

**FINANCE COMMITTEE MEETING MINUTES**  
**MONDAY, NOVEMBER 29<sup>TH</sup>, 2021** beginning at 7:45 P.M.

**FINANCE PRESENT:** Chair Stewart, Tollett, Jessie, Davis Absent: Baird

**CD PRESENT:** Chair Callahan, Mitchell, Cerra, Oswald, Jessie

**OTHERS PRESENT:** Law Dir Deery, Safety Service Dir Brubaker, Mayor Whitfield, Finance Dir Pileski, Asst Finance Dir Farrell, Asst Dir Williams, Asst Dir Calvert, Community Development Dir Scott, Water Superintendent Jacob, Police Captain Hammonds

*Chair Stewart said he was notified by Mr. Baird that Mr. Baird will not be in attendance for this evening's Finance Committee Meeting.*

**1. Approval of the Regular Finance Meeting Minutes ~ NOVEMBER 8<sup>TH</sup>, 2021.  
Mr. Tollett and seconded by Mrs. Davis to approve the 'said' Meeting Minutes.**

**2. The matter of allowing the Mayor to accept a grant in the amount of \$216,000 for the Water Pumping Plant Study.**

**Referred By: Water Superintendent Jacob**

***[This matter was approved by Utilities, Safety & Environment Committee on Nov. 17<sup>th</sup>].***

Supt Jacob began by saying his office applied for grants from the EPA and now they need to accept the grant which they were awarded in the amount of \$216,000 for a study that is currently going on at the water pumping plant. The City's share is \$26,000 and that study is to upgrade the water plant to 30 million gallons a day and to upgrade some components that date back 50 to 60 years to bring it up to date.

Chair Stewart asked what fund the \$26,000 will be coming out of?

Supt Jacob said the PO is already in for the full amount because they didn't know if they were going to get the grant. One of the reasons that were awarded the grant is they were already shovel ready for the project. They had everything already before they applied.

Finance Dir said those funds will come out of the Water Fund, Water Pumping Dept.

**Mr. Tollett moved and Mrs. Davis seconded to recommend an ordinance to accept the 'said' grant for the Water Plant Study.**

**MOTION MADE COMMITTEE REPORT WRITTEN**

**3. The matter of the purchase of redundant hardware through State Purchasing for use at the Water Pumping Plant.**

**Referred By: Water Superintendent Jacob**

***[This matter was approved by Utilities, Safety & Environment Committee on Nov. 17<sup>th</sup>].***

Supt. Jacob said his department has been in correspondence with IT Dir Rothgery regarding hardware that was taken from City Hall to be used at the Water Plant about 10 years ago. As everyone knows the Water Plant is in Lorain and they have their own system and there's redundancy here at City Hall. The system runs the whole plant and the pump stations and water towers on a computer scada system. IT Dept. believes it could fail in the future because it's so old. So the department put in a referral to purchase the equipment for \$56,084.30 and software for \$11,834.00. To be purchased from Dell Corporation under State Purchasing and will be paid for out of water funds.

**Mr. Tollett moved and Mrs. Davis seconded to recommend an ordinance to purchase the 'said' hardware for the Water Pumping Plant.**

**MOTION MADE COMMITTEE REPORT WRITTEN**

#### **4. The matter of a change to the Salary Ordinance for Police Auxiliary Officers.**

**REFERRED BY: HR Director Yousefi**

***[This Matter was Tabled by the Committee]***

HR Dir Yousefi said they are looking to add the part-time Police Auxiliary position to the Salary Ordinance at \$15 per hour. This will be a new program that the City is putting together and Asst Dir Williams is here to explain the program.

Chair Stewart asked if other communities are using this program and if they've been in contact with the Police Unions and have they had discussions on this? Are we ready to move forward with this program?

Dir Yousefi said they are looking to start it in the first of the year.

Dir Williams said they've been in extension conversations with Chief Whitely and Captain Hammonds and Pelko and others that are involved with this program. They've looked at a number of communities. Elyria currently has auxiliary and this is an effort to increase the number of auxiliary. They are not all available at all times because they all have jobs and the auxiliary job is a part-time job for most. So when they are needed and there is no compensation, it creates a challenge to utilize them and even to recruit them. With the discussions with law enforcement, they thought by adding a compensation would be an effective tool to increase the availability and to recruit. They are looking at 3-tier piece; compensation of \$15 per hour, the volunteer component will continue and then they are looking at 1099 where an organization who's doing an event and need to utilize auxiliary, the organization would be charged a certain fee. So these discussions are on-going and to make sure it doesn't infringe on any issues with the unions. The next step is taking an approach where we're looking at representation from those unions and officers from the force, leadership from the police and really refining it. We could customize it. We've had full cooperation and transparency in this process.

Chair Stewart asked if they should have all in place before they move on this?

Dir Williams said they have enough in place now, we currently have auxiliary officers. They are hoping to be ready to roll this out in January. Though it will take some refinement. It's more of enhancing the current policy.

Chair Stewart asked Dir Deery to weigh in because he wants to make sure that there is an understanding of what's being asked by the committee.

Dir Deery asked if the City is still trying to sort out whether this will be a 1099 position or will it be a part-time employee of the City of Elyria which will incur PERS and will some officers continue volunteering?

Dir Williams apologized for the confusion. He said they've been working with legal counsel on making sure that these constructs can exist simultaneously. But it will still include volunteering and it would include a part-time salary. They have to be sure that one isn't conditional upon the other. It can't be that someone will have to do so many volunteer hours in order to get paid, so there is language being drafted around that so that they are in good standing on that part of it. They need to make sure this doesn't compromise any of the current union contracts.

Dir Deery said, until those things get sorted, this should be tabled until that time?

Dir Williams said that if it's the pleasure of the committee this matter can be tabled. There is no urgency for this matter to be passed. They could take a little more time so they can provide more details and answers.\_

Chair Stewart agreed that would be more prudent, to table it at this time, that way they are covering everything.

Mrs. Davis asked what they are earning now and then going up to \$15?

Dir Williams said they currently make zero dollars, they are all volunteers.

Mrs. Davis asked how many are they going to start paying?

Dir Williams said that is one of the challenges right now. They currently have 6 current auxiliary officers and they are often unavailable.

Mrs. Davis asked if there is an opportunity for these auxiliary officers to move to the force?

Dir Williams said this is a great opportunity to recruit individuals and to identify those individuals who have the potential and capacity.

Dir Brubaker said that one of their current officers actually started as an auxiliary officer and was hired as a full-time officer. Mr. Brubaker went on to say that when there's accidents, trees down and other issues like that, and we're using patrol officers to block traffic and streets and then officers are pulled off of patrol to do that, where as if we had additional auxiliary officers available and to be compensated, then we could use them in those kind of situations.

Captain Hammonds said the they are looking at auxiliary programs in different cities to see what they're doing. Is there a way Elyria can do a better job at recruiting individuals for this program. A lot of programs fit an individual who wants to become an officer and it's a way to get them started by volunteering and provide a service to the City for free and get those hours and get experience and find out if this is a good fit for them. The other group are individuals who maybe have already passed the age to join the department but want to volunteer to help the community. Those volunteers are invaluable, they come in, they take their position seriously and they want to help. The problem is, if we want to expand the program, we have to find a way to find those officers. Maybe start them off as volunteering and maybe there's a certain point where they get paid by an organization, outside of the contract, like if an officer doesn't want to work that particular job, it can be offered to an auxiliary officer. Capt. Hammonds feels this is the beginning of this and they need to continue to do some research. They need to make sure they don't violate any union contracts.

Just an FYI the City of Lorain has 34 auxiliary officers.

Capt. Hammonds feels there needs to be more research on this.

Chair Stewart agrees and said this is a great starting point. So the matter is being placed in 'Pending Items'. Captain Hammonds said that he doesn't feel they will be ready to come back to committee on December 13<sup>th</sup>. Capt. Hammonds said they need to put some committees together and get the EPPA involved to make sure they're not violating anything. Some cities have ordinance in place for this. He wants to make sure that they're not missing something.

## **5. The matter of updating changes to the Negotiated Bargaining Unit Contract between the FOP and the City.**

### **Referred By: HR Director Yousefi**

HR Dir Yousefi said they had gone through negotiations with the FOP and have come to an agreement on the bargaining union contract so that it can go into effect as soon as possible.

1. Addition of language to include 'Juneteenth' as a holiday. (Pg 16)

This will be added as a personal day and put in their personal day bank.

2. Clean-up language in 'personnel file article'. (Pg 36)

This is language stating that personnel files are not to be removed from the HR Dept.

It also takes out the caveat that 'if a personnel file is subject to a public records request, the officer has to be notified, and the requester can look at the redacted files and a written request will not be needed.

Dir Deery said that based on State Law public records need to be released promptly and there have been some issues where an employee had been on vacation and it's concerning that it goes against the public records law to be delaying sending them out for say a week or ten days when something's been requested and they haven't been reviewed.

3. Agreement to the number of contracts the city will provide. (Pg 35)

This is an as to the number of contracts the City will provide. They can provide the Union with a PDF copy, which will be available on line and with five hard copies of the unit. This is in place of printing the agreements for every single FOP member.

4. Updated list of clothing provided by the City. (Pg 16)

5. Union dues to be collected via ACH payments. (Pg 5)

6. Clean-up language for 'sick-leave'. (Pg 22)

taking out the section that talks about number of days that are used and if they're out on sick leave and how it gets paid out when someone quits or retires. 21.12 is for sick-leave sell-back which is a new program that they have in other contracts where employees can sell back their sick-time at the end of every year to be paid out in the following year and it will actually reduce the city's burden of a terminal benefit at that point because we'll subtract the amount of hours that are paid out throughout the officer's career from the terminal benefit amount.

7. Overtime rate calculation change. (Pg 10)

This is a clarification that needed to be made to include for hours actually worked and over time rates to include the longevity entitlement.

8. Clean-up language for 'injury on duty' article. (Pg 23-24)

Bureau of Workers Comp now has different names for different forms and to reflect as to how cases are handled during a compensation claim.

9. 2.5% pay increase for each year of the 3-year contract. (Pg 13)

10. Increase of .25% for rank differential. (Pg 13)

The rate differentials are based on what an EPPA officer makes and then it's a percentage above that for the Sargent pay, then a percentage above a Sargent's pay for the Lieutenant pay and a percentage above the Lieutenant pay for the Captain. Each has been raised by 2.5% which is more in line with what other communities are doing.

11. Reduction in overtime hours paid for call-ins if same is negotiated with EPPA. (Pg 11)

They are looking to taking the callback overtime pay from 4 hours to 3 hours.

12. \$500 Sign-on bonus. (Pg. 13)

Chair Stewart said that he just received a hand out from Finance Dir Farrell with the step increases for the 3-year period and the rate differentials.

Finance Dir Farrell said the step-increases if for the 2.5% increase per year for 3 years. Mr. Farrell said the EPPA is still under negotiation. The current rate for the FOP officers would increase by the 2.5%. If the EPPA would happen to settle for anything more than a 2.5 percent, then the differential would kick in. So these numbers are subject to change.

Mrs. Davis asked where we stand on these increases?

Finance Dir said for three years at 2.5 percent, it would be \$216, 482 over the 3 years. It's \$70,386 for the first year, \$72,146 the second year and \$73,950 the third year.

Dir Brubaker said they are talking about 21 employees in the FOP. The quarter percent differential is only the first year. They will not get a quarter percent wage differential in year two or year three of the contract. When the EPPA ends up getting what they negotiate, there will be a slight adjustments on the quarter percent as far as what those dollars look like. They won't get five percent, it will be two and a half across the board.

Fin Dir Farrell said the effective date of the contract is actually August 23<sup>rd</sup>, 2021, which is the payroll date, but the contract takes effect September 1<sup>st</sup>, 2021.

Dir Brubaker said that the FOP has ratified this so this needs to pass as an emergency.

**Mrs. Davis moved and Mr. Tollett seconded to recommend an ordinance to authorize the 'said' changes to the FOP Contract.**

**MOTION MADE COMMITTEE REPORT WRITTEN**

**6. The matter of creating a new Capital Projects Fund entitled 'The Lowell Street Resurfacing Fund'.**

**Referred By: Finance Director Pileski**

Finance Dir Pileski said is an ongoing project which is a State issued project. So the Finance office has to set up a fund to record the payments made directly by the Ohio Public Works Commission so it goes on the books as a revenue and expense, but there is actually no cash involved. The City's share is coming out of the Muni Motor Vehicle Tax Fund, so it's about 89 percent grant and 11 percent City share.

**Mr. Tollett moved and Mrs. Davis seconded to recommend an ordinance to create the 'said' Capital Project fund.**

**MOTION MADE COMMITTEE REPORT WRITTEN**

**7. The matter of amendments to the 2021 Permanent Appropriations Ordinance (Standing Referral)**

**Referred By: Finance Director's Pileski and Farrell**

Finance Dir Farrell said they have 4 this evening.

1. Police Levy - Operating & Maintenance - increase of \$27,995
2. Block Grant - Public Service - Operating & Maintenance - increase of \$88,000
3. Block Grant - Rehab/Operations - Salary & Wages - increase of \$25,000  
Rehab/Operations - Benefits & Pension - increase of \$3,000  
Administration - Salary & Wages - increase of \$2,000  
Administration - Benefits & Pension - increase of \$3,000  
Code Enforcement - Salary & Wages - decrease of \$27,000  
Code Enforcement - Benefits & Wages - decrease of \$6,000

Cleaning up CARES ACT:

4. Local Coronavirus Relief - Covid19 - Muni Court - decrease of \$1,004.00  
Local Coronavirus Relief - Covid19 - Miscellaneous - increase of \$1,310

**Mrs. Davis moved and Mr. Tollett seconded to recommend an ordinance to authorize the 'said' appropriation changes.**

**MOTION MADE COMMITTEE REPORT WRITTEN**

**Mr. Tollett moved and second by Mrs. Davis to adjourn this evening's Finance Meeting**

**at 8:30 P.M. MOTION CARRIED**

*Respectfully submitted by, Colleen Rosado, Council Clerk Secretary*

*(Committee Meeting was attended by Secretary Rosado ~ Meeting Minutes were transcribed by Secretary Rosado)*