

REGULAR COUNCIL MEETING JANUARY 2, 2018

The first monthly meeting of Mansfield City Council met on Tuesday, January 2, 2018 at 7:30 PM in the Council Chambers of the City Building.

The Pledge of Allegiance was recited by the audience.

Councilwoman Garnetta Pender led the audience in prayer.

ROLL CALL: The following answered present at roll call: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock, Scott and Van Harlingen.

There being no objections, the reading of the Journal and Communications were dispensed with.

SUSPEND RULES

MRS. PENDER: I move with respect to all bills that come before Council tonight that the rule requiring reading on three different days be suspended and that each bill be read one time by title only, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0.

LEGISLATION

ADOPT PERSONNEL POSITIONS, PAY GRADES AND SALARIES

BY: MRS. PENDER

ORDINANCE 18-001

Adopting personnel positions, pay grades and salaries for certain employees of the City of Mansfield effective January 1, 2018, and declaring an emergency.

Upon motion by Mrs. Pender that Bill 17-241 be read and placed upon the floor for discussion, seconded by Mr. Jefferson. The bill was placed upon the floor for final passage, seconded by Mr. Jefferson. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

MR. VAN HARLINGEN: There's 2 pieces of legislation to start this out with. Mr. Remy wasn't here a couple weeks ago, due to unfortunate circumstances, there's 2 pieces of legislation that I feel are, by far, the most important pieces that this Council will pass during the course of the year. One is obviously the finances, are from the budget, and also, the other one is our personnel policy. Now, the policy, in past history, has always been upgraded once a year, basically to show the number of employees and the different

lines and their salaries and what have you. And I'm just a little concerned that maybe this year that, you know, maybe we went a little too far. Mr. Remy, I'm sure, would be glad to help explain this a little bit. But after we passed our temporary budget, we're looking at 8 people, which, this is not unusual, they've reached their cap and in the temporary budget, that 1.5%, they would have exceeded that cap that's already in policy. Once again, that's a people that I'm showing that Finance would have to adjust that and the personnel policy that I'm looking at today, I'm looking at roughly, approximately 68 line items where the salary increases range anywhere from .1% to making several at 4% and some of them even go up to 9% and maybe little higher. The reason I have a concern about this, and I know Mr. Remy's heard this story before, especially with me most likely, this is the one piece of legislation that this Council has the opportunity to look at during the year, the administration is telling us, ok, we're going to have 4 laborers here, we're going to have 2 administrative assistance here, and this is their caps. This is what they're going to be making. This is kind of a catch all. I'm a little leery. To me this looks like a blank check. I don't know how else to say it Mr. Remy, but Mr. Remy would you like to tell us what you're thinking here?

HR DIRECTOR REMY: I would be happy to. As you indicated, there was built into the budget, at least for the people under the Mayor's control, the non-bargaining individuals, a 1.5% pay raise for this year, 2018. And when we got ready to put together those pay raises and submit them to Finance, we went through that list and we came up with 7 or 8 people that were going to not be able to get that 1.5% because they were already capped out or they were near being capped out. The last time, and so I did a review of the basic personnel ordinance, comprehensive one, which was done in June of 2015. That was the last time that we did something like this. And I decided to look at everything across the board and in looking at the comprehensive ordinance, we had crooked numbers on some of our caps. And crooked numbers don't make sense to me. When I say crooked numbers, you can go to the first page of the ordinance and you can see that operations supervisors were making before, or currently making, at a low end \$35,000 and the top end \$62,212. Why would you have a cap at \$62,212? Why not round it up to an even number in the hundreds? Either \$62,500, \$63. So a lot of these numbers are going to reflect small changes, round ups to even numbers. I chose to change positions, across the board, to round numbers, also to not pick out those particular people that were not going to be able to get the 1.5% because, in some cases, it might be, as an example, and administrative assistance, we have 4 or 5 administrative assistants, only 1 of them might be affected by the cap right now, so, and I'm using that only as an example. These are positions and the Mayor has, currently, 57 non-bargaining people under his control. 55 of those are getting pay raises. 2 of them are not because they've either been moved from one position to another, a higher position, or they're new hires within the last 12 months. And the policy is, we don't give pay raises in that scenario. So there's 55 people subject to this 1.5% pay raise and in looking at, they're all but 7 of those people are getting 1.5%. That's all they're getting and none of them are close to these caps, I'm just using this, as you explained, annually we attempt to, and the purpose is to upgrade, revise on a comprehensive level, the pay grades and the pay scales and the jobs. We made some adjustments, you're right, we made some adjustments to serve positions, to bring them in line with positions of like importance. Nobody is going to get

capped out here, I mean get these numbers. I'll tell you that right now, and I'm going to get, this is just a method and a time to clean up. I will be presenting to Council, probably in February or March, an upgrade on non-bargaining personnel benefits. We need to do that. It hasn't been done in 3 years. It needs to be upgraded. Since we passed the ordinance, the pay scale and position ordinance in 2015, there've been 12 amendments to it. It's time to clean it up, and so what this is, is a clean up. Nobody, I shouldn't say nobody. Out of the 55 people that are going to get pay raises, 47 of them are going to get 1.5% pay raises, the others are going to get 3% adjustments and that's because of taking on additional duties, but nobody's getting more than a 3% pay raise under the Mayor and a vast majority of them, 95% of them are getting 1.5% and are not going to be affected by this ordinance. This ordinance is just an attempt to clean up and start to round numbers out and make the pay scales, at the short end and the low end and on the high end, even numbers instead of odd numbers. It's like watching on tv, or watching gas prices. You buy something for \$19.99, you're paying \$20 for it. Why not just put \$20. When you go to the gas pump and pay \$2.34 for gas, you're not paying \$2.34, you're pay \$2.35 but it's rounded up to \$2.349. That's all this ordinance is, an attempt to round up, to the nearest hundreds, and in some cases, a little more than that, and an example again, if you look under the airport, once I rounded up operations supervisor from \$62,212 to \$63,000 that made the manager of the airport at 63. Manager at the airport is a higher position than operations supervisor, so I rounded that top end on that one up to 65. I'm telling you right now, we don't have a manager close to 65 in any of our divisions. And the purpose too, is to make all positions the same as far as pay scale goes, bottom and the top end. Managers, Operations Supervisors, Foremen, Supervisors, Administrative Assistants. There have been a few, I'll admit, on some of the job descriptions and job titles, but it's not going to affect the pay. I know this looks like, this is not a smoke screen, smoke and screen, mirror. But I'll try to smoke, great at smoke and mirror scenario. This is just a very simple method of rounding numbers up. Bringing some of the bottoms up. I'll be honest, we don't hire anybody at the bottom level on this ordinance because it would be an embarrassment to do that and you wouldn't get anybody to come in at that bottom rate anyway. Hopefully that explains it, like I said, it's not a smoke in mirrors piece of legislation. I looks comprehensive, it is comprehensive, but it's a way to start cleaning up, moving forward.

MR. VAN HARLINGEN: Well, using that example you just mentioned here a few minutes ago, the Airport manager, it's a nice even 63-65, 3.1% and then I'm sitting here and I'm looking at your Confidential Secretary at the Airport, that raise is almost 5%, 4.9%.

HR DIRECTOR REMY: It's a raise in the cap, but nobody's going to get that.

MR. VAN HARLINGEN: Well, yeah.

HR DIRECTOR REMY: I'm standing here saying, nobody's going to get that, nobody's close to that. I shouldn't say that. There might be one individual that's close to it in a Confidential Secretary scenario. Keep in mind, we have one Confidential Secretary that's been with the city 40+ years.

MR. VAN HARLINGEN: I understand.

HR DIRECTOR REMY: And so there may have been, the cause there to raise that to 48 would have been because of that individual and I'm going to raise them across the board. I'm not going to raise the Confidential Secretary in one division and not raise it in another. That's not the way things are done. Because it's based on position. It's not based on the individual, it's based on the position.

MR. VAN HARLINGEN: Right. Right. I know the personnel policy, for years Director, has always been a basis of concern because once Council would pass this, that's it. We have no say in it. And as for budgeting and whatever the Administration wants to do, it's up to the Administration. We're out of it. So, I'm not saying this is happening today, by no means, but I've seen in the past where there were favorites.

HR DIRECTOR REMY: I appreciate your concern...

MR. VAN HARLINGEN: Games being played with certain individuals.

HR DIRECTOR REMY: I appreciate your concern. I'm telling you, it's part of the administration, that no one, I shouldn't say no one, out of the 55 people that it covered, 45-46 of them are getting 1.5%. The remainder are getting 3%. And that's what its going to be because that's what's been budgeted for them. It's all within budget and nobody's going to get capped out. You have to take my word for that, I understand that. That's why I say this is not a smoke in mirrors scenario. We're not trying to pull something, we're not trying to push something under the carpet, under the rug. I don't think anybody in this Administration, hopefully there's no belief that anybody in the Mayor's administration would do that.

MR. VAN HARLINGEN: Well, the thing that always brings up questions is when we start changing titles and every now and then that happens.

HR DIRECTOR REMY: I will admit, we did that in this case, and I did it within my own department, ok, because, in reality, in today's world, my support individual, across the board is known as Human Resource Specialist. They're not personnel coordinators, they're not benefit coordinators, they're Human Resource Specialist, and I don't have the luxury of having a benefits coordinator and a personnel coordinator, I've got one person that does both, so let's just clean up the title, I'm telling you, she's not anywhere close to the cap that's been put in there, but I'm trying to move it over into an area that is similar in nature to some other positions in the city, salary wise.

MR. VAN HARLINGEN: That individual's not even on the list for the payroll for needing to raise the caps.

HR DIRECTOR REMY: I understand. I just took the opportunity, now, to do that, but I'm telling you, standing here, that that person isn't anywhere near that cap or is going to be there. And if there'd been adjustments made, I do understand there's been some 4%

adjustments, there might have been 5 or 6% adjustments in the caps, that's also to make it easier in 2019 or as 2019 approaches, to not have to go through this thing and massively change it again. I would like to get back to doing this every January or February cuz of other things that have happened, that hasn't been done. It should be cleaned up every 12-18 months.

MR. VAN HARLINGEN: I say every 12 months.

HR DIRECTOR REMY: Ideally, every 12 months, but sometimes things don't allow that, but 12, maximum 18 months. Same way with the benefits. The benefits ordinance, which needs a massive upgrade. Which I will bring to you in February or March.

MR VAN HARLINGEN: I'm looking at your lists here, I'm kinda surprised you just don't call that individual, since the pay scale is the same, an Administrative Assistant.

HR DIRECTOR REMY: I understand that. That's where I'm moving. I'll admit that. I'm moving that person into that same pay scale as an Administrative Assistant, but it's a Human Resource Specialist. There is a difference between an Administrative Assistant and a Human Resource Specialist and I hate to pick on one individual but I do know that was one name change I did clean up.

MR. MEARS: I understand your logic in trying to round these up to even numbers. Why do you mention though, the Human Resource Specialist has a 9% cap but even more, in the first page, the Certified Building Supervisor I went from 50,400 to 56,500 which is a 12.1% increase.

HR DIRECTOR REMY: I'm sorry Mr. Mears, where are you?

MR. MEARS: At the bottom of the first page, second from the bottom 56,500 Supervisor I. Went from \$50,400 to \$56,500.

HR DIRECTOR REMY: What happened there, and I'll admit that, and Mr. Van Harlingen and I, in our previous discussions about this, there were some, you'll see, where there were market increases and then in some cases, there were reductions, it's because when I went back and looked at the 2015 ordinance, there were typos in them. I'll admit that. There were mistakes made and Supervisor, if you look at Supervisor across the board, the pay range for Supervisor, city-wide, right now is \$28,755 to \$55,913. It was typo, so I'm trying to make them all, and you'll see one in there that was reduced by 3 or \$4,000, it's because it was a typo. Unadulterated typo on my part. That's why I need a proofreader.

MR. FALQUETTE: Mr. Remy, I understand where you're going, my question had to do with, are we basing these numbers on the City of Mansfield? Has there been any comparison to these positions in other cities? Are we just doing, this is working for Mansfield?

HR DIRECTOR REMY: We're doing it, basically from working on Mansfield. I'm going to say we're on, probably, the middle to the lower half, 40-50% range, halfway, cuz it's really hard to compare Mansfield to other cities of comparable demographics. When you get into that, the cities that are usually compared, at least in labor negotiations, are going to be Newark, Lima, Marion, because we're almost identical in demographics, not size anymore, demographics. You can't compare us to the Dublins and the Ketterings or any of the suburbs of Cleveland because the pay ranges there are way out of line. We're competitive, we're mid range. That's the best answer I can give you right now.

MR. JEFFERSON: Yes, Mr. Van Harlingen, I'm trying to figure, where we going with this? I mean, did you think that somebody's getting the edge somewhere, or...I understand what was said about how he was trying to clean that up and by cleaning that up, that gave a certain pay range. I guess what I want to say is, now that they have a higher cap at the end, that at any time they could go to that?

MR. VAN HARLINGEN: Oh yeah. Once we pass this personnel policy, the administration can make that with a letter to the Finance Dept.

MR. JEFFERSON: Ok.

MR. VAN HARLINGEN: A prime example now, let's stick to the Enterprise Fund, sewer and water. We got Foremans down here, they're capping at 4.17%. By passing this personnel policy, they could give them that raise tomorrow. Even though that money's not in the budget.

MR. JEFFERSON: Is that true Mr. Remy?

HR DIRECTOR REMY: That possibility is true but I've also indicated that based on discussions that we've had and the past history of the Mayor and his administration, that will not happen. Anything's possible because you got a cap. I will say this, are there people that maybe need to be adjusted? Sure. More than 1.5 or 3%? Absolutely if you look across the board. But is that going to happen? I think I can stand here and say no it's not. (Someone asked why not). Because that's the stance that's been taken by the Administration. The Mayor and his administration.

MR. JEFFERSON: They're just going to get that 1.5% raise.

HR DIRECTOR REMY: There are a handful of people that are getting 3%.

MR. JEFFERSON: And that's pretty much because they took on more responsibility, i.e. job title change.

HR DIRECTOR REMY: That's been basically the Mayor's guideline. If you take on more responsibilities, can justify more than what everybody else is getting, within reason.

MR. LAWRENCE: I wasn't understanding your statement, are you saying that there are some people that, because they have more responsibility, they should be paid more, but will not be? Is that what you're saying?

HR DIRECTOR REMY: I would say that, yes. But they're not going to.

MR. VAN HARLINGEN: I just, for what it's worth...

HR DIRECTOR REMY: That's a personal thing.

MR. LAWRENCE: I just wanted to clarify those statements.

MR VAN HARLIGEN: Just for what it's worth, Director, it kind of saddens me that there's a lot of our employees are under contracts and they're getting guaranteed percentage raises and some of those that are privileged, you know, everybody's trying to watch the budget, and I mentioned this here some time ago, and I really do feel bad for them. It's a catch 22, but when you say, when you make the comment that the, that they're taking on more responsibilities, I understand that. If we go back, to 2008, we had 595 employees in the city of Mansfield. As of 2016, we got 451. We dropped 140 employees. Everybody's working harder today than back then. Everybody. It's not a select few, and that's where my problem is, I want to try, and I'm not in position of authority of the administration or the HR Director or nothing else. I want to try and be as fair to as many of our employees as I possibly can with a vote and that's all I can do is vote and question what we're voting on.

HR DIRECTOR REMY: Absolutely. And I appreciate that and I understand that. Having worked with unions and contracts and worked with you on contracts. There are situations where there are contract control people, collective bargaining people, that faired better than non-bargaining. That's just the nature of the game right now. It has been the nature of the game.

MR. VAN HARLINGEN: And especially since we've just come out of fiscal emergency.

HR DIRECTOR REMY: They're super cautious and conservatism on non-bargaining. Have we taken on more? Absolutely. Example is HR. When I came to the city, there was 6 people in HR and it's whittled its way down to 2.

MR. JEFFERSON: When did you come to the city?

HR DIRECTOR REMY: 93.

MR. JEFFERSON: Did they have computers then? (laughter). That's my whole point here. Now you hit that computer or get that program in there and boom it's done.

HR DIRECTOR REMY: I understand that but there's still, to some extent that's true but to a lot of extent, it's not. I'm just giving that as an example, alright? At one point there were 5 support people and a Director. It's down to one person and a Director and 451 people.

MR. JEFFERSON: I don't know that much about computers but you got all these Windows 6 and 7 and 10 and whatever (laughter) and I know it's different from 93, you did a lot of work by hand now and they don't do that anymore and you buy programs and hit a couple buttons so, I'm not getting on you Mr. Remy, I'm just trying to put a point out there. Sometimes people say they're doing more work, and they may be doing more work, i.e., but it's not like a physical thing, you know, they have to hit 2 more buttons today than they did yesterday (laughter) but they want a 5% raise, I, personally, have a problem with that.

HR DIRECTOR REMY: I understand that because I've argued that same argument in arbitration where there's been arguments about pay raises, the idea is there's more work out there yes, but because of computerization, there really isn't that much, it seeded things up.

MR JEFFERSON: I wish we could get back to COLA. If the cost of living went up, you got the raise. If the cost of living didn't go up, you didn't get the raise. Anyway, that's all I wanted to say, let's get out of here.

MR BRYANT: Can I identify the Finance Chariman's primary concern with this, if you don't mind?

MR. VAN HARLINGEN: Just a very general rough preliminary numbers. If all these raises went into effect, and if all these people were in place, it would, basically, the water and sewer funds, it would raise, only wages. It has nothing to do with retirements and all that other stuff. \$22,616. Very, very preliminary numbers. I don't know that all these positions are filled, that's why I like a clean personnel policy. When you get into the General Fund, with these raises, it would raise it \$78,782. Once again, that does not include retirements and all the other little benefits that we have to pay on top of wages. Personnel policy, in the past, you had a cap and you had a number of people. At the beginning of the year, along with the budget, that was set. Everybody on Council knew how many people we had, positions, if we were filling positions, it would come back and do the personnel policy, if people were getting raises above and beyond the personnel policy, they had to come back to council. Now we're looking at several here over 4% in raises. Council's done. When we pass this, we're done. Checks and balances.

MR. JEFFERSON: Yeah, I get it, but it's pretty much promising the public that they're only going to get the 1.5% but I understand your concern that, with that cap raise, we could, do a letter or whatever and give that person 4.5%. So it'd be up to you and Finance Director to make sure that doesn't happen or at least let us know if that happens.

MAYOR THEAKER: Then we'd be over budget. Right now we'd be over budget. You control the purse strings and like what Director Remy said, I've committed to 1.5%, not that other individuals have, but I have committed to 1.5% (inaudible). And that is what Director Remy and I promise and it will not change this year, it will not change.

MR. VAN HARLINGEN: And I am not accusing you of anything, it's just checks and balances, it's like our budget. This is the personnel budget. I am not making any insinuations in any fashion or any form, but I do personally know situations where that has happened in the past. It's easy.

MAYOR THEAKER: Exactly. I have seen it also.

HONOR BRET SNAVELY UPON HIS RETIREMENT FROM THE POLICE DEPT

BY: ALL MEMBERS OF COUNCIL

ORDINANCE 18-002

Honoring Captain Bret M. Snavely upon his retirement from the Mansfield Division of Police.

Upon motion by Mr. Bryant that Bill 18-001 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

CLAIM – ROBERT & LOU ARDIS, 118 ROWLAND AVE

BY: MR. MEARS

ORDINANCE 18-003

Authorizing payment of the claim of Robert and Lou Ardis of Sidra Enterprises Inc., 118 Rowland Avenue Mansfield, Ohio 44903 and declaring an emergency.

Upon motion by Mr. Mears that Bill 18-002 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

CLAIM – JAMIE WOOD SCHAECHERER, 13129 TOUBY RD

BY: MR. MEARS

ORDINANCE 18-004

Authorizing payment of the claim of Jamie Wood Schacherer, 13129 Touby Road, Mansfield, Ohio 44903 and declaring an emergency.

Upon motion by Mr. Mears that Bill 18-003 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

CLAIM – SEKINA BEASLEY, 146 SYCAMORE ST

BY: MR. MEARS

ORDINANCE 18-005

Authorizing payment of the claim of Sekina Beasley of 146 Sycamore Street, Mansfield, Ohio 44903 and declaring an emergency.

Upon motion by Mr. Mears that Bill 18-004 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

REVISING THE CODIFIED ORDINANCES BY ADOPTING REPLACEMENT PAGES

BY: MR. LAWRENCE

ORDINANCE 18-006

Revising the Codified Ordinances of the City of Mansfield by adopting current replacement pages, and declaring an emergency.

Upon motion by Mr. Lawrence that Bill 18-005 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

THEN & NOW – RICHLAND COUNTY COMMISSIONERS

BY: MR. VAN HARLINGEN

ORDINANCE 18-007

Authorizing payments to Richland County Commissioners in the amount of Nineteen Thousand Two Hundred Thirteen and 38/100 Dollars (\$19,213.38) by affirming a Then and Now Certificate of the Finance Director, and declaring an emergency.

Upon motion by Mr. Van Harlingen that Bill 18-006 be read and placed upon the floor for discussion, seconded by Mr. Rock. The bill was placed upon the floor for final passage, seconded by Mr. Rock. The vote was taken and resulted as follows: Ayes: 8, Nays: 0. Ayes: Bryant, Falquette, Jefferson, Lawrence, Mears, Pender, Rock and Van Harlingen.

The bill was declared passed, signed by the President, approved by the Mayor and attested by the Clerk.

AFTER LEGISLATION:

MR. JEFFERSON: Real quick, I just want the public and this Council to know I wasn't picking on non-bargaining people because the union as well, I think when I was younger I used to see them tearing up the streets with pics and spud bars and things like that. Now they got hole diggers and jack hammers and everything else, so, just technology. Thank you.

ADJOURN: Upon motion by Mr. Falquette, seconded by Mr. Jefferson, and passed by voice vote, the meeting was adjourned.

Amy Yockey
Clerk of Council

Phillip Scott
President of Council