGREEMENT.

If anything contained in this chapter should be in conflict with provisions of a collective bargaining agreement governing the employment of municipal personnel, the terms of such collective bargaining agreement shall supersede and shall prevail over provisions of this chapter.

(Ord. 15-1989, passed 5-3-89; Am. Ord. 11-1999, passed 7-7-99)

§ 34.09 TRANSITIONAL EMPLOYMENT APPOINTMENTS.

During an employment transition, such as the retirement or resignation of an employee, when an overlapping period of employment with the transitioning employee and the

proposed appointee may be important for succession training, the City Manager is authorized to appoint two persons to the same job position within the City. Such overlap appointment may not exceed a period of 45 days and the cost for such overlapping appointment must be appropriately budgeted. Under such circumstances, the incumbent, or transitioning employee, will hold the official job designation for all statutory, signatory, and decision-making purposes.

(Ord. 20-2014, passed 12-17-14)

BOND

§ 34.15 MUNICIPAL OFFICIALS.

(A) The following elected and appointed officials of the municipality shall, upon election or appointment to office, furnish a corporate surety bond issued by a company authorized to do business in Ohio to protect the municipality against loss due to his/her actions in the amounts set forth below. Premiums thereon shall be paid by the municipality.

(1) City Manager: \$25,000

(2) Finance Director: \$25,000

(3) Assistant Finance Director/Tax Commissioner: \$25,000

(B) Whenever, in the opinion of the City Manager, by reason of the scope and nature of the responsibilities of a position in the municipal service, bonding is considered desirable in order to protect the interests of the municipality, the City Manager shall require that such officer or employee furnish an official bond in an amount he/she deems sufficient, based upon his/her evaluation of the amount of money or negotiable paper for which such officer or employee is responsible.

(Ord. 30-1973, passed 12-27-73; Am. Ord. 27-1981, passed 10-7-81; Am. Ord. 11-1999, passed 7-7-99; Am. Ord. 4-2012, passed 3-7-12)

These minutes are a draft of the proposed minutes from the City Council meeting. They do not represent the official record of proceedings until formally adopted by the City Council. Formal adoption is noted by signature of the Clerk within the minutes.

City of Montgomery
City Council Business Session Minutes
March 6, 2024

Present

Brian Riblet, City Manager
Terry Donnellon, Law Director
Tracy Henao, Asst. City Manager
John Crowell, Police Chief
Kevin Chesar, Community Dev. Director
Mike Rogers, Asst. Public Works Director
Maura Gray, Finance Director
Matthew Vanderhorst, Communications and Information Service Director
Paul Wright, Fire Chief
Amy Frederick, Communications and Engagement Coordinator
Connie Gaylor, Clerk of Council

City Council Members Present

Ron Messer, Mayor
Sasha Naiman, Vice Mayor
Lee Ann Bissmeyer
Chris Dobrozsi
Craig Margolis
Catherine Mills-Reynolds
Ken Suer

City Council convened in Council Chambers at 6:00 p.m. with Mayor Messer presiding.

ROLL CALL

Mayor Messer asked for a motion to dispense with roll call as all members were present.

Mr. Margolis made a motion to dispense with roll call. Vice Mayor Naiman seconded. City Council unanimously agreed.

SPECIAL PRESENTATION

- Former Board Members Gary Blomberg, Kaye Gaffney and Janet Korach of the Montgomery Historical Preservation Association (MHPA) were presented with a Certificate of Appreciation for their years of dedication to preserving the history of Montgomery and the operation of the Wilder-Swaim House.

Mr. Suer provided background on each Board Member, highlighting their individual service and contributions to the City over the years.

City Council expressed their sincere thanks and appreciation for all of the work that has been done by the Members since the creation of the MHPA in 1995.

- Mr. Riblet introduced Chad Shaffer with Duke Energy. Mr. Shaffer is the City's Government Community Relations Manager. Mr. Riblet stated that Mr. Shaffer has been a great partner and proponent for the City. He stated that he not only works to address reoccurring power outages in the city but was instrumental in providing assistance in the development of the Montgomery Quarter. Mr. Riblet added that Mr. Shaffer is also Maderia's newest council member. Mr. Riblet explained that Mr. Shaffer suggested that he apply for a Duke Energy Benevolence Foundation Grant in support the City's Mental Health Initiative.

Mr. Shaffer thanked City Council for allowing him to speak. He applauded the City for their efforts regarding mental health. He explained that when Mr. Riblet discussed the Mental Health Fair and the Care Solace app, he suggested applying for the grant. He stated that he was pleased to present the City with a \$5,000 grant in recognition of the mental health efforts being conducted for the community.

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March 6, 2024

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54 **LEGISLATION FOR CONSIDERATION**

55

56 **A Resolution Establishing Compensation for The City Manager**

57

58 Mayor Messer asked for a motion to add the legislation to the agenda.

59

60 Mr. Margolis made a motion to add the Resolution to the agenda. Vice Mayor Naiman seconded. City Council
61 unanimously agreed.

62

63 Mayor Messer assigned the Resolution to Mr. Dobrozsi.

64

65 Mr. Dobrozsi moved to read the Resolution by title only. Mr. Margolis seconded. City Council unanimously
66 agreed.

67

68 Mr. Dobrozsi read the title and moved for passage. Vice Mayor Naiman seconded.

69

70 Mr. Dobrozsi explained that based on a recommendation from the Government Affairs Committee of City Council
71 this Resolution is presented for consideration and, if approved, will authorize an amendment to the current
72 employment agreement with Mr. Brian Riblet as the City Manager of Montgomery. This Resolution is the result
73 of the recent performance appraisal of the City Manager conducted by City Council.

74

75 The roll was called and showed the following vote:

76

77 AYE: Bissmeyer, Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer, Margolis (7)

78

79 NAY: (0)

80

81 **PENDING LEGISLATION**

82

83 There was no pending legislation

84

85 **NEW LEGISLATION**

86

87 Mayor Messer stated that since all following legislation has been made available to the public before the meeting
88 a motion can be made to accept the agenda and read all legislation by title only.

89

90 Mr. Margolis moved to accept the legislative Agenda and read all legislation by title only. Vice Mayor Naiman
91 seconded. City Council unanimously agreed.

92

93 **A Resolution Accepting A Bid And Authorizing The City Manager To Enter Into A Contract With John R.
94 Jurgensen Company For The 2024 Street Resurfacing Program**

95

96 Mr. Margolis read the title and moved for passage. Vice Mayor Naiman seconded.

97

98 Mr. Margolis explained that information has been previously supplied on this Resolution that, if approved, will
99 authorize the agreement for the 2024 Street Resurfacing Program. It is requested that the project Base Bid and
100 Alternates #1 and #2 be approved for funding in the amount of \$1,862,500.00. In addition, it is requested that
101 Alternate #9, which is the resurfacing of the Weller Park parking lot, be approved for funding in the amount of
102 \$103,800.00 which is programmed in the City Parks Capital Projects budget.

103

104 Mr. Margolis asked if there were any updates.

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March 6, 2024

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104 Mr. Rogers replied there were none.

105

106 The roll was called and showed the following vote:

107

108 AYE: Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer, Margolis, Bissmeyer (7)

109 NAY: (0)

110

111 **A Resolution Authorizing An Agreement With The Vintage Club Community Association, Inc. To**
112 **Construct Roadway Improvements Within The Vintage Club Subdivision**

113

114 Mr. Margolis read the title and moved for passage. Vice Mayor Naiman seconded.

115

116 Mr. Margolis explained that information has been previously supplied on this Resolution that, if approved, will
117 authorize a contract with Vintage Club Community Association. This is an Agreement negotiated by the City with
118 the Vintage Club Community Association, Inc. to oversee re-construction of a portion of their private streets
119 consistent with the City standards for public streets.

120

121 Mr. Margolis asked if there were any updates.

122

123 Mr. Rogers replied there were none.

124

125 The roll was called and showed the following vote:

126

127 AYE: Dobrozsi, Messer, Naiman, Suer, Margolis, Bissmeyer, Mills-Reynolds (7)

128 NAY: (0)

129

130 **ADMINISTRATION REPORT**

131

132 Mr. Riblet gave the following report:

133

- 134 • City Council Work Session is scheduled for March 20, 2024 at 6:00 p.m.
- 135
- 136 • The Government Affairs and Planning, Zoning, Landmarks Committees will meet on Monday, March 11
137 at 4:00 and 5:00 p.m., respectively. The Public Works Committee has cancelled their meeting for March.
- 138
- 139 • Ms. Henao and Mr. Riblet attended the OCMA conference in Columbus last week where they presented
140 on the City's Mental Health Initiative to a packed session. Since the presentation, they have heard from
141 several entities seeking more information on how to create their own program. This conference reiterated
142 how far ahead the City is in our service to the community and our staff. In addition, staff are scheduled to
143 welcome the newest Montgomery Team Member next Friday, March 15 as our four-legged friend "Asha"
144 the therapy dog will arrive.
- 145
- 146 • Staff were recently notified that The Ohio Collaborative certified the Montgomery Police Department in
147 the standards of Positive Youth Interactions, and Crisis Intervention. The Ohio Collaborative was created
148 in 2015 to help strengthen the bond between communities and their police departments by maintaining
149 important statewide standards such as Use of Force, and Department Wellness among many others. This
150 is a testament to the high standards of our police department and leadership of Chief Crowell.
- 151

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- On Monday, March 4, Planning Commission tabled a proposed façade change application for Camargo Cadillac based recommending that the applicant further review the Montgomery Road Corridor Design Standards for permitted primary material types allowable.
 - Also at the Planning Commission meeting, an update was provided by our Consultant, Yard and Company, on the current status of the Comprehensive Plan Update.
 - Staff anticipates advertisement of the Montgomery Monument and Landscape Enhancement on March 19. It is possible that legislation could be added to the April 17 Work Session agenda with a vote at the May 1 Business Session. The anticipated completion date for the project if approved is December 6, 2024.
 - A contract was signed with Rack & Ballauer in the amount of \$65,520 to remove and replace 24 fire hydrants identified with the 2024 fire hydrant replacement program.
 - MCLA Session #9- History and Development will be held at Universalist Church on Saturday, March 9 beginning at 8:00 a.m.
 - MCLA Graduation will be held on Thursday, March 14 at the Montgomery Inn beginning at 5:45 p.m.
 - On Saturday, April 13 HCML and HCTA will conduct a joint meeting at the Sharonville Fire Station from 9:00-11:00 a.m.

174 Mr. Riblet requested an Executive Session to consider matters related to Pending or Imminent Litigation.

175

176 **MINUTES**

177

178 Mr. Margolis moved to approve the February 21, 2024 Work Session minutes as written. Vice Mayor Naiman

179 seconded. City Council unanimously agreed.

180

181 **MAYOR'S COURT REPORT**

182

183 Mayor Messer requested a motion to disburse the February Mayors Court collections in the amount of \$4,900.

184

185 Mr. Dobrozsi made the motion to disburse the February Mayors Court Collections in the amount of \$4,900. Mrs.

186 Bismeyer seconded. City Council unanimously agreed.

187

188 **EXECUTIVE SESSION**

189

190 Mayor Messer asked for an Executive Session to consider matters related to Pending or Imminent Litigation. Mr.

191 Margolis made a motion to adjourn into Executive Session to consider matters related to Pending or Imminent

192 Litigation. Vice Mayor Naiman seconded.

193

194 The roll was called and showed the following vote:

195

196 AYE: Bismeyer, Mills-Reynolds, Dobrozsi, Messer, Naiman, Suer, Margolis (7)

197 NAY: (0)

198

199 Council adjourned into Executive Session at 6:58 p.m.

200

201 **ADJOURNMENT**

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202

203 Council reconvened from Executive Session into Public Session at 7:38 p.m.

204

205 Mayor Messer asked if there was any further business to discuss in the Public Session. There being none he asked
206 for a motion to adjourn.

207

208 Mr. Suer moved to adjourn. Mrs. Bissmeyer seconded. City Council unanimously agreed.

209

210 City Council adjourned at 7:38 p.m.

211

212

213

214

Connie Gaylor, Clerk of Council

DRAFT