

BY: MR. LAWRENCE

Amending Chapter 109 of the Codified Ordinances of 1997, as amended, to enact Section 109.07 thereof to authorize the City Engineer to establish contract retainage terms for construction of public improvements.”

WHEREAS, the City of Mansfield, Ohio (the “City”) regularly engages in the construction of significant public improvements, and

WHEREAS, the Council of the City of Mansfield, Ohio (the “Council”) has determined that it is in the best interest of the City to construct its public improvements with the greatest efficiency, highest quality, and lowest cost, and

WHEREAS, the Council has determined that the construction of certain public improvements with the greatest efficiency, highest quality, and lowest cost will be aided by empowering the City Engineer to establish retainage provisions specific to each particular contract based upon different factors, and

WHEREAS, the power to establish retainage provisions in contracts for the construction of public improvements is authorized under the City Charter of this City and the general laws of the State of Ohio.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. Section 109.07 of the Codified Ordinances of the City of Mansfield is hereby created as follows:

“109.07 RETAINAGE ON CONSTRUCTION CONTRACTS FOR PUBLIC IMPROVEMENTS

- (a) As used in this Section “Public Improvement” shall mean any construction, reconstruction, enlargement, alteration, repair, remodeling, rehabilitation, or renovation of a building, road, bridge, treatment works, water line, sewer, utility, stormwater or flood control infrastructure, and associated appurtenances for all such items, or any other item or works generally considered to be a capital improvement.
- (b) As used in this Section “Contractor” shall mean the entity with whom the City contracts with to construct a particular Public Improvement, such as but not limited to a general contractor, construction manager, or design builder.
- (c) Notwithstanding any provision in the Ohio Revised Code to the contrary, the City Engineer shall identify in each contract for a Public Improvement the percentage of each payment application submitted by the Contractor that the City will retain until elements of the Public Improvement are totally complete and ready for final payment as set forth in the particular contract for the Public Improvement, which will be known as the Retainage Amount.
 - 1) The Retainage Amount will be based upon factors including but not limited to contract amount, contract complexity, contract length, bidding interest in the contract, and the source of funding for the contract.
 - 2) The Retainage Amount will be expressed as a percentage between 0% and 5% of the Contractor’s payment applications. If there is no Retainage Amount identified in the Contract, the Retainage Amount will be 2%.
 - 3) The City, at the City Engineer’s sole discretion, may elect to refrain from withholding retainage from pay applications after the underlying construction has reached a certain percentage of completion, if so set forth in the contract for the particular Public Improvement. If there is no such retainage cutoff established in the contract for the particular Public Improvement, the Retainage Amount will be withheld from all payment applications except for the final payment application.

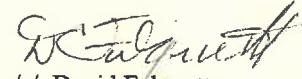
- (d) The City will be under no obligation to pay interest on the amounts retained.
- (e) The City, in the City Engineer's sole discretion, may elect to release retainage connected to elements of the Public Improvement completed before final completion of the overall Public Improvement, which release will not excuse the Contractor from its contractual obligations to repair or replace defective and nonconforming work should it be discovered later that the work connected to early release of retainage is defective or nonconforming."

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were taken 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 Ohio Revised Code Section 121.22.

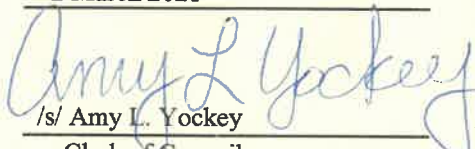
SECTION 3. That this measure shall take effect and be in force after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 19 January 2021
1st Reading 2 February 2021
2nd Reading 16 February 2021
PASSED 2 March 2021

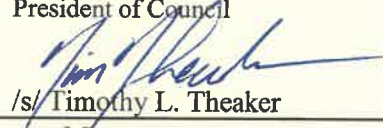
SIGNED


/s/ David Falquette
President of Council

ATTEST


/s/ Amy L. Yockey
Clerk of Council

APPROVED

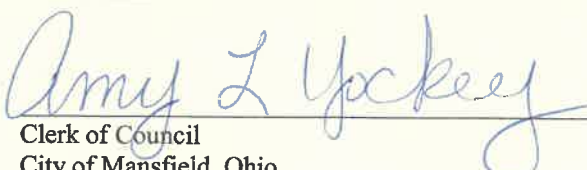

/s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM: John R. Spon
Law Director
City of Mansfield, Ohio

*Publication required

CERTIFICATE

The undersigned Clerk of Council hereby certifies that the foregoing is a true copy of an ordinance duly adopted by the Council of the City of Mansfield, Ohio on MARCH 2, 2021.


Clerk of Council
City of Mansfield, Ohio

BY: MISS. MOTON

Adopting personnel positions, pay grades and salaries for certain employees of the City of Mansfield 2021 payroll year, and declaring an emergency.

WHEREAS, the specific wages or salaries to be paid to employees holding positions designated herein shall be established in accordance with the applicable collective bargaining agreement or by Ordinance establishing salary ranges, etc. for positions excluded from collective bargaining units.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. AIRPORT DIVISION - PERSONNEL. The Airport Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade or hourly rates indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Manager + (Administrative) °	\$37,250 - \$65,000 \$68,000
b. Operations Supervisor	\$36,750 - \$63,000
c. Confidential Secretary °	\$19,500 - \$48,000
d. Motor Equipment Operator (4)	13
e. Laborer	11

SECTION 2. BUILDING MAINTENANCE DIVISION - PERSONNEL. The Building Maintenance Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Operations Supervisor	\$36,750-\$63,000
b. Building Maintenance Aid II (2)	16
c. Building Maintenance Aid I (2) Laborer	9 11

SECTION 3. CERTIFIED BUILDING DIVISION - PERSONNEL. The Certified Building Division, a subdivision of the Engineering Division, within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Manager+(Administrative)	\$37,150 - \$65,000 \$68,000
b. Chief Building Official + (Professional)	\$37,150 - \$74,200 \$76,000
c. Supervisor I /Electrical Safety Inspector °	\$30,250 - \$56,500
d. Confidential Secretary°	\$19,500 - \$48,000
e. Housing Inspector (4)	12
f. Account Clerk (2)	11

SECTION 4. CITY COUNCIL - PERSONNEL. In accordance with Article III, Section 3.03 of the Mansfield City Charter, the following personnel are authorized in the office of the Clerk of City Council and shall be compensated as indicated:

<u>POSITION</u>	<u>SALARY</u>
a. Clerk of Council + (Elected)	\$27,500-\$49,500
b. Assistant Clerk of Council + (Elected)	\$27,500-\$49,500

Members of the majority political party of Council shall designate the Clerk of Council and members of the next ranking political party of Council shall designate the Assistant Clerk of Council and each of them shall serve at the pleasure of the party members by whom they were designated.

SECTION 5. CIVIL SERVICE COMMISSION - PERSONNEL. The Civil Service Commission shall be composed of the following personnel who shall be compensated in accordance with the salary range indicated:

<u>POSITION</u>	<u>SALARY</u>
a. Commissioner Civil Service (3) + (Elected)	\$3,640-\$5,297
b. Clerk, Civil Service Commission + (Elected)	\$4,200-\$6,540

SECTION 6. CLEARFORK RESERVOIR DIVISION - PERSONNEL. The Clearfork Reservoir Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Operations Supervisor	\$36,750-\$63,000 \$65,000
b. Supervisor I°	\$30,200-\$56,500
c. Special Police/MEO (2)	14
d. Motor Equipment Operator	13
e. Park Police Officer /Labor (2)	11
f. Laborer (2)	11
g. Seasonal Park Police/Full-time Temporary (2)	State Minimum Wage-\$12.00 per hr.

SECTION 7. COMMUNITY DEVELOPMENT DIVISION - PERSONNEL. The Community Development Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the pay grade, salary range, or hourly rates indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Economic Development Director + (Administrative)	\$37,500-\$78,300 \$80,500
b. Assistant Grant Specialist (Part-Time)	\$25,000 – \$45,000
c. Community Development & Housing Director + (Administrative)	\$37,500-\$76,000
d. Community Development Officer + (Administrative)	\$27,000-\$52,500
e. Secretay III	13
f. Relocation/Rehabilitaion Specialist	16
g. Finance Officer	16
h. g. Rehabilitation Officer (2)	16

SECTION 8. INFORMATION TECHNOLOGY (IT) DIVISION – PERSONNEL. The Information Technology Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Manager- Director + (Administrative)	\$45,000-\$65,000 \$55,000-\$75,000
b. Administrator (3) (4) + (Adminstrative) °	\$35,000-\$60,000 \$40,000-\$65,000
e. Computer Technician (3)	15

SECTION 9. ENGINEERING DIVISION – PERSONNEL. The Engineering Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Chief City Engineer + (Professional)	\$50,000- \$94,000 \$95,000
b. Deputy City Engineer + (Professional)	\$42,682- \$74,200
c. G.I.S. Specialist + (Administrative) °	\$49,000 - \$65,000
d. Project Planner (3)+ (Administrative) °	\$37,500 -\$63,000
e. Program Coordinator + (Administrative)°	\$32,500-\$49,500
f. e. Administrative Assistant + (Administrative)°	\$28,000-\$53,100 \$54,500
g. f. Confidential Secretary°	\$19,500-\$48,000

SECTION 10. FINANCE DIRECTOR – PERSONNEL. The Finance Director is authorized to appoint the following personnel who shall be compensated in accordance with a salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Assistant Finance Director + (Elected)	\$40,000-\$74,200 \$75,200
b. Income Tax Director + (Elected)	\$40,000-\$70,000
c. Assistant Income Tax Director + (Elected) °	\$21,492-\$42,000
e. d. Payroll Director + Elected)	\$40,000-\$65,000
d. e. Internal Auditor + (Elected)°	\$35,000-\$72,100 \$73,600
e. f. Tax Compliance Officer + (Elected)°	\$25,000-\$44,000
f. g. Confidential Accountant + (Elected) °	\$35,000-\$64,000
g. h. Administrative Assistant (Finance) + (Elected)°	\$24,200-\$48,250 \$54,500
h. i. Inventory Control Officer + (Elected) °	\$21,492-\$45,000
i. j. Income Tax Enforcement Officer + (2) (1) (Elected) °	\$21,492-\$42,000
j. k. Senior Account Clerk	14
k. l. Field Tax Clerk	14
l. m. Finance Clerk (7)	13
m. Payroll Clerk	15
n. Assistant Payroll Clerk (2)	11
o. n. Finance/Income Tax Court Coordinator	15

SECTION 11. FIRE DIVISION CIVILIAN - PERSONNEL. The following civilian personnel authorized for appointment in the Fire Division in the Public Safety Department shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Administrative Assistant + (Administrative)	\$28,000-\$53,100 \$54,500
b. Automotive Mechanic (2)	15

SECTION 12. FIRE DIVISION SAFETY - PERSONNEL. The following safety personnel authorized for appointment in the Fire Division in the Public Safety Department shall be compensated in accordance with the salary range indicated:

POSITION	SALARY/GRADE/HOURLY
a. Chief of Fire + (Executive)	\$65,000-\$94,100 \$99,000
b. Assistant Chief of Fire (3) + (Administrative)	\$58,000-\$87,750 \$95,000
c. Captain (8) (9)	C
d. Lieutenant (12) (11)	L
e. Firefighter (81)	FF (P-5)

SECTION 13. HUMAN RESOURCES DIVISION - PERSONNEL. The following personnel are authorized for appointment in the Human Resources Division in the Public Service-Safety Department shall be compensated in accordance with the salary range, pay grade or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Director + (Executive)	\$50,000-\$73,500 \$74,500
b. Human Resources Specialist (2) + (Administrative)	\$28,000-\$51,500 \$31,200-\$54,000

SECTION 14. LAW DIRECTOR PERSONNEL. The Law Director is authorized to appoint the following office personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Deputy Law Director	\$40,000-\$72,100 \$60,000-\$76,500
b. First Assistant Law Director + (Professional)	\$28,000-\$72,100 \$55,000-\$76,500
c. Assistant Law Director (4) + (Professional)	\$28,500-\$67,000
d. Assistant Law Director (Part-Time) (1) + (Professional)	\$28,500-\$57,000
e. Executive Assistant + (Administrative)	\$30,000-\$57,500 \$31,200-\$61,250
f. Confidential Secretary (3) + (Elected) °	\$18,750-\$45,750 \$46,600
g. Victim of Crime Advocate (2) + (Administrative) °	(Per Grant)
g. Paralegal	State Minimum Wage-\$12.00 per hr.
h. Investigator + (Elected) °	\$20,987-\$28,080

SECTION 15. LITTER PREVENTION DIVISION - PERSONNEL. The Litter Prevention Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

[SECTION 15 RESERVED - REMOVED]

SECTION 46.15. MAYOR - PERSONNEL. The Mayor is authorized to appoint the following personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Mayor's Administrative Assistant + (Elected)	\$28,000–\$53,100 \$54,500

SECTION 47.16. METRICH ENFORCEMENT UNIT - PERSONNEL. The Metrich Enforcement Unit within the Public Safety Department shall be composed of the following personnel who shall be compensated as set forth in the grant.

POSITION	SALARY/GRADE/HOURLY
a. Youth Coordinator (2)	(Per Grant)
b. Secretary (2)	(Per Grant)
c. Full-time Temporary *	(Per Grant)
d. Intermittent *	(Per Grant)

The Metrich Enforcement Unit Program is funded through the Governor's Office of Criminal Justice Services.

The funding for these positions shall cease at the conclusion of the contract (grant).

* The number of positions in a classification will vary from time to time dependent on grant funds available.

SECTION 48.17. MUNICIPAL COURT - PERSONNEL. Upon adoption by the Municipal Court of those provisions of this Section relating to personnel whose salaries are established by the Court, the Municipal Court, in addition to the Judges thereof, shall be composed of the following personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Court Systems Coordinator + (Elected)	(Established by Judges)
b. Court Administrator + (Elected)	(Established by Judges)
c. Chief Probation Officer (Administrative)	\$32,000–\$70,900 \$73,000
d. Special Projectors Coordinator + °	\$25,000–\$44,100
e. Probation Officer (12) °	\$27,000–\$60,900
f. Assignment Commissioner (2)+	\$20,000 \$52,000 \$57,000
g. Court Security Officer (Part-Time) (7) +	\$15.00–\$20.00 \$22.00 per hr.
h. Confidential Secretary (5) + (Elected) °	\$20,000–\$52,000
i. Magistrate (2) + (Elected)	(Established by Judges)
j. Bailiff (9) + (Elected)°	(Established by Judges)

SECTION 49.18. MUNICIPAL COURT CLERK - PERSONNEL. Upon adoption of the provisions of this Section by the Clerk of the Municipal Court, the office of the Municipal Court Clerk shall be composed of the following personnel:

POSITION	SALARY/GRADE/HOURLY
a. Chief Deputy	(Established by Clerk)
b. Senior Deputy Clerk (2)	(Established by Clerk)
c. Deputy Clerk (Full-time) (13)	(Established by Clerk)
d. Deputy Clerk (Part-time) (6)	(Established by Clerk)

SECTION 20. THE DEPARTMENT OF REGIONAL COMMUNITY ADVANCEMENT The Department of Regional Community Advancement within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Director + (Executive) ^o	\$36,000-\$60,900
e. Project Secretary/Administrative Assistant + (Administrative)*	(Per Grant)
e. Project Coordinator (4) *	(Per Grant)
* The number of positions in a classification will vary from time to time dependent on grant funds availability.	

[SECTION 20 REMOVED]

SECTION 21. 19. PARKS AND RECREATION DIVISION - PERSONNEL. The Parks and Recreation Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Manager Superintendent + (Administrative)	\$27,125-\$63,000 \$68,000
b. Confidential Secretary ^o	\$19,500-\$45,750
e. Maintenance Worker (Part time)	State Minimum Wage \$12.00 per hour
d. c. Carpenter/Building Maintenance Aide (2) (1)	16
e. Laborer	11
f. d. Park Equipment Operator (3)	11
g. e. Recreation Coordinator II	\$30,500-\$46,600
h. Recreation Coordinator I (Part Time)	State Minimum Wage \$12.00 per hour

SECTION 22. 20. POLICE DIVISION - CIVILIAN PERSONNEL. The following civilian personnel are authorized for appointment in the Police Division in the Public Safety Department and shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Confidential Secretary (3) ^o	\$19,500-\$48,000 \$49,500
b. Forensic Scientist	\$48,402-\$86,500 \$88,200
c. Operations Supervisor - Crime Lab	\$35,000-\$63,000 \$65,000
d. Operations Supervisor - Records	\$35,000-\$63,000 \$65,000
e. Supervisor I - Records	\$30,200-\$56,500
f. Crime Analyst	\$34,000-\$47,500
g. Automotive Mechanic	15
h. Transcriber Clerk (3)	13
i. Evidence Technician (3)	12
j. Police Records Clerk (10)	11
k. Police Aide (3)	11
l. Parking Control Officer (2)	11
m. Laborer (2)	11
n. Secretary I	9

o. Clerk Typist	8
p. DNA Laboratory Technician	(Per Grant)
q. DNA Analyst	(Per Grant)

SECTION 23-21. POLICE DIVISION - SAFETY PERSONNEL. The following safety personnel are authorized for appointment in the Police Division in the Public Safety Department and shall be compensated in accordance with the salary range indicated:

POSITION	SALARY/GRADE/HOURLY
a. Chief of Police + (Executive)	\$61,500-\$97,900 \$65,000-\$99,000
b. Assistant Chief of Police + (Administrative)	\$58,000-\$89,600 \$95,000
c. Captain (2)	C
d. Lieutenant (7)	L
e. Sergeant (13)	S
f. Patrol Officer (78)	P.O. (P-5) (P-3)

SECTION 24-22. PUBLIC SAFETY COMMUNICATIONS CENTER DIVISION - PERSONNEL. The Public Safety Communications Center Division in the Public Safety Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Operations Supervisor	\$36,750-\$63,000 \$65,000
b. Supervisor I (3)°	\$30,200-\$56,500
c. Telecommunicator (17)	14

SECTION 25-23. PUBLIC SAFETY-SERVICE DEPARTMENT - PERSONNEL. The following personnel are authorized for appointment in the Public Safety-Service Department and shall be compensated in accordance with the salary range, or hourly rate indicated:

POSITION	SALARY/GRADE/HOURLY
a. Safety-Service Director + (Executive)	\$50,000-\$95,000
b. Administrative Assistant + (Administrative)°	\$28,000-\$53,100 \$54,500

SECTION 26-24. PUBLIC WORKS DEPARTMENT-PERSONNEL. The following personnel are authorized for appointment in the Public Works Department and shall be compensated in accordance with the salary range or hourly rates indicate.

POSITION	SALARY/GRADE/HOURLY
a. Public Works Director + (Executive)	\$50,000-\$95,000

SECTION 27-25. SERVICE COMPLEX DIVISION - PERSONNEL. The Service Complex Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Operations Supervisor	\$36,500-\$63,000 \$65,000
b. Secretary III (2)	13

c. Storekeeper	14
d. Utility Maintenance Dispatcher (3)	12

SECTION 28-26. SEWER REPAIR DIVISION - PERSONNEL. The Sewer Repair Division, a subdivision of the Service Complex Division, within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Supervisor I °	\$30,200-\$56,500
b. Foreman (2)°	\$28,500-\$52,500
c. Sewer Camera Operator II	14
d. Sewer Camera Operator I	11
e. Repair Worker	13
f. Motor Equipment Operator (12)	13
e. Mason (3)	14
f. Laborer (7)	11

SECTION 29-27. STREET DIVISION - PERSONNEL. The Street Division, a subdivision of the Service Complex Division within the Public Service Department, shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

POSITION	SALARY/GRADE/HOURLY
a. Supervisor I °	\$30,200-\$56,500
b. Foreman (2) °	\$28,500-\$52,500
c. Motor Equipment Operator (12)	13
d. Senior Traffic Technician	16
e. Traffic Technician (2)	14
f. Laborer (8)	11

SECTION 30-28. UTILITY COLLECTIONS DIVISION - PERSONNEL. The Utility Collections Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
OFFICE SECTION:	
a. Manager + (Administrative)	\$35,000-\$63,000 \$68,000
b. Supervisor I	\$30,200-\$56,500
c. Data Analyst °	\$34,000-\$47,500
d. Account Clerks (11)	11
FIELD SECTION:	
a. Foreman	\$28,500-\$52,500
b. Installer (4)	11
e. Meter Reader	10

SECTION 31-29. VEHICLE REPAIR AND MAINTENANCE DIVISION - PERSONNEL. The Vehicle Repair and Maintenance Division, a subdivision of the Service Complex Division within the Public Service Department, shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Supervisor I °	\$30,200-\$56,500
b. Foreman °	\$28,500-\$52,500
c. Automotive Mechanic (6)	15
d. Body Shop Repair Worker (2)	15
e. Laborer	11

SECTION 32-30. WASTEWATER TREATMENT DIVISION - PERSONNEL. The Wastewater Treatment Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Manager + (Administrative)	\$35,381 - \$85,000
b. Operations Supervisor	\$36,750-\$63,000
c. Supervisor I (Maintenance) °	\$30,200-\$56,500
d. Environmental Compliance Supervisor I	\$34,000-\$56,500
e. Lab Technician (2)	16
f. Computer/Electronic/Instrumentaion Technician	16
g. Maintenace Technician (3)	16
h. Solids Dewatering Operator	16
i. Shift Operator I (2)	15
i. Shift Operator (5)	13
j. Filter Press Operator I	13
k. Sampling Aides (2)	13
l. Account Clerk	11

SECTION 33-31. WATER REPAIR DIVISION - PERSONNEL. The Water Repair Division, a subdivision of the Service Complex Division within the Public Service Department, shall be composed of the following personnel who shall be compensated in accordance with the salary range or pay grade indicated:

<u>POSITION</u>	<u>SALARY/GRADE/HOURLY</u>
a. Supervisor I °	\$30,200-\$56,500
b. Foreman (2)°	\$28,500-\$52,500
c. Repair Worker (6)	13
d. Motor Equipment Operator (12)	13
e. Mason	14
f. Account Clerk	11
g. Laborer (8)	11

SECTION 34. 32. WATER TREATMENT DIVISION - PERSONNEL. The Water Treatment Division within the Public Service Department shall be composed of the following personnel who shall be compensated in accordance with the salary range, pay grade, or hourly rates indicated:

POSITION	SALARY/GRADE/HOURLY
a. Manager + (Administrative)	\$35,381-\$85,000
b. Operations Supervisor (Chief Operator) °	\$36,750-\$63,000
c. Supervisor I (2) °	\$30,200-\$56,500
d. Laboratory Technician	16
e. Maintenance Mechanic (2) (3)	16
f. Shift Operator I (2)	15
g. Shift Operator (6)	13

SECTION 35. 33. MISCELLANEOUS - PERSONNEL. In addition to those listed in a certain section of this Ordinance, the following part-time and/or temporary personnel positions shall be established for use on an as needed or required basis by any of the departments and/or divisions listed in Section 1 through 32 of this Ordinance.

POSITION	SALARY/GRADE/HOURLY
a. Transitional Trainee (as required) *	Salary commensurate with position being filled
b. Full-time temporary (24) **	State Minimum Wage-\$12.00 per hr.
c. Intermittent (15) ***	State Minimum Wage-\$12.00 per hr.
d. Interim (as required) ****	State Minimum Wage-\$12.00 per hr.
* The purpose of this position is to provide training for a period of three (3) months of a replacement for employees retiring or resigning from non-bargaining unit positions.	
** An employee who does not work more than 520 hours per calendar year.	
*** An employee who does not work more than 20 hours per week and/or 1040 hours per calendar year.	
**** An employee appointed to fill for a regular employee on an approved leave of absence or to perform the number of hours and length of time under a grant.	

SECTION 36. 34. PAY PLAN. As to any position for which a range is established, increases shall be authorized for an employee in such position no more often than once in a calendar year and only by the appointing authority for the position. An exception to this will be made for employees hired or promoted to a higher position who may receive an increase after six (6) months if so authorized by the appointing authority for this position. Intermittent employees (unless otherwise indicated) shall normally be paid at the minimum hourly rate indicated. Placement at a starting rate above the minimum or any pay increase after the commencement of employment may only occur with the written approval of the Mayor, or other appointing authority.

SECTION 37. 35. FLSA EXEMPT POSITIONS. Positions marked with a "+" are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act (FLSA), and as such are paid a salary. Incumbents of such positions are not entitled to receive overtime, compensatory time, call-in pay, stand-by pay, or any other type of premium pay for working more than the maximum hours in a workweek or work period. Incumbents are also not covered by the rules concerning the following compensation or benefits: Holiday pay, wage continuation, civil leave pay, disaster leave pay, examination leave pay, or shift-differential. Incumbents shall not receive a reduction in pay for absences of less than one day. Such

employees shall follow the procedures for the deduction of vacation and sick leave of one day or more from the appropriate balances. "Executive" "Administrative" "Elected" "Professional" designates exemptions as provided by the FLSA. All unmarked positions are non-exempt from the minimum wage and overtime provisions of the FLSA and are eligible for all compensation and benefits listed herein unless otherwise provided by ordinance.

SECTION 38. 36. FULL-TIME POSITIONS FILLED ON PART-TIME BASIS: Full-time positions, marked with a "0", when vacated by means of retirement, resignation or termination, at the discretion of the appropriate appointing authority may be filled on a part-time basis. Any person filling such position on a part-time basis shall be paid on an hourly basis at a rate which falls within the salary range of the full-time position and shall not be eligible for any benefits as prescribed in the City's Personnel Benefits Ordinance, as amended from time to time [currently Ord. No. 08-043]. In no event shall the use of a part-time position increase the total number of positions authorized for division or department by this ordinance.

SECTION 39. 37. That, because the first pay received in 2021 is predicated upon the pay period running from December 26, 2020, through January 8, 2021, this Ordinance is retroactively effective to November 1, 2020.

SECTION 40. 38. That any existing Ordinances pertaining to personnel positions, pay grades and salaries of employees covered by this Ordinance shall be, and the same are hereby, repealed and/or replaced by this ordinance.

SECTION 41. 39. That by reason of the immediate necessity for adopting a comprehensive plan for personnel of the City of Mansfield which establishes the various authorized positions, pay grades, and salaries, therefore, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Mansfield and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect, retroactively to November 1, 2021, and be in force immediately upon its adoption, otherwise from and after the earliest time allowed by law, after its passage and approval by the Mayor.

Caucus 16 February 2021

1st Reading 2 March 2021

2nd Reading

PASSED 2 March 2021

SIGNED

/s/ David Falquette

President of Council

ATTEST

/s/ Amy L. Yockey

APPROVED

/s/ Timothy L. Theaker

Clerk of Council

Mayor

APPROVED AS TO FORM:

John R. Spon
Law Director
City of Mansfield, Ohio

BY: MR. SCOTT/MR. VAN HARLINGEN

Urging Governor DeWine and the Ohio Department of Public Health to include Law Enforcement Officers in Phase 1B regarding the distribution of COVID-19 vaccines and to increase the amount of vaccine sent to Mansfield to accomplish this request.

WHEREAS, Ohio's law enforcement officers and the members of the Mansfield Police Department provide an essential service to the City of Mansfield in keeping our community safe, and

WHEREAS, the members of the Mansfield Police Department are at great risk of contracting the Coronavirus. In fact, it has been reported that 409 law enforcement officers in the United States have died of COVID-19, and

WHEREAS, a COVID-19 antibody study done by Mercy Health in Toledo, Ohio indicates that police officers are at a higher risk of contracting COVID-19 than other first responders, and

WHEREAS, the Center for Disease Control has determined that law enforcement personnel should be in the first phase of vaccine recipients, and

WHEREAS, law enforcement officers are not currently included in the first phase of people who are eligible to get the COVID-19 vaccine as determined by the State of Ohio but continue to be at risk of contracting the virus, and

WHEREAS, Ohio Attorney General Dave Yost; the Fraternal Order of Police of Ohio and the Ohio Association of Chiefs of Police have recently urged Governor DeWine to include law enforcement in Phase 1B, and

WHEREAS, the Richland County Department of Public Health only receives a certain amount of doses of the vaccine per week.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE
CITY OF MANSFIELD, STATE OF OHIO:**

SECTION 1. The City Council of Mansfield formally requests Ohio Governor Mike DeWine to include Ohio's law enforcement personnel in Phase 1B in the Ohio Department of Health's vaccine priority designation and increase the amount of vaccine being provided to Mansfield to accomplish this request.

SECTION 2. That being an expression of good faith in the community, this Resolution shall take effect and be in full force immediately upon its passage and approval by the Mayor and City Council.

Caucus 2 March 2021
1st Reading 2 March 2021
2nd Reading
PASSED 2 March 2021

ATTEST
/s/ Amy L. Yockey
Clerk of Council

SIGNED

David Falquette
/s/ David Falquette
President of Council

APPROVED

Timothy L. Theaker
/s/ Timothy L. Theaker
Mayor

APPROVED AS TO FORM:

John R. Spon
Law Director
City of Mansfield, Ohio