

Village of Bellaire

ADMINISTRATION AND PERSONNEL COMMITTEE

David Schulz, Chairman

Dan Bennett

Bryan Hardy

COMMITTEE MEETING MINUTES

December 11, 2018

6:00 p.m.

1. **Call to Order:** Chairman Schulz called the meeting to order at 6:00 p.m.
2. **Attendance**
 - Members Present:** Chairman Schulz, Trustee Bennett, and Trustee Hardy
 - Members Absent:** None
 - Staff Present:** Cathy Odom, Treasurer, Bradley Keiser, DPW Supervisor and Bill Drollinger, Police Chief
 - Others Present:** None
3. **Approval of Agenda:** The agenda was approved as presented.
Motion by Trustee Bennett, seconded by Trustee Hardy, to approve the agenda as presented. Motion carried by voice vote.
4. **Approval of Minutes:** The Administration Committee minutes of the October 15, 2018 meeting were approved as presented.
Motion by Trustee Hardy, seconded by Trustee Bennett, to approve the minutes of the October 15, 2018 meeting as presented. Motion carried by voice vote.
5. **Public Comment on Agenda Items:** None presented.
6. **Old Business**
 - a) **Hiring Policy:** The committee reviewed the proposed policy by page. Changes to the Hiring Process provisions were discussed and proposed language addressing interviews and pre-employment drug testing was modified. There was discussion about the approval of the recreational use of marijuana and drug testing. Other village policies that involve drug testing for illegal substances will have to be reviewed. Upon completion of the policy review and proposed changes to the language, Trustee Bennett made a motion to forward the policy to village council.
Motion by Trustee Bennett, seconded by Trustee Hardy, to forward the policy to village council. Motion carried by voice vote.
 - b) **Personnel Matter – Attorney Memo**
First Responder Policy: The committee reviewed the email from Lamina indicating they no longer had a first responder policy. Chairman Schulz read the applicable section of the village attorney memorandum. There was discussion that village officials work with the Bellaire District Fire Department to develop a policy for employees who are first responders. Chief Drollinger thought the fire department could develop a policy, including a radio call from the fire chief, addressing emergency calls. DPW Supervisor Keiser explained how “in-district” emergencies had been treated under Supervisor Stead. Supervisor Keiser thought the two employees should be able to respond to in-district calls and not have to wait for a radio call from the fire chief. Chairman Schulz expressed concern that these employees understand that from the time they leave on a call to the time it is done, they are off the village clock. Chairman Schulz thought there is no need for a radio from the fire chief. The village will rely on the report from the district fire department documenting first responder’s

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time. Chief Drollinger assured Chairman Schulz that employee first responders' time away from work would not be abused. Trustee Bennett suggested that the village could make up any loss of wages beyond fire compensation. Chairman Schulz suggested that would be up to the village council. He then made a motion that village staff, Chief Drollinger, Lori Luckett, and Cathy Odom, formulate a draft policy for a future Administration and Personnel Committee meeting.

Motion by Chairman Schulz, seconded by Trustee Bennett, that village staff, Chief Drollinger, Lori Luckett, and Cathy Odom, formulate a draft policy for a future Administration and Personnel Committee meeting. Motion carried by voice vote.

Paid Leave Policy/Practice-Salaried Employees: Treasurer Odom reviewed the applicable section of the village attorney memorandum. The question was whether a salaried employee can take time off without pay if an employee has used all paid leave. The answer is that it can be done. Part of the labor law states a salaried employee should take paid leave for full-day's absence. Other than a full day's absence, the salaried employee is paid. Treasurer Odom's question, which was never answered, was whether a salaried employee could take time off without pay if paid leave time had not been used. Trustee Hardy said no, based on the information provided. There was discussion between those in attendance, some asked, "why not?" Trustee Hardy thought paid leave had to be exhausted before time off without pay could be requested. An employee taking unpaid leave would not get the 10% contribution towards his/her pension. Chairman Schulz noted that according to the village attorney, even though department heads are identified in the employment agreements as salaried, there is no reason that they could not be changed to hourly. If hourly, they would be eligible for overtime. There was brief discussion about over time and meeting pay when they come up for renewal. By federal law, overtime is identified as time worked over a 40 hourly work week. Treasurer Odom noted that the village attorney had reviewed the employee contract and cautioned against inconsistencies between the employee contracts and the employee handbook. Chairman Schulz explained that his reading of the contract required that the salaried employee be paid while off work, even though all paid leave had been used. To correct this, employee agreements should be updated before their renewal. Chairman Schulz would like the village attorney to review the employee handbook and craft a brief addendum to the employee contracts that addresses paid leave versus unpaid leave. Clerk Luckett was asked to contact other municipalities to request their paid leave policies.

Cell Phone Policy- DPW Supervisor: Sample policies had been provided for the committee's review. Some pay weekly or monthly stipends; others list who is entitled to reimbursement. Treasurer Odom noted that use of a personal cell telephone is the choice. The current cell phone plan for the DPW costs the village between \$2.00 and \$5.00 per month. There was so little use; it was cheaper to do by the minute. Chief Drollinger suggested that the DPW cell phone could be run through First-net with AT&T. Public safety officers and first responders are switching over to this plan. The plan costs \$40.00 per month. There was reference to the requirements of the DPW supervisor position and village council expectations for service. There was discussion about whether the reimbursement would be considered compensation and a W-2 required. Chairman Schulz suggested that if cell phone carrying is a requirement of the position reimbursement may not be considered taxable income. DPW Supervisor Keiser explained his question had been in reference to photographs; GIS and the tablets could be used for photographs. Chief Drollinger spoke about the reporting capabilities of First-net and the use of village fire hydrants. Chairman Schulz asked Chief Drollinger to get the cost of the First-net program. Supervisor Keiser said he would pay for half if his telephone were used for personal use. Whether this would be subject to taxation was discussed. Chairman Schulz explained his cell phone usage, Meadowbrook policy and research on whether the provision of a cell phone was considered taxable. Chairman Schulz asked Chief Drollinger to get the cost of First-net. A cell phone policy would address any cost sharing between the employee and the village. Chairman Schulz was going to follow-up on his research.

6. New Business

- a) **Extra Sick Time for Future Employees:** Page 8 of the employee handbook was provided in the packet. The new numbers reflect the additional 40 hours recently approved by village council. Chairman Schulz made a motion to recommend to village council they adopt the change in Section 3 Paid Leave to reflect the additional time. There was discussion and explanation that the change eliminated the previous sick time distinction for employees hired before 2007

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Motion by Chairman Schulz, seconded by Trustee Hardy, to recommend to village council that they adopt the change in Section 3. Paid Leave to reflect the additional time. Motion carried by voice vote.

Treasurer Odom requested clarification between years of service and maximum hours. The current provision addresses paid leave for 15 to 20 years of service then jumps to 30. Chairman Schulz suggested that employees with 21 to 29 years of service should receive 240 hours of paid leave. All agreed. Chairman Schulz made a motion to recommend that in the Paid Leave section on page 8 in the table, they insert a line after 15-20 years to read 21- 29 years, 240 hours.

Motion by Chairman Schulz, seconded by Trustee Bennett, to recommend to village council that in the Paid Leave section on page 8 in the table, they insert a line after 15-20 years to read 21-29 years, 240 hours. Motion carried by voice vote.

- b) **Employee Handbook Amendment:** Addressed above.
- c) **Employee Evaluations:** With the committee's approval, Chairman Schulz made a motion to table item c. Employee Evaluations until the next meeting.

Motion by Chairman Schulz, seconded by Trustee Bennett, to table item c. Employee Evaluations until the next meeting. Motion carried by voice vote.

- d) **2019-2020 Budget Items:** Chairman Schulz will be working with Treasurer Odom on Thursday to begin populating the 2019-2020 budget. He proposed that the committee table this item until the next meeting.

Motion by Chairman Schulz, seconded by Trustee Bennett, to table this item until the next meeting. Motion carried by voice vote.

- e) **Cemetery Maintenance:** This item had been discussed at the village council meeting. DPW Supervisor Keiser had been asked about the need to replace the seasonal employee. Supervisor Keiser reported that Steve had done a lot of maintenance this past year, included tree removal. Mr. Alger had removed over 100 trees, dead shrubs and brush. Seventeen loads had been hauled from the cemetery. The cemetery is back to a maintenance position. Supervisor Keiser thought that 20 hours a week is tight for big projects. If the department could go back to a versatile part-time employee, it would be helpful. Chairman Schulz noted that Supervisor Smith would be gone for a while. If the number of hours does not exceed 20, he might not have a problem. There was brief discussion about a previous seasonal employee collecting unemployment. Chairman Schulz would like the attorney to provide the classification of employee, i.e. irregular part-time, that would not result in unemployment after the job is done. Supervisor Keiser would like someone to work 20 hours a week. Supervisor Keiser was not familiar with the cemetery budget and reimbursement from Forest Home Township. Chairman Schulz provided a brief explanation of that budget. Chairman Schulz would like to propose keeping the cemetery maintenance worker at 20 hours per week. If there is not work in the cemetery, the question is whether there will be other DPW-related funds available to make up the balance of the 20 hours. There was a brief mention about possible privatization. This had been looked at before. Supervisor Keiser did not think a private company would mow the lawn for what has been paid the last two years.

- 7. **Discussion Items:** Chief Drollinger reported that the seasonal officer might not be returning next year.
- 8. **Communications/Informational:** None presented.
- 9. **Member/Public Comment:** The next committee meeting is Thursday, December 20 at 7:30 a.m.
- 10. **Adjourn:** The meeting was adjourned at 7:43 p.m.

Minutes compiled by: Lori Lockett, Clerk
Minutes are subject to approval.

Approved: _____
Date: _____