

AN ORDINANCE

BY: MR. STEPHENS

NO. 4945

TO APPROVE CURRENT REPLACEMENT PAGES TO THE
OAKWOOD TRAFFIC AND GENERAL OFFENSES CODES.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council; and

WHEREAS, such revision is presently before Council in the form of 2021 replacement pages to the Traffic and General Offenses Codes;

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

SECTION I.

The following sections of the Oakwood Traffic and General Offenses Codes are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 301.1801 Low-Speed Micromobility Device. (Added)
- 301.22 Pedestrian. (Amended)
- 301.51 Vehicle. (Amended)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amended)
- 335.02 Permitting Operation Without Valid License; One License Permitted. (Amended)
- 335.021 Ohio Driver's License Required for In State Residents. (Amended)
- 335.04 Certain Acts Prohibited. (Amended)
- 335.09 Display of License Plates or Validation Stickers; Registration. (Amended)
- 371.14 Operation of Personal Delivery Device on Sidewalks and Crosswalks. (Added)
- 371.15 Low-Speed Micromobility Devices. (Added)
- 373.11 Electric Bicycles. (Amended)
- 375.07 Motorized Bicycle Operation, Equipment and License. (Amended)

General Offenses Code

- 501.99 Penalties for Misdemeanors. (Amended)
- 505.071 Cruelty to Companion Animals. (Amended)
- 509.07 Making False Alarms. (Amended)
- 525.13 Interfering with Civil Rights. (Amended)
- 529.01 Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 533.08 Procuring. (Amended)
- 533.09 Soliciting. (Amended)
- 533.091 Loitering to Engage in Solicitation. (Amended)
- 533.10 Prostitution. (Amended)
- 533.15 Dissemination of Private Sexual Images. (Added)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.05 Criminal Trespass. (Amended)
- 541.051 Aggravated Trespass. (Amended)
- 545.03 Property Exceptions as Felony Offense. (Amended)
- 545.09 Passing Bad Checks. (Amended)

SECTION II.

That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Oakwood, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
4928	1-4-21	311.05, 371.13

SECTION III.

The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Traffic and General Offenses Code. The publication of the 2021 replacement pages within the Codified Ordinances shall be deemed sufficient publication of all material contained therein as provided by Section 3.05(1) of the Charter.

SECTION IV.

This ordinance has been given two readings, but is adopted on an emergency basis in order to take effect immediately, thereby avoiding practical and legal entanglements and promoting the public health, safety, and welfare.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD THIS 13th day of December, 2021.



Mayor William D. Duncan

ATTEST:



Clerk of Council

TO THE CLERK: Please publish by including the 2021 Replacement Pages in the Codified Ordinances of this City.



City Attorney Robert F. Jacques

APPENDIX A

Traffic Code

- 301.1801 Low-Speed Micromobility Device. (Adds definition of “low-speed micromobility device.”)
- 301.22 Pedestrian. (Adds “personal delivery device” to definitions.)
- 301.51 Vehicle. (Adds “low-speed micromobility device” to the exclusions.)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Amends definition of “license plate” in subsection (d).)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Expands regulations for bicycles and electric bicycles or sidewalks.)
- 333.03 Maximum Speed Limits; Assured Clear Distance Ahead. (Amends definition of “school” in subsection (b)(1)B.)
- 335.02 Permitting Operation Without Valid License; One License Permitted. (Amends regulations to include temporary instruction permit and identification card.)
- 335.021 Ohio Driver’s License Required for In State Residents. (Amends regulations to include temporary instruction permit and identification card.)
- 335.04 Certain Acts Prohibited. Expands prohibited acts in subsection (a)(5).)
- 335.09 Display of License Plates or Validation Stickers; Registration. (Amends requirements for display of license plates and temporary motor vehicle license registration.)
- 371.14 Operation of Personal Delivery Device on Sidewalks and Crosswalks. (Adds new section regulating personal delivery devices.)
- 371.15 Low-Speed Micromobility Devices. (Adds new section regulating low-speed micromobility devices.)
- 373.11 Electric Bicycles. (Adds exception for law enforcement officer using an electric bicycle.)
- 375.07 Motorized Bicycle Operation, Equipment and License. (Deletes subsection (a)(5).)

General Offenses Code

- 501.99 Penalties for Misdemeanors. (Expands the regulations for court ordered restitution.)
- 505.071 Cruelty to Companion Animals. (Adds provision for distribution of fine moneys.)
- 509.07 Making False Alarms. (Adds regulations for critical infrastructure facility.)
- 525.13 Interfering with Civil Rights. (Revises regulations to comply with ORC 2921.45.)
- 529.01 Definitions. (Completely rewrites section to comply with ORC 4301.01 and 4301.244.)
- 529.07 Open Container Prohibited. (Adds a new subsection further defining alcoholic beverage and closed container.)

- 533.08 Procuring. (Adds regulation for sexual activity for hire.)
- 533.09 Soliciting. (Revises regulations to comply with ORC 2907.24)
- 533.091 Loitering to Engage in Solicitation. (Adds regulations for carriers of a virus.)
- 533.10 Prostitution. (Adds regulations for carriers of a virus.)
- 533.15 Dissemination of Private Sexual Images. (Adds new section on dissemination of private sexual images.)
- 537.02 Vehicular Homicide and Manslaughter. (Amends sentencing provisions.)
- 541.04 Criminal Mischief. (Adds regulations for critical infrastructure facility and penalties.)
- 541.05 Criminal Trespass. (Adds regulations for critical infrastructure facility.)
- 541.051 Aggravated Trespass. (Adds regulations for critical infrastructure facility.)
- 545.03 Property Exceptions as Felony Offense. (Amends section to include temporary motor vehicle license registration.)
- 545.09 Passing Bad Checks. (Eliminates subsection (d) and reletters the remaining subsections.)

AN ORDINANCE

BY VICE MAYOR BYINGTON

NO. 4947

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF OAKWOOD, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2022.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, STATE OF OHIO, THAT:

SECTION I.

Council hereby accepting the submitted budget for fiscal year 2022, and desiring to provide for expenses and other expenditures of the city of Oakwood during the period commencing January 1, 2022 and ending December 31, 2022, the following sums shall be and they are hereby set aside and appropriated as follows:

Fund	Appropriation			
	Personnel	Operating	Total	
MAJOR OPERATING FUNDS				
101	General Fund:			
	Total Expenditures	\$ 7,878,412	\$ 1,427,196	\$ 9,305,608
	Total Transfers			\$ 5,571,909
	Total General Fund			<u>\$ 14,877,517</u>
220	Street Maintenance and Repair Fund			
	Total Expenditures	\$ 983,830	\$ 223,300	\$ 1,207,130
	Total Transfers			\$ 178,364
	Total Street Maintenance and Repair Fund			<u>\$ 1,385,494</u>
228	Leisure Activity Fund			
	Total Expenditures	\$ 905,167	\$ 420,135	\$ 1,325,302
	Total Transfers			\$ 3,360
	Total Leisure Activity Fund			<u>\$ 1,328,662</u>
230	Health Fund			
	Total Expenditures	\$ 129,795	\$ 36,745	\$ 166,540
	Total Transfers			\$ 3,360
	Total Health Fund			<u>\$ 169,900</u>
308	General Equipment Replacement Fund			
			\$ 369,000	\$ 369,000
309	Capital Improvement Fund			
			\$ 1,041,250	\$ 1,041,250
510	Sidewalk, Curb & Apron Fund			
			\$ 176,700	\$ 176,700
707	Service Center Fund			
		\$ 253,225	\$ 459,335	\$ 712,560
TOTAL MAJOR OPERATING FUNDS				<u><u>\$ 20,061,083</u></u>
OTHER FUNDS				
208	Bullock Endowment Trust Fund			
			\$ 500	\$ 500
209	MLK Community Recognition Fund			
			\$ -	\$ -
210	Special Improvement District Assessment Fund			
			\$ 111,720	\$ 111,720
211	Smith Memorial Gardens Fund			
	Total Expenditures	\$ 71,895	\$ 44,045	\$ 115,940
	Total Transfers			\$ -
				<u>\$ 115,940</u>

Fund	Appropriation		
	Personnel	Operating	Total
212 Indigent Drivers Alcohol Treatment Fund		\$ 1,500	\$ 1,500
213 Enforcement and Education Fund		\$ 1,500	\$ 1,500
214 Law Enforcement Fund		\$ 3,000	\$ 3,000
215 Drug Law Enforcement Fund		\$ -	\$ -
216 Police Pension Fund	\$ -	\$ -	\$ -
217 Court Clerk Computerization Fund		\$ 8,500	\$ 8,500
218 Court Computerization Fund		\$ 9,000	\$ 9,000
219 Court Special Projects Fund		\$ 5,500	\$ 5,500
224 State Highway Improvement Fund		\$ 38,100	\$ 38,100
240 Public Safety Endowment Fund		\$ 42,000	\$ 42,000
250 Special Projects Fund		\$ -	\$ -
310 Issue 2 Capital Projects Fund		\$ -	\$ -
311 Public Facilities Fund		\$ -	\$ -
312 Local Coronavirus Relief Fund		\$ -	\$ -
414 Bond Retirement Fund		\$ -	\$ -
508 Electric Street Lighting Fund		\$ 160,900	\$ 160,900
706 Self-Funded Insurance Trust Fund		\$ 17,500	\$ 17,500
810 Fire Insurance Trust Fund		\$ -	\$ -
811 Contractor's Permit Fee Fund		\$ 2,000	\$ 2,000
TOTAL OTHER FUNDS			<u>\$ 517,660</u>
REFUSE FUND			
205 Refuse Fund			
Total Expenditures	\$ 1,028,915	\$ 252,350	\$ 1,281,265
Total Transfers			\$ 270,652
Total Refuse Operating Fund			<u>\$ 1,551,917</u>
206 Refuse Improvement / Equipment Replacement Fund		\$ 196,000	\$ 196,000
TOTAL REFUSE FUNDS			<u>\$ 1,747,917</u>
ENTERPRISE FUNDS			
602 Water Operating Fund			
Total Expenditures	\$ 600,880	\$ 570,944	\$ 1,171,824
Total Transfers			\$ 280,864
Total Water Operating Fund			<u>\$ 1,452,688</u>
603 Water Improvement / Equipment Replacement Fund		\$ 141,500	\$ 141,500
TOTAL WATER FUNDS			<u>\$ 1,594,188</u>

Fund	Appropriation		
	Personnel	Operating	Total
607 Sanitary Sewer Operating Fund			
Total Expenditures	\$ 431,520	\$ 1,205,000	\$ 1,636,520
Total Transfers			\$ 238,782
Total Sanitary Sewer Operating Fund			<u>\$ 1,875,302</u>
608 Sanitary Sewer Improvement / Equipment Replacement Fund			
Total Expenditures		\$ 150,000	\$ 150,000
TOTAL SANITARY SEWER FUNDS			<u>\$ 2,025,302</u>
615 Stormwater Operating Fund			
Total Expenditures	\$ 198,110	\$ 103,975	\$ 302,085
Total Transfers			\$ 224,298
Total Stormwater Operating Fund			<u>\$ 526,383</u>
616 Stormwater Improvement / Equipment Replacement Fund			
Total Expenditures		\$ 205,000	\$ 205,000
TOTAL STORMWATER FUNDS			<u>\$ 731,383</u>
TOTAL ENTERPRISE FUNDS			<u>\$ 4,350,873</u>
TOTAL EXPENDITURES ALL FUNDS			\$ 26,677,533
TRANSFER ADJUSTMENT			<u>\$ (6,771,589)</u>
NET TOTAL EXPENDITURES			<u>\$ 19,905,944</u>

SECTION II.

The Director of Finance is hereby authorized to draw warrants for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefor, approved by the board or officers authorized by law to approve the same, or an ordinance or resolution of Council to make the expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance. The appropriation for contingencies can only be expended upon approval of three-fourths (3/4ths) vote of Council for items of expense constituting a legal obligation against the City, and for purposes other than those covered by the other specific appropriations herein made.

SECTION III.

This annual appropriation ordinance shall become effective as of the first day of January, 2022, as provided by Section 6.05 of the City Charter.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD THIS 13th day of December, 2021.



 Mayor William D. Duncan

ATTEST:



 CLERK OF COUNCIL

TO THE CLERK:

Please publish the foregoing Ordinance in the following summary form:

LEGAL NOTICE

Ordinance 4947 of the Council of the City of Oakwood, Ohio was passed on the 13th day of December, 2021. Said ordinance was enacted to make appropriations for current expenses and other expenditures of the City of Oakwood, Ohio, for the period ending December 31, 2022.

LORI STACEL,
CLERK OF COUNCIL



City Attorney Robert F. Jacques

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the City of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said City of Oakwood, and that said publication occurred on the following date:

December 22, 2021



Lori Stacel, Clerk of Council

ORDINANCE

BY: VICE MAYOR BYINGTON

NO. 4948

TO REPEAL ORDINANCE NUMBER 4898 AND ESTABLISH AN AMENDED PERSONNEL SCHEDULE DATED DECEMBER 13, 2021 AND TO DECLARE AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, THAT:

SECTION I.

Ordinance No. 4898 adopted December 9, 2019, is hereby repealed.

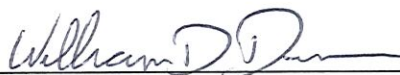
SECTION II.

An amended Personnel Schedule attached hereto and dated December 13, 2021, is hereby ratified, confirmed and approved. This schedule authorizes the City Manager to increase the top rates of compensation for office, management, part-time, seasonal and support employees in the amount shown on the schedule. A copy of this Personnel Schedule has been filed with the Finance Director of the city of Oakwood and is made a part of this ordinance through the doctrine of incorporation by reference.

SECTION III.

It is hereby declared that this ordinance is an emergency measure to take effect immediately on the basis that it is necessary to implement these Personnel Schedule changes and adjustments in maximum compensation as quickly as possible in order to maintain morale and promote efficiency and on the basis of the public peace, health, safety and welfare. The compensation increases for the classifications covered by the Personnel Schedule shall be effective commencing with the pay period beginning December 20, 2021 and shall remain in effect until otherwise amended.

PASSED BY THE COUNCIL OF THE CITY OF OAKWOOD, this 13th day of December, 2021.



Mayor William D. Duncan

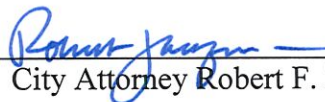
ATTEST:



CLERK OF COUNCIL

TO THE CLERK:

Publish the foregoing Ordinance in the summary form set forth below.



City Attorney Robert F. Jacques

LEGAL NOTICE

Ordinance 4948 of the Council of the city of Oakwood, Ohio was passed on the 13th day of December, 2021. Said ordinance was enacted to ratify, confirm, and establish an amended Personnel Schedule to change certain provisions relating to maximum compensation rates and job classifications.

LORI STACEL
CLERK OF COUNCIL

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the city of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said city of Oakwood, and that said publication occurred on the following date:

December 22, 2021

Lori Stacel

Lori Stacel, Clerk of Council

AMENDED
PERSONNEL SCHEDULE

TO: CITY COUNCIL
FROM: CITY MANAGER
SUBJECT: COMPENSATION AND FRINGE BENEFITS FOR MANAGEMENT,
OFFICE, CLERICAL, PART-TIME, SEASONAL AND SUPPORT
PERSONNEL
DATE: December 13, 2021

This Schedule is prepared to set forth total compensation (salaries and fringe benefits) for various management, office and clerical personnel positions established within the city of Oakwood.

SALARY - TOP RATES. The figures set forth below represent top rates of annual salary and/or wage compensation. The City Manager shall have authority to create and apply, with regard to any such personnel position, various lower compensation rates and schedule of time and satisfactory performance through which an employee may progress to the top rate of annual compensation. The top rates of compensation provided for in this Personnel Schedule shall be effective commencing with the pay period beginning December 20, 2021.

MANAGEMENT PERSONNEL

City Manager	\$162,579.00
Director of Personnel and Properties.....	\$127,265.85
Public Safety Director.....	\$129,360.73
Director of Engineering and Public Works	\$127,265.85
Finance Director	\$127,265.85
Leisure Services Director	\$127,265.85
Law Director	\$127,265.85
Assistant Finance Director.....	\$86,970.47
Horticulturist.....	\$75,652.96
Leisure Services Program Supervisor	\$73,434.14
Public Safety Captain	\$120,162.56
Staff Engineer	\$102,406.44
Refuse Foreman.....	\$102,406.44
Streets Foreman	\$102,406.44
Foreman/Inspector/Engineering Technician	\$102,406.44
Water Plant Superintendent/ Water & Sewer Line Foreman.....	\$102,406.44
Income Tax Administrator.....	\$93,714.28
Code Enforcement Officer.....	\$79,646.49
Health Commissioner	\$5,000.00
Assistant Health Commissioner	\$1.00

OFFICE PERSONNEL

City Manager's Administrative Assistant II	\$35.11/hour
City Manager's Administrative Assistant I.....	\$33.33/hour
Account Clerk II	\$31.26/hour
Account Clerk I.....	\$26.01/hour
Department Head Administrative Assistant/Records/Administrative Clerk	\$30.98/hour
Receptionist/Clerk	\$25.00/hour

SUPPORT PERSONNEL

Custodian	\$22.82/hour
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PART-TIME CLERICAL AND SUPPORT PERSONNEL

Part-Time Income Tax Clerk.....	\$18.49/hour
Part-Time Office Assistant/Desk Monitor/Receptionist.....	\$17.33/hour
Part-Time Athletic Field Maintenance/Groundskeeper	\$16.00/hour
Part-Time City Grounds Maintenance	\$16.00/hour

TEMPORARY SEASONAL PERSONNEL

Pool Manager.....	\$16.20/hour
Intern.....	\$13.97/hour
Head Lifeguard	\$13.00/hour
General Maintenance including Smith Gardens	\$12.00/hour
Teen Monitor	\$11.21/hour
Facility Supervisor.....	\$11.21/hour
Lifeguard.....	\$11.10/hour
Day Camp/Recreation Leader	\$10.65/hour
Concession Worker.....	\$9.95/hour
Pool Desk Attendant.....	\$9.95/hour

PAY PERIODS. The City Manager shall have authority to determine the length of pay periods. All employees are currently paid on a bi-weekly basis resulting in 26 pays per calendar year. However, there is an anomaly which occurs approximately every 11 years resulting in a calendar year with 27 bi-weekly pays. During these years with 27 pays, the annual salary, vacation and sick leave accrual rates set forth herein, as well as the rates set forth in applicable labor contracts, shall be exceeded so as to accommodate the additional pay.

COMBINATION OF POSITIONS. The City Manager shall have authority to combine any of the positions referred to in this Personnel Schedule so as to reduce the work force by decreasing the number of persons employed by the City. In the event the City Manager elects to combine positions as provided herein, he or she may, if he or she so chooses, make such adjustments to the compensation to be paid in connection with the combined positions as he or she, at his or her sole discretion, deems fair and equitable.

COMPENSATION ADJUSTMENTS FOR DEPARTMENT HEADS. The City Manager, at any time and from time to time, may grant to department heads, increases in compensation in excess of the rates established herein, when he or she, at his or her sole discretion, determines that adjustments are dictated by equity. Any such adjustment shall result in increased compensation to the subject department head and shall be paid as hereafter provided. In contemplating such adjustment, the City Manager may consider the expectations and performance of the subject department head; the department head's level of compensation as it relates to compensation levels of subordinate personnel in the same department; and other factors deemed relevant by the City Manager. Any supplement to a department head's annual compensation, as provided herein, shall be by way of additional city paid compensation to designated deferred compensation plans made available by the city.

COMPENSATION ADJUSTMENTS FOR CITY MANAGER. City Council, at any time, may grant to the City Manager increases in compensation in excess of the rates established herein, when they determine that such adjustments are warranted. Any such adjustment shall result in increased compensation to the City Manager and shall be paid as hereafter provided.

TEMPORARY INCREASES IN SALARY. The City Manager is authorized to make a temporary increase in salary paid to any employee who is required to assume the duties of a higher position for an extended, but temporary, period of time (as opposed to being promoted to a higher position). This temporary addition to salary may not be greater than twenty percent (20%) of the rate of compensation paid for the lower position.

PARAMEDIC CERTIFICATION PAYMENT. In addition to annual salary compensation, an employee in the Public Safety Captain classification who holds and maintains a paramedic certification shall receive a lump sum payment of \$1,584.96. An employee who receives his/her paramedic certification during the course of a calendar year shall receive a pro-rated amount.

CLOTHING ALLOWANCE. In addition to annual salary compensation, an employee in the Public Safety Captain classification shall receive an annual lump sum clothing allowance payment of \$500 to be paid at the end of each calendar year.

FULL-TIME EMPLOYEES. These are employees scheduled to work at least 40 hours per week throughout the year. Said employees shall have all rights, benefits and obligations as determined by the Personnel Schedule and Personnel Regulations.

REGULAR PART-TIME EMPLOYEES. These are employees who normally work less than 40 hours per week and whose work is typically not seasonal in nature. Eligibility for regular part-time employees to be entitled to benefits as outlined in the Personnel Schedule or the Personnel Regulations shall be determined by the City Manager.

TEMPORARY EMPLOYEES. These are employees who work less than 1,250 hours per year. Said employees shall not be entitled to any benefits outlined in the Personnel Schedule or the Personnel Regulations, except for holidays which may occur during their employment.

SPECIAL EMPLOYEES. The City Manager is authorized to enter into agreements to hire individuals as employees so as to obtain their personal services which the City Manager determines are in the best interests of this city. Such employees shall be known as "Special Employees," whose status shall be temporary and whose term of employment shall be set by individual agreement. The compensation and benefits for such Special Employees shall be set and controlled by contractual agreements which shall be limited by budgetary authorization intended for such purposes. The city

shall make deductions from the Special Employee's pay as required by law, such as federal, state and local tax withholdings and any contributions to FICA/Medicare or the applicable State of Ohio Retirement System, that may apply.

HOLIDAYS. The City Manager may substitute holidays listed under this section, however, no additional holidays shall be granted to the personnel positions listed in this schedule. The holidays currently recognized are: New Year's Day, Martin Luther King Day, Presidents' Day, Memorial Day, Juneteenth Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day, and the employee's birthday. Except as may be otherwise provided by law, if a holiday falls on a Saturday, the preceding Friday will instead be observed as a holiday; and where a holiday would fall on a Sunday, the following Monday will instead be observed as a holiday.

PERSONAL LEAVE. Employees in the positions covered by this Personnel Schedule shall receive three (3) days of paid personal leave annually.

SICK LEAVE. Sick leave for all personnel positions covered by this Personnel Schedule shall be accrued at a day and a quarter per month, per year, with a maximum accumulation of one hundred fifty (150) days.

MILITARY LEAVE. All full-time and regular part-time employees who are members of the Ohio National Guard, the Ohio Military Reserve, the Ohio Naval Militia, or members of other reserve components of the US Armed Forces, or are otherwise members of the uniformed services as defined by Section 5923.05 of the Ohio Revised Code, are entitled to a leave of absence to perform military duty for a period of 30 days in any calendar year ("Short-Term Military Leave"), with no requirement to apply for reinstatement thereafter.

In addition, these employees are entitled to up to 24 months of active duty leave ("Active Duty Military Leave"), subject to timely application for reinstatement thereafter. For an employee returning from uniformed service of 31 to 180 days, application for reinstatement must be made within 14 days of completing uniformed service. For an employee on leave for more than 180 days, application for reinstatement must be made within 90 days of completing uniformed service. Except where reinstatement is impossible or would impose an undue hardship on the City, an employee on leave for less than 180 days shall be reinstated into his or her former position; employees on leave in excess of 180 days may be placed in any position of equivalent status, seniority and pay.

The City Manager is authorized to adopt policies as necessary to implement the military leave set forth in this section, including but not limited to policies pertaining to employee compensation and continuation of employment benefits during an employee's military leave. Any such policies shall be consistent with the requirements of Section 5923.05 of the Ohio Revised Code and shall also ensure that eligible employees are entitled to all rights and benefits conferred by the federal Uniformed Service Employment and Reemployment Rights Act of 1994 ("USERRA").

VACATIONS. Employees in the positions covered by the Personnel Schedule receive the following annual vacations with pay:

- a. Employees who have completed a minimum of one year service, but less than six work years, shall receive twelve (12) working days of vacation.
- b. Employees who have completed six work years, but less than eleven work years, shall receive fourteen (14) working days of vacation.
- c. Employees who have completed eleven work years, but less than sixteen work years, shall receive eighteen (18) working days of vacation.
- d. Employees who have completed sixteen work years, but less than twenty work years, shall receive twenty (20) working days of vacation.
- e. Employees who have completed twenty work years, but less than twenty-five work years, shall receive twenty-two (22) working days of vacation.
- f. Employees who have completed twenty-five work years or more shall receive twenty-five (25) working days of vacation.

- g. Every employee shall be entitled to one additional day of vacation for each three days of unused sick leave that employee may have accumulated in excess of ninety days. This exchange of sick leave for vacation leave shall be limited to a maximum of five additional vacation days for any work year. The additional vacation leave obtained through this type of exchange must be used during the work year in which the exchange is made, except that up to two such additional vacation days may be accumulated so as to be carried forward to a succeeding year.

VACATION ACCUMULATION. The City Manager is hereby authorized to establish a regulation limiting the amount of vacation time an employee may accumulate. In so doing, the City Manager may distinguish between various employee classifications.

VACATION CONVERSION. Prior to September 30th of each year, the City Manager shall be permitted to convert to cash up to twenty-two (22) but not less than five (5) days of accumulated vacation. Department heads may be permitted to convert up to fourteen (14) but not less than five (5) days of accumulated vacation upon written approval of the City Manager. The classifications of Assistant Finance Director, Income Tax Administrator, and Public Safety Captain may be permitted to convert up to eight (8) but not less than five (5) days of accumulated vacation upon written approval of the City Manager. In order to be eligible to convert vacation, the employee must meet certain performance standards which are to include, as a minimum, but not exclusively, better than satisfactory work toward completion of organization work goals and objectives and the discrete and conservative use of sick leave. The City Manager is authorized to promulgate such performance criteria and to approve such buy backs if, in his or her opinion, such criteria have been met. Under special circumstances, the City Manager may permit eligible employees to convert additional accumulated vacation over and above the maximum number of days enumerated above. Any decision on vacation conversion by the City Manager shall be his or her exclusive management right and shall be final. Since vacation conversion is compensation to the employee, it shall be subject to all of the applicable rules and provisions relative to the Ohio Public Employees Retirement System and the Ohio Police and Fire Pension Fund.

RETIREMENT OR DEATH. The following provision shall apply concerning the conversion of sick leave unused at the time of retirement or death into pay:

- a. If the employee has accumulated sick leave of between sixty and one hundred twenty days, he or she, or their beneficiary will be compensated for accumulated sick leave at the time of retirement or death upon the basis of one day's pay for every three days of sick leave.
- b. If the employee has accumulated over one hundred twenty days of sick leave, he or she, or their beneficiary will be compensated at retirement or death at one day's pay for each two days of sick leave.

MANAGEMENT BANQUET - CLERICAL AND OFFICE LUNCHEON - COFFEE. The council may from time to time, elect to give a Management Banquet for its management personnel and guests. The City Manager is authorized to furnish coffee or other amenities, from time to time, for office use at the location designated by him or her; and is also authorized to furnish a special luncheon for the office personnel, from time to time.

AUTOMOBILES. In the event a City employee must use his or her personal vehicle in the conduct of official City business, the employee shall receive a mileage allowance equal to the Internal Revenue Service optional mileage allowance for each mile driven while engaged in such official business provided, however, that:

- a. The employee has prior permission of his or her respective department head to utilize his or her personal vehicle; and
- b. Requests for reimbursement are filed on a monthly basis, not later than the last working day of each month. If, however, an employee's official business necessitates his or her absence from the City at month's end, he or she may file his or her reimbursement request immediately upon his or her return.

The City Manager, at his or her sole discretion, shall have the right to promulgate rules and regulations relating to the use of both City vehicles and employees' personal vehicles on City business. The City Manager may also designate those employees who are subject to said rules and regulations and may

determine which employees are authorized for personal use of city vehicles.

JOB SPECIFICATIONS AND DUTIES. All compensation and fringe benefits referred to in this Schedule shall be paid and granted upon the basis of each employee performing the duties described in the job specification for each position, as those specifications may be amended from time to time, and in accordance with applicable state and federal requirements. Should an employee be hired with exceptional or professional skills, compensation paid to the employee may be increased by authorization from the City Manager.

DEFERRED COMPENSATION. The City is hereby authorized to enter into deferred compensation plans for any of its management, office, and clerical personnel. As additional compensation to the City Manager, the City Council may approve the payment of deferred compensation annually to the Ohio Public Employees Deferred Compensation Program.

CONTRACT PERSONNEL AS OPPOSED TO CITY EMPLOYEES. The City Manager is authorized to fill any of the positions listed in this Personnel Schedule by contract, as opposed to using employees of this City. When this occurs, the term of that contract will apply, up to the maximum allowed by this Schedule.

EMPLOYEE ASSISTANCE PROGRAM. The City Manager may enter into an agreement with a private institution to provide support services to employees to include alcohol and drug rehabilitation, family counseling, retirement planning, etc. The cost of such services may be paid for by the City or the employee as determined by the City Manager.

SECTION 125 BENEFIT PROGRAM. The City Manager is hereby authorized to make available to all eligible employees a Section 125 Benefit Program commonly referred to as a Cafeteria Benefit Plan. The benefits provided under such a plan shall be determined by the City Manager upon consultation with City Council.

SICK LEAVE DONATION PROGRAM. The City Manager is hereby authorized to establish a sick leave donation program for full-time and permanent part-time employees. This program will be available to qualified employees, consistent with regulations adopted by the City Manager, and under those circumstances in which other available leave benefits have been exhausted.

HEALTH CARE, VISION AND DENTAL INSURANCE COVERAGE. All full-time city employees shall have access to health, dental and vision insurance:

- a. Health insurance coverage for inpatient and outpatient services, preventative services, physician/office services, hospice, home health care, diagnostic services, emergency and urgent care, mental health and substance abuse services, and prescription drug coverage. Such healthcare coverage may be provided through a High Deductible Health Plan with a Health Savings Account (HSA) or a Health Reimbursement Account (HRA) for employees who do not qualify for an HSA. The city may contribute to an employee's HSA and HRA an annual amount as determined by the City Manager
- b. Dental insurance.
- c. Vision care coverage to include an annual eye exam and partial payment for ophthalmic lenses, contact lenses and frames.

The City Manager is hereby authorized to adopt a policy requiring employees eligible for health and dental insurance to contribute towards a portion of the costs of the monthly premiums for said health and dental insurance coverage.

City Council members shall also be eligible to be covered by the city's health, vision, and dental programs provided, however, that participation shall be at the election of the City Council member who shall bear the full cost of the monthly premium.

PAYMENT IN LIEU OF HEALTH INSURANCE. Any employee eligible for health insurance benefits and who elects not to enroll in the city's health insurance plan and signs a form as required by the AFFORDABLE CARE ACT that he/she is covered under another health insurance plan, shall be entitled to compensation equal to 25% of the annual insurance premium which would have been paid by the city on behalf of the employee. In order to qualify, an employee must be eligible at the start of the benefit year and may not be enrolled in the city's health insurance plan during any portion

of the benefit year. Payment under this program shall be made at the conclusion of the benefit year.

LIFE INSURANCE. Except under medical or other exceptional circumstances which make the purchase of life insurance benefits impracticable, management personnel shall receive the following types of life insurance coverage.

- a. Forty thousand dollar (\$40,000) term life insurance for each person holding a management position, and
- b. Additional life insurance in the following amounts:

City Manager	\$200,000
Department Heads and Public Safety Captains	\$100,000
Assistant Finance Director, Leisure Services Program Supervisor, Horticulturist, Staff Engineer, Refuse Foreman, Streets Foreman, Foreman/Inspector/Engineering Technician, Water Plant Superintendent/ Water and Sewer Line Foreman, Income Tax Administrator, and Code Enforcement Officer	\$75,000

The reference to dollar amounts of life insurance coverage shall not preclude the purchase of additional life insurance and related products, including but not limited to annuity investments, to enhance the current life insurance program for management personnel. If an employee retires from city service and is immediately eligible to receive retirement benefits, the employee shall have the option to: 1) receive any cash values that may have accumulated on his or her behalf; 2) convert the benefits under the terms and conditions of the policy; or, 3) continue the existing benefits as his or her own policy.

Office personnel, and clerical and support personnel shall be provided with \$40,000 term life insurance for each person holding such a position.

Except as may be otherwise provided in an applicable collective bargaining agreement, all life insurance referred to in this Personnel Schedule shall be provided six months after the date of hiring, with the City Manager to have authority to direct that it be provided at an earlier date within those first six months through a written memorandum to the Personnel Officer and the Finance Director.

I hereby certify that this Amended Personnel Schedule is a true and correct compilation of the Personnel Schedule and all amendments thereto previously enacted by the Council for the city of Oakwood.



NORBERT S. KLOPSCH, CITY MANAGER

DATE: December 13, 2021

AN ORDINANCE

BY: VICE MAYOR BYINGTON NO. 4949

TO SET THE MAXIMUM COMPENSATION OF THE OAKWOOD MUNICIPAL COURT CLERK, DEPUTY CLERK OF COURTS, AND BAILIFF, AND TO DECLARE AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, OHIO:

SECTION I.

Ordinance No. 4899 adopted December 9, 2019 is hereby repealed.

SECTION II.

The maximum annual salary for the Clerk of the city of Oakwood Municipal Court shall be \$60,866.51. The top rate of pay for the Bailiff of the Oakwood Municipal Court shall be \$627.81 per month. In accordance with O.R.C. 1901.31 (C) (3), three-fifths of the annual compensation for these positions shall be paid from the treasury of this City and two-fifths from the treasury of Montgomery County.

SECTION III.

The top rate of pay for the Deputy Clerk of Courts shall be \$53,122.31.

SECTION IV.

The hourly rate for the part-time Probation Officer shall be \$24.86.

SECTION V.

The foregoing maximum annual salaries shall be effective with the pay period beginning December 20, 2021.

SECTION VI.

It is hereby declared that this ordinance is an emergency measure to take effect immediately on the basis that it is necessary to authorize such compensation as quickly as possible for the protection of morale among the court personnel and on the basis of preservation of the public peace, health, safety and welfare.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, the 13th day of December, 2021.



Mayor William D. Duncan

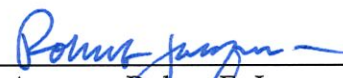
ATTEST:



Clerk of Council

TO THE CLERK:

Please publish the foregoing Ordinance in the summary form set forth below under the heading Legal Notice.



City Attorney Robert F. Jacques

LEGAL NOTICE

Ordinance No. 4949 of the Council of the City of Oakwood, Ohio was passed on the 13th day of December, 2021. Said ordinance was enacted to determine the compensation of the Municipal Court employees, and to declare an emergency.

By order of the Council of the City of Oakwood, Ohio.



Lori Stacel, Clerk of Council

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the city of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said city of Oakwood, and that said publication occurred on the following date:

December 22, 2021

Lori Stacel

Lori Stacel, Clerk of Council

ORDINANCE

BY: VICE MAYOR BYINGTON

NO. 4950

TO ESTABLISH AN AMENDMENT TO THE ORGANIZATION AND STAFFING SCHEDULE FOR THE PURPOSE OF CHANGING THE CLASSIFICATION OF PART-TIME RECEPTIONIST TO RECEPTIONIST/CLERK; CREATING THE CLASSIFICATIONS OF STAFF ENGINEER, WATER & SEWER TECHNICIAN, AND PART-TIME LABORER; AMENDING THE NUMBER OF AUTHORIZED POSITIONS FOR THE MAINTENANCE WORKER POSITION FROM FIVE TO FOUR; AMENDING THE NUMBER OF AUTHORIZED POSITIONS FOR THE PART-TIME CITY GROUNDS MAINTENANCE CLASSIFICATIONS; CLARIFYING TITLES FOR OTHER CLASSIFICATIONS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OAKWOOD, MONTGOMERY COUNTY, OHIO, THAT:

SECTION I.

This Council hereby ratifies, confirms and establishes an amendment dated the 13th day of December, 2021 to the Organization & Staffing Schedule, copies of which are being made a part of this ordinance as Exhibit A through the doctrine of incorporation by reference. This amendment shall supersede and replace any prior Organization & Staffing Schedule adopted by this Council. The purpose of this amendment is to change the classification of Part-Time Receptionist to Receptionist/Clerk; to create the classifications of Staff Engineer, Water & Sewer Technician, and Part-Time Laborer; to amend the number of authorized positions for the Maintenance Worker position and the Part-Time City Grounds Maintenance classifications; and to make miscellaneous clarifications to titles for other classifications.

SECTION II.

This Ordinance is hereby declared to be an emergency measure and as such shall take effect immediately on the basis that it is necessary to maintain morale and to promote efficiency, and on the basis of preservation of the public peace, health, safety and welfare.

PASSED BY COUNCIL OF THE CITY OF OAKWOOD, the 13th day of December , 2021.



Mayor William D. Duncan


ATTEST:



Clerk of Council

TO THE CLERK:

Please publish the foregoing Ordinance in the summary form set forth below under the heading Legal Notice.



City Attorney Robert F. Jacques

LEGAL NOTICE

On December 13, 2021, the Council of the City of Oakwood, Montgomery County, Ohio adopted Ordinance No. 4950 entitled, "AN ORDINANCE TO ESTABLISH AN AMENDMENT TO THE ORGANIZATION AND STAFFING SCHEDULE."

By order of the Council of the City of Oakwood, Ohio.

Lori Stael, Clerk of Council

CERTIFICATION OF PUBLICATION

I, Lori Stacel, Clerk of Council of the city of Oakwood, State of Ohio, hereby certify that the foregoing Ordinance was duly published in summary form in The Oakwood Register, a newspaper of general circulation in said city of Oakwood, and that said publication occurred on the following date:

December 22, 2021

Lori Stacel
Lori Stacel, Clerk of Council

nbc

nbc

**EXHIBIT A
AMENDED ORGANIZATION AND STAFFING SCHEDULE**

Number of Authorized
Positions for each
Classification

December 13, 2021

Title of Each Position

	<u>Council</u>
1	Mayor
4	Members of Council
	<u>Administrative Staff</u>
1	City Manager
1	Director of Personnel and Properties
1	City Manager's Administrative Assistant II*
1	City Manager's Administrative Assistant I
1	Receptionist/Clerk
	<u>Public Safety</u>
1	Public Safety Director
2	Captain
4	Lieutenant
22	Public Safety Officer
4	Dispatcher
2	Part-time Dispatcher
4	School Crossing Guard
1	Records/Administrative Clerk
	<u>Engineering & Public Works</u>
1	Director of Engineering and Public Works
1	Staff Engineer
1	Water Plant Superintendent/Water and Sewer Foreman
1	Refuse Foreman
1	Streets Foreman
1	Foreman/Inspector/Engineering Technician
4	Maintenance Worker
13	General Service Worker
1	Water Plant Technician
1	Water & Sewer Technician
2	Truck Driver I
2	Refuse Collection Driver III
1	Motor Equipment Mechanic II
1	Motor Equipment Mechanic I
1	Department Head Administrative Assistant
3	Part-Time Laborer
	<u>Public Finance/Income Tax</u>
1	Finance Director
1	Assistant Finance Director
1	Income Tax Administrator
2	Account Clerk II
1	Account Clerk I
1	Part-Time Account Clerk
	<u>Health Functions</u>
1	Health Commissioner
1	Assistant Health Commissioner
1	Environmental Health Director (Sanitarian)
1	Code Enforcement Officer
	<u>Municipal Court</u>
1	Judge
1	Clerk of Courts**
1	Deputy Clerk of Courts**
1	Bailiff**

	<u>Law Department</u>
1	Law Director
	<u>Leisure Services</u>
1	Leisure Services Director
2	Leisure Services Program Supervisor
1	Department Head Administrative Assistant
3	Part-Time Clerk Typist/Office Assistant I
1	Horticulturist
1	Custodian
1	Part-Time Athletic Field Maintenance/Groundskeeper
4	Part-Time City Grounds Maintenance

* Also serves as Clerk of Council

** May also serve as Probation Officer, as directed by Judge

The City Manager is hereby authorized to revise any of the above position titles, add new positions and to create the titles for them and to hire up to the maximum number of positions for each classification as authorized herein.

The City Manager is further authorized to transfer persons from one position to another, to combine one or more positions, and is authorized to fill temporary seasonal positions and to hire up through five (5) additional full-time or part-time employees as long as such new hirings do not exceed budgeted personnel costs approved by this Council.

Any position titles that have formerly been a part of the organization of the City of Oakwood but that are not set forth above in this Schedule are hereby deemed to have been abolished.

I hereby certify that this Organization and Staffing Schedule is a complete and correct presentation of the authorized employment positions in the City of Oakwood.

Norbert S. Klopsch, City Manager

APPROVED:

Mayor, City of Oakwood