

Special Session of Village Council

February 28, 2017

Call to Order

The Special Session of Council was called to order by Mayor Bryant at 7:00pm. The meeting was opened with the Pledge of Allegiance.

Roll Call

Roll Call was completed by the Clerk of Council. The following members were present.

Kiley Dane – P

Rebecca Isaacs-Niemesh – P

Judy Neal – P

John Poe – P

Benjamin Steiner – P

William Thompson – P

Purpose

The purpose: Village Personnel and Legal Issues.

Fiscal Officer Knell discussed salary increase recommendations. She stated the Chief of Police desired a 3% increase and showed the total of the salary increases appropriated for all employees via overhead projection. Councilman Thompson noted Chief Kilburn picked up some of the Village Administrator's duties such as storm drains, etc. based on his experience. The Mayor stated the Chief was a big help. Councilwoman Neal also commented on Kilburn's service to the Village. Discussion followed around retroactivity.

Motion by Councilman Poe to approve the 3% increase for Kilburn. Discussion followed. Thompson suggested a Resolution to accept the increases stipulated. Councilwoman Isaacs-Niemesh stated the percentage of salary increase should be fair and consistent at 3% across the board and gave reasoning for base salary differences. Knell stated Hanna asked if 1992 service can be counted; PERS was discussed. Neal responded. Councilwoman Dane commented on fairness and employee input. Discussion followed regarding Mike Bryant's service date.

Motion by Isaacs-Niemesh to approve 3% increase for full time employees, 1% for part time, \$450 annually for Clerk of Council and asked Knell to itemize the increase she was requesting. Knell stated she was asking for 3% plus \$3300, formerly Steve Wagner's salary, and additional increase for added responsibilities since the Village did not have an Administrator. Isaacs-Niemesh commented about problems that would arise with the proposed salary request by the Fiscal Officer if an Administrator is hired later. Discussion followed. Thompson stated add \$3300 to Knell's salary for Steve Wagner's, the prior Financial Advisor, former salary. The Mayor stated he does not want to hire an Administrator at this time.

Motion by Thompson to suspend the rules and waive three readings of Resolution # 4-17; second by Isaacs-Niemesh. All yea by roll call. Motion by Isaacs-Niemesh to adopt Resolution #4-17, approving 3% increase for full time employees, 1% for part time, \$450 annually for Clerk of Council and \$3300 for Fiscal Officer Knell; second by Dane. All yea by roll call.

Discussion followed. Thompson stated the salary increases would be effective March 1, 2017. All were in agreement.

Knell stated she worked to adjust vacation entitlement based on time worked as requested on a prorated basis using the hire date, anniversary date for year two. She stated the first year of employment the employee would receive 40 hours of vacation effective January 1st of the following year. Knell discussed the transition to different earned levels of vacation. She read the verbiage contained in the proposed Personnel Policy. All were in agreement. Thompson asked if there were other matters in the Personnel Policy to be addressed. Knell stated other open items required input from Solicitor Kaspar, Out on Leave and Showing Proof of Insurance.

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Motion by Isaacs-Niemesh to Recess at 7:38pm; second by Neal. All yea.
Motion by Isaacs-Niemesh to return to Special Session at 7:45pm; second by Neal.

Regarding the Personnel Policy, Kaspar stated positions requiring that employees operate a vehicle are job specific with valid Operator's License and insured to operate a vehicle. The item should be moved to Job Description. The Solicitor recommended the redaction of language referencing pregnancy and childbirth in the section Medical Leave.

Thompson requested hard copy with changes be provided to Council and the Personnel Policy tabled until sufficient time was given for review by Council.

Motion by Thompson to withdraw pending Ordinance #3-16; second by Neal. All yea by roll call.

Motion by Thompson to adjourn to Executive Session to discuss litigation and personnel matters at 7:50pm; second by Neal. All yea. Motion by Isaacs-Niemesh to return to Special Session at 8:21pm; second by Neal. All yea.

Kaspar requested a Resolution for retroactive approval of sick pay to Tim Erwin above his normal rate of pay. He advised legal charges by Tim Erwin against the Village listed discrimination based on age and disabilities. Kaspar advised he believed the suit is frivolous and the Village did not authorize Tim Erwin be terminated. Monies for benefits earned were paid out above the Personnel Policy stipulation. The Village's strategy was the departure would be an amicable voluntary separation with payout. The additional amount paid was determined by the Millhoff Stang audit to be in error. The Attorney General allowed the prosecutor to recoup amounts from Neal, Koehler and Tim Erwin. Thompson posed a question to the Solicitor. Kaspar responded the intent was not to terminate but to offer a payout benefit to voluntarily separate.

Motion by Poe to suspend the rules and waive three readings of Resolution # 5-17; second by Isaacs-Niemesh. Five yea by roll call, one abstention by Neal. For the record, Thompson stated his yea vote was with deep regret and a heavy heart. Motion by Poe to adopt Resolution # 5-17, approving retroactive sick pay above the normal rate of pay to Tim Erwin. Five yea by roll call, one abstention by Neal. Motion carried.

Adjournment

Motion by Neal to adjourn; second by Poe. All yea.

Nichole Knell, Fiscal Officer

York Bryant, Mayor