

**THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WED., JAN. 9, 2008**

This meeting of the Finance Committee of Kent City Council was called to order by Wayne Wilson, Chair, on Wednesday, January 9, 2008 at 10:03 p.m.

PRESENT: MR. AMHREIN, MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUHAR, MS. SHAFFER, MS. WALLACH, AND MR. WILSON

ALSO PRESENT: J. FENDER, MAYOR; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; J. BOWLING, CITY ENGINEER; L. ZORC, HR MANAGER; AND LINDA COPLEY, CLERK OF COUNCIL

Dave Ruller, City Manager, said the Civil Service Commission members were present to present their employee's requested upgrade. He asked that they be moved to the top of the agenda at this time.

MOTION TO HOLD THE DISCUSSION ON THE POSITIONS UNTIL THE PAY CHART CAN BE DISTRIBUTED.

Motion made by Ms. Wallach, and died for want of a second.

John Thomas, Civil Service Commissioner, said the Civil Service Commission amended the previous job description, retitled the position, and adopted the same unanimously. He said they have recommended the title be changed to Civil Service Coordinator, adding the job responsibilities have enhanced since it was last amended in 1988. He said the job is responsible to the classified status, and also to the Kent Schools. He said they have enhanced the education and training requirements. Mr. Thomas said he would be happy to answer any questions, adding they have recommended it be upgraded from Grade VII to Grade IV. He said they appreciated the time given to them by the Manager and the HR Manager to discuss the long term and short term aspects.

Mr. Hawksley asked if they did a comparison to other communities of similar size, and if so, what they paid, and Mr. Thomas said Ms. Zorc did that research. He said that many of those she researched were exclusive to a home rule city versus a statutory city. He said Kent has always had a statutory Civil Service, which means they are governed by rules and laws. He said home rule is governed by Council action. He said the Commission did not do the research, but can do so. He said he assumed the HR Manager could provide that information. **Elizabeth Zorc, HR Manager**, said she did not have the information with her.

Ms. Shaffer asked if the school shares the responsibility of paying this salary, and Mr. Thomas said it is paid by the City. Ms. Shaffer noted the position also works for the school district. Mr. Thomas said the City has paid it for more than sixteen years. Mr. Wilson said it has been longer than sixteen years.

Mr. DeLeone commented that an upgrade from Grade VII to Grade IV was a pretty big jump. Mr. Thomas said the Commission unanimously felt there was a case for it.

Mr. Ferrara asked how many commission meetings are held, and Mr. Thomas said there is one scheduled monthly, with the rest on an as needed basis. Mr. Ferrara asked how many special meetings are scheduled, and Mr. Thomas suggested six to seven. **Jackie Loomis, Commissioner**, said the Coordinator works every day. Mr. Thomas agreed, adding she will be administering a test at the high school on Saturday. Mr. Thomas said there are hours in addition to the traditional work week of 8 to 5.

Dr. Bixenstine, former member: Dr. Bixenstine said he is grateful for Mr. Thomas bringing the matter up. He said he is somewhat ashamed that in all his years of service with Anna (Lucas) that he did not recognize she was doing a lot more, showing more competence and more abilities than the job

description. He said that is what Mr. Thomas has picked up.

Dr. Bixenstine said that as the Commission goes forward, they need someone with that competence. He said they are just trying to describe what she has been doing and to compensate her accordingly. He said it would behoove the City and the Commission to have someone replace her with similar context.

Mr. Ferrara asked how many school district employees fall under the purview of Civil Service, and Mr. Thomas said 180. Mr. Ferrara asked how many in the City, and Ms. Zorc suggested approximately 200.

Mr. Hawksley said he felt they needed a comparison with other communities, and questioned why the school is not paying their fair share. Mr. Silver said the State code requires the City to provide it, and Mr. Thomas said if the schools did, they would do so unilaterally.

Mr. Thomas said the individual will conclude twenty-four years of service at the end of the month. He said it is difficult to separate the individual from the position and have an objective discussion. He said they want to acknowledge and demonstrate that it needs to be for future years elevated to a higher status.

There were no audience comments.

Ms. Shaffer asked what education level they would advertise for this type of position, and Mr. Thomas said it would be a baccalaureate degree and/or five years minimum experience in the public or private sector. Ms. Shaffer asked if they would hire someone with an Arts degree, and Mr. Thomas said it is not excluded. He said this recognizes that an individual went through a college/university curriculum. He said that is what is needed in the position, or without that, five years in a position requiring these skills.

Ms. Loomis said the employee is responsible to the Civil Service Commission. She explained they are now volunteers, who only meet once a month and when called. She said the employee is a self starter, and it is a one-person office. She said the employee should be compensated for her skills.

MOTION TO REQUEST THE ADMINISTRATION BRING BACK A RECOMMENDATION BASED ON COMPARABLE COMMUNITIES.

Motion made by Mr. Hawksley, seconded by Ms. Shaffer.

Mr. Kuhar said they were almost doubling the salary, adding he is shaking his head "no."

Mr. Ferrara said they do not have a metric to compare, along with no peer reviews. He said this is a 66% pay increase, adding he is baffled by that. He said they need performance that makes it deserving.

The motion carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

The next issue was the Code Enforcement position which became a full time position. Mr. Ruller said that the HR Manager reviewed the rate and other communities. He said the position of the Tax Commissioner has been vacant, and gave them an opportunity to look at RITA. He said they did not get a lot of positive input on RITA. He said that they have since revisited the Tax Commissioner's position.

Ms. Zorc said the position was previously approved to be a full time position, adding the salary in the ordinance was for a part time position. She said the problem they have is someone gets the experience, and leaves for a full time job. She thanked them for the creation of a full time position, adding she would be able to find a good employee who will stay. She said there is definitely enough work for the full time code enforcement officer, adding that the firefighters have helped as well as employees in the Service and Community Development department. She said that before they advertise, they are asking to increase the salary by one level. She said that Kent is well below what other cities are paying, adding this will help them find a good employee and be more competitive.

Mr. Kuhar said he is look at the comparisons, but what he is seeing are salaries of building inspectors and heads of building departments. Ms. Zorc asked they discard the Ravenna and Streetboro

comparisons as they are supervisors. She said by doing that, they will see that Kent's salary is about 24% below other cities with full time people.

Ms. Zorc said they found that by moving up the position by one level, they are similar to other cities. She said that no one starts at the top of the range, adding it takes a few years.

There were no comments from the audience.

MOTION TO APPROVE THE RECOMMENDATION FOR SALARY FOR THE FULL TIME CODE ENFORCEMENT OFFICER.

Motion made by Mr. Hawksley, seconded by Mr. Ferrara.

Mr. Hawksley said this is a critical position that needs to be filled, and they need someone with competence.

Mr. Ferrara stressed the quality of the housing stock needs to be of an acceptable standard, adding they need enforcement.

Mr. Kuhar said he would support this, as they need good people. He said his hesitation is they are giving a lot of raises to a community that has not solved their income producing problems. He said he would hate to see the budget next year.

Ms. Shaffer said she would definitely support this, adding they need good people. Ms. Shaffer said she hoped they find someone with good people skills.

The motion carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

Ms. Zorc said they are doing away with the design engineer's position, and replacing it with a part time Senior Engineer. She said that this would fit into the direction of the Engineering Division to be in compliance with regulations on storm water and other matters. She said the design engineer's job does not meet those requirements.

Jim Bowling, City Engineer: Mr. Bowling said when he started a few months earlier, he was asked to evaluate the staff. He said the position of Design engineer had been vacant, and they functioned without it. He said they have three people who do construction, and there are two engineering techs. Mr. Bowling said in the last few years, with a reduction in the subdivisions being built, the Design Engineer was not as critical. He said there is a new requirement by the EPA that requires the modeling of the sanitary sewer systems. He said he has had discussions with the Manager and the Service Director, adding they need someone qualified in a specialized field of engineering. He said other cities hired full time staff and a consultant. Mr. Bowling said they were hoping that the part time position would help the other staff, and help them do the program themselves, managing the same. He said the salary reduced about \$28,000 switching from full time to part time. He said their challenge is to find that expertise at a part time level.

Mr. Kuhar asked if the Design Engineer was unfilled, and Mr. Bowling said that was correct. He said it was a position that topped at \$64,000, with \$36,000 paid to the part time person.

There were no audience comments at this time.

MOTION TO APPROVE THE PART TIME SENIOR ENGINEER, ELIMINATING THE FULL TIME DESIGN ENGINEER.

Motion made by Mr. Heineking, seconded by Mr. Kuhar, and carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

Ms. Zorc said the next is a change in the classification from the Economic Development Coordinator to Economic Development Director with no salary change. She said the Civil Service Commission approved

the change from classified to unclassified.

Mr. Kuhar asked what that means, and Ms. Zorc said that classified positions go through the competitive process, while unclassified positions are fiduciary by nature.

There were no further questions nor comments at this time.

MOTION TO APPROVE THE RECOMMENDED CHANGE FROM ECONOMIC DEVELOPMENT COORDINATOR TO ECONOMIC DEVELOPMENT DIRECTOR, MAKING THE POSITION UNCLASSIFIED.

Motion made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

Ms. Zorc said the Plans Administrator was an unclassified position. She said the reason was that the person in that position would serve as Acting Community Development Director when the position was vacant. She said that Mr. Locke has been promoted to Director, leaving his job vacant, and he appointed Mr. Weddle to this position. She said the Civil Service Commission approved the change from unclassified to classified.

There were no further questions nor comments at this time.

MOTION TO APPROVE THE RECOMMENDED CHANGE MAKING THE PLANS ADMINISTRATOR FROM AN UNCLASSIFIED POSITION TO CLASSIFIED POSITION.

Motion made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

Ms. Zorc said the Tax Commissioner position has been empty sine March 31, 2006. She said the job description was so old, it did not have a date on it. Ms. Zorc said that the position is being recommended to be changed from Mismanagement 4 to Mismanagement 3. She said the Finance Director has looked at the job description, and reviewed the education requirements.

BARB RISSLAND, DIRECTOR OF BUDGET & FINANCE: Ms. Rissland said that the single source of revenue in Kent is to be collected by this job, and now includes collection of the JEDDS. She said they have included an education requirement calling for a minimum of an Account degree, preferably a CPA. She said she would like direction on RITA, adding it would be an option worth looking at. She said now would be the time to do it before filling this position.

Mr. Wilson said he did not see RITA on the agenda, adding he was sure the new ones did not know what RITA was. He said this discussion is on the upgrade of the position.

MOTION TO AUTHORIZE, FOR THE SAKE OF CLASSIFICATION, AN UPGRADE TO THE POSITION OF TAX COMMISSIONER, IF THE POSITION IS TO BE FILLED, SUBSEQUENT TO DISCUSSION ABOUT JOINING THE REGIONAL INCOME TAX AUTHORITY.

Motion made by Mr. Hawksley, seconded by Mr. DeLeone.

Mr. Kuhar asked what that will accomplish, and Mr. Hawksley said they are giving her the authority if they change the position. He said if they do not go with RITA, she can hire the position. Mr. Kuhar asked if they are deciding to upgrade it when they hire it, and Mr. Hawksley said they need the discussion on RITA first, before they upgrade it.

The motion carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

Mr. Ruller said the next issue was the AMATS pre application. He asked Mr. Bowling to address this issue. Mr. Bowling said that there is an invitation, every two to three years, to communities to submit a project for the Federal Transportation Highway program. He said they sent a letter to Kent, asking they sign a letter of intent that they have projects. He said this does not commit them, and is not an application.

He said if a project ranks high enough, they will ask for an application. Mr. Bowling said that he knows their projects will rank high.

Mr. Bowling said one project is in the capital plan, and is the Summit Street Traffic Improvement project on Summit Street between Lincoln Street and Loop Road. He said that the Engineering Division, Service Department and University have discussed pedestrian problems. He explained they are finally putting numbers to those ideas as to what needs to be done. He said the second project is the Portage Hike and Bike Trail, which is a continuation to a project funded by a federal grant. He said that project goes along the river, from Middlebury Road to the southern end of Fred Fuller Park. He said this project will continue it to Stow Street, adding it is a ten-foot wide all purpose trail, with a two-foot berm. He said there is not much flexibility as it is a narrow area.

Mr. Bowling said they are going to submit the letter for \$750,000, adding it is an 80/20 split. Mr. Kuhar asked if the City provides the 20% split, and Mr. Bowling said it is on the construction only.

Ms. Wallach asked if it is too early for specifics, and Mr. Bowling said it is too early. Ms. Wallach asked if the preapplication and it is preapproved, if there is a window to give them time to determine if it is fundable, and Mr. Bowling said that is correct. Ms. Wallach asked if they do not apply, if that is okay with AMATS, and Mr. Bowling said that was correct.

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Mr. Bowling said the Summit Street project is also a large project, adding the would fund part of the engineering on that project as well. He said that Kent State has said they would pay part of the local share also.

MOTION TO APPROVE THE AMATS PREAPPLICATION LETTER OF INTENT.

Motion made by Mr. Hawksley, seconded by Mr. DeLeone, and carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

Mr. Bowling said they also have an agreement for the first phase of the Portage Hike and Bike Trail. Mr. Wilson said it was not on the agenda. Mr. Ruller said it will appear as unauthorized on next week's agenda.

Mr. Ruller said the next issue deals with the right-of-way acquisitions for the bridge project. Mr. Bowling said they gave Council information on where they were going, and have started to approach property owners with their offers. He said they have six out of forty-seven owners agreeing to a price. He said they need authorization to purchase the right-of-ways, adding it is a specific process required since they are using federal money. He said there is a process to the appraisal, a separate review, and how they offer money. Mr. Bowling said they are looking for authorization.

Mr. Kuhar asked Mr. Silver if he should excuse himself, as his daughter owns one of the properties, and Mr. Silver said that was correct. **MR. KUHAR MOVED TO THE AUDIENCE AT THIS TIME.**

Ms. Wallach asked who the six properties were and their location, and Mr. Bowling said there are temporary easements on the north side of SR 43 to the west and at the southwest corner of Fairchild Avenue and SR 43. He read the names and the amounts at this time.

Ms. Wallach asked what a "permanent temporary" easement was, and Mr. Bowling said the permanent easements are a small take of land for sidewalks.

MOTION TO AUTHORIZE THE RIGHT-OF-WAY EASEMENTS AS PRESENTED.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 6-0-2, with Mr. Wilson and Mr. Kuhar abstaining.

Mr. Ruller said the final item on the agenda is the amendment to the 2008 appropriations ordinance. He asked Ms. Rissland to address this.

Ms. Rissland said that in addition to the items listed, there was one more. She said that they cannot change their revenue estimates until after the year closes. Ms. Rissland said that requires a change to the appropriation ordinance. She said there were three items, including a grant for the trail, Wireless 911 funds, and additional Issue II funds that fall into this category. She said the remaining items were capital projects that did not get built in 2007. Ms. Rissland said after her list was prepared, another item, \$171,000 for the signalization design for SR 59, needed to be carried forward and increased to \$350,000.

Mr. Kuhar asked how the amount doubled, and Mr. Bowling said they unfortunately could not design the signal for \$171,000. He said he talked to the consultant and told him that his figure of \$400,000 was high, and \$350,000 was reasonable. He said he did not know how that number got into the capital plan, adding it is a bad number.

MOTION TO APPROVE THE AMENDMENT TO THE 2008 APPROPRIATIONS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 6-0-2, with Mr. Wilson and Mr. Kuhar abstaining.

Hearing no further business before this Committee Chair Wilson adjourned this meeting at 11:00 p.m.

Linda M. Copley, Clerk of Council

ACTION RECOMMENDED:

- 1) TO ASK THE ADMINISTRATION TO FORWARD COMPARABLES FOR THE UPGRADE OF THE CIVIL SERVICE COMMISSION, ALONG WITH A RECOMMENDATION
- 2) TO UPGRADE THE PAY OF THE CODE ENFORCER BY ONE STEP.
- 3) TO AUTHORIZE THE PLANS ADMINISTRATOR BECOMING A CLASSIFIED POSITION
- 4) TO AUTHORIZE THE NAME CHANGE OF ECONOMIC DEVELOPMENT COORDINATOR, TO ECONOMIC DEVELOPMENT DIRECTOR, MAKING THE POSITION UNCLASSIFIED
- 5) TO APPROVE THE PART TIME SENIOR ENGINEER, ELIMINATING THE FULL TIME DESIGN ENGINEER.
- 6) TO AUTHORIZE, FOR THE SAKE OF CLASSIFICATION, AN UPGRADE TO THE POSITION OF TAX COMMISSIONER, IF THE POSITION IS TO BE FILLED, SUBSEQUENT TO DISCUSSION ABOUT JOINING THE REGIONAL INCOME TAX AUTHORITY.
- 7) TO AUTHORIZE THE RIGHT-OF-WAY ACQUISITIONS FOR THE FAIRCHILD AVENUE BRIDGE PROJECT
- 8) TO AUTHORIZE THE AMATS PREAPPLICATION LETTER OF INTENT
- 9) TO AUTHORIZE THE AMENDMENT TO THE 2008 APPROPRIATIONS