

CITY OF STRUTHERS
Ordinance

NO. 21-027

AN ORDINANCE GRANTING AND ESTABLISHING THE SALARY FOR THE CODE ENFORCEMENT DIRECTOR, IN THE CITY OF STRUTHERS, OHIO, PROVIDING FOR VACATION, AND HOLIDAY PAY, RETROACTIVE TO JANUARY 1, 2021, REPEALING ORDINANCE NO. 20-019 AND ANY ORDINANCE INCONSISTENT HERewith AND DECLARING AN EMERGENCY.

WHEREAS, the City of Struthers, Ohio (the “City”) has ordinances and resolutions addressing the maintenance of residential and commercial property located within the City (the “Property Maintenance Ordinances”);

WHEREAS, the Mayor has recommended to this Council that the City create the position of Code Enforcement Director to more ably enforce, and accomplish the objectives of, the Property Maintenance Ordinances; and

WHEREAS, this Council has determined that the creation of the position of Code Enforcement Director is in the best interests of the City, that the same will not be detrimental to the general interest, and that the position of Code Enforcement Director should be created.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Struthers, Ohio, $\frac{3}{4}$'s of all members elected thereto concurring as follows:

SECTION 1: There is hereby created the position of Code Enforcement Director. The Code Enforcement Director shall be appointed by the Mayor and shall receive such compensation as from time to time established by resolution of this Council. The position of Code Enforcement Director shall be **full-time position 40 hours per week with a salary of \$31,824.00**. The Code Enforcement Director shall enforce any and all ordinances or resolutions of the City relating to the maintenance of residential and commercial property within the City unless the enforcement of said ordinances or resolutions is specifically delegated to the Safety Service Director, in which case the Safety Service Director may designate the enforcement of such ordinances or resolutions to the Code Enforcement Director. The Code Enforcement Director shall take steps to cause the correction of, and compliance with, any City ordinance or resolution under the Code Enforcement Director’s jurisdiction. These steps include, but are not limited to, site inspections, warnings, written directions to correct a violation, and/or filing, with the assistance of the City’s Director of Law, court actions to enforce any ordinance or resolution under the jurisdiction of the Code Enforcement Director. For purposes of making inspections, the Code Enforcement Director shall have the right to enter upon any property at reasonable times to make inspections to determine whether or not a violation of a City ordinance or resolution exists.

SECTION 2: All ordinances, or parts of ordinances, that are inconsistent with the provisions of this Ordinance are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

SECTION 3: The provisions of this Ordinance are severable. If any section, paragraph, sentence, or clause hereof shall be declared illegal, unconstitutional or invalid by any court of competent jurisdiction, such illegality, unconstitutionality or invalidity shall not affect the remaining portions of this Ordinance and it hereby is declared the intention and purpose of this Council that this Ordinance would have been enacted without such illegal, unconstitutional or invalid provision.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including § 121.22 of the Ohio Revised Code.

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SECTION 5: Council deems it necessary to classify all salaries payable as per pay schedule and vacations for non-elected employees, non-elected officers and appointees in the following categories, to wit:

1. **CODE ENFORCEMENT DIRECTOR**
2. **VACATION PROVISIONS**
3. **HOSPITALIZATION & INSURANCE**
4. **FUNERAL LEAVE**
5. **BIRTHDAY OFF**
6. **NEW HIRE LANGUAGE**
7. **EFFECTIVE DATE**
8. **REPEALING**

CODE ENFORCEMENT DIRECTOR: That beginning with the 1st day of January 2021 the annual salary of the Code Enforcement Director is hereby fixed as follows:

JANUARY 1, 2021.....\$31,824.00

SECTION 6: VACATION PROVISIONS

| <u>Years of Service</u> | <u>Annual Vacation</u> |
|---------------------------|------------------------|
| Less than one (1) year | None |
| One (1) to Four (4) | 80 hours (2 weeks) |
| Five (5) to Nine (9) | 120 hours (3 weeks) |
| Ten (10) to Fourteen (14) | 160 hours (4 weeks) |
| Fifteen (15) or more | 200 hours (5 weeks) |

Service in excess of fifteen (15) Years:

Employee with more than Fifteen (15) years of continuous full-time service with the City will receive an additional eight (8) hours of vacation leave annually. Thereafter, for each five (5) year period of service beyond the first fifteen (15) years, an employee shall receive an additional eight (8) hours of vacation leave annually. (i.e., Twenty (20) years or more - 208 hours; Twenty-five (25) years or more - 216 hours; Thirty (30) years or more – 224 hours; etc.)

SECTION 7: HOSPITALIZATION AND INSURANCE BENEFITS

The City of Struthers will provide major medical/health care/hospitalization and ancillary coverage(s) (i.e., dental, vision, etc.) for all employees eligible for such benefit. All full time employees and elected officials are eligible for benefits.

The insurance committee shall recommend a base insurance plan as prescribed by current union contracts that require it. The employer shall offer additional plans. The employer shall select appropriate carriers/providers and otherwise determine the method of provision, plan eligibility criteria, and coverage levels. The costs and/or terms and conditions of said insurance shall be at the discretion of the employer and may be subject to change. The participating employee may select either single, with spouse, with child, family or other coverage offered under the plan. The same plan/plans shall be offered to all eligible employees.

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Unless otherwise stated in employees union contracts, the employee will contribute twenty percent (20%) of the premium cost for medical/health care/hospitalization and ancillary coverage(s) (i.e., dental, vision, etc.). The premium contribution shall be deducted from the employees' payroll. At any time the employee does not receive a pay they are responsible for making the monthly payment.

All spouses of eligible employees shall be afforded the City of Struthers Health Insurance Plan provided that no other insurance is available to them by any other source, or which would cost them out-of-pocket premium expenses of more than thirty-five (35%) of the current City of Struthers' premium cost for the applicable coverage for either Medical, Dental, or Vision Care Insurance. Said insurance plan should be reasonable in comparison to the current city plan. In the event that either Medical, Dental, or Vision Care Insurance is available to the spouse at an out of pocket premium expense less than 35% of the current City of Struthers premium cost for applicable insurance coverage the spouse shall not be eligible for coverage under the city insurance plan. (Struthers City Ordinance No. 18-002)

SECTION 8: FUNERAL LEAVE

When death occurs in any of the above mentioned department employee's immediate family, the employee, upon request, will be excused for up to two (2) consecutive scheduled workdays. The employee shall receive pay for any such excused scheduled weekday, provided; it is established that he/she attended such funeral. An employee will not receive funeral pay when it duplicates pay received for time not worked for any other reason.

Immediate family is herein defined as spouse, child, mother, father, sister, brother, grandmother, grandfather, mother-in-law, or father-in-law.

SECTION 9: BIRTHDAY OFF

That all employees in the above mentioned departments shall have his/her birthday off with pay. This personal day off to be taken on any day of the year, upon the request of the employee and the ensuing approval of the Department Head, provided, that this day off will not result in the Department Head calling out another employee to work at overtime pay scale.

SECTION 10: NEW HIRE LANGUAGE

Should any full-time position become vacant; the salary for a new replacement employee will be set at 85% of the base salary the 1st year, and 100% of the base salary in the 2nd year with all increases to be effective on the hire date and any subsequent pay increases become effective on January 1st after the 2nd year. Unless vacancy is filled with an already existing full-time city employee in which the employee will receive 100% of the salary.

SECTION 11: EFFECTIVE DATE

This Ordinance is retroactive to January 1, 2021.

SECTION 12: REPEALING

That Ordinance No. 20-019 and any ordinance inconsistent herewith are hereby repealed.

SECTION 13: This ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health and safety of the inhabitants of the City of Struthers, Ohio. Said emergency exists by reason of the fact and full-time employees get paid retroactive to January 1, 2021, as such, this ordinance shall take effect upon its passage and approval by the Mayor.

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PASSED IN COUNCIL THIS 28th DAY OF April, 2021.

Megan R. Shorthouse
CLERK OF COUNCIL

Michael S. Patrick
PRESIDENT OF COUNCIL

FILED WITH THE MAYOR THIS 28th DAY OF April, 2021.

Megan R. Shorthouse
CLERK OF COUNCIL

APPROVED BY THE MAYOR THIS 28th DAY OF April, 2021.

Mayor Catherine Cercone Miller
MAYOR

PUBLISHED IN THE HOMETOWN JOURNAL

DATE: 05/06/2021-05/13/2021

Megan R. Shorthouse
CLERK OF COUNCIL

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