



**SAFETY COMMITTEE
MONDAY JULY 6, 2015**

COMMITTEE MEETING:

**PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDBURG, OH 43068**

1. Call to Order

PRESENT: Kelly, McGrady III, Clemens, Cotner, Long, Skinner, Barrett, Joseph
ABSENT:

2. Approval of Agenda

Agenda stands approved.

3. Approval of Minutes

a. Safety Committee – Committee Meeting – June 15, 2015

Minutes stand approved.

4. Discussion

- a. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 160.02 “AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE” Subsection (F) “Police Department”; of CHAPTER 160 EMPLOYEE COMPENSATION, AND DECLARING AN EMERGENCY. (First Reading 7/13/2015 ~ Requests Passage as Emergency at Second Reading.)**

Chairman Long: Item number 4.A. is a discussion for Temporary Increase in Authorized Strength. Chief O'Neill.

Chief O'Neill: Thank you Chairman Long, Members of Council, as most of you know our Authorized Strength allows us to carry two lieutenants on a full time, permanent basis. I'm sure most of you are aware that Lieutenant McKinley has taken a position with the United States Coast Guard and has been assigned to a permanent post with them in Portsmouth, Virginia, since April of 2012. So, we have been operating without his input or assistance for a little over three years now. This has been a thing we were able to work through , for the most part, when Mr. Kozenicki was employed as a Safety Director, because it allowed him to handle a little bit of the business operations of the department, as well as some of the liaison duties, that I have since undertaken as far as dealing with other city officials and of course Members of Council. What I am requesting. Is since Lt. McKinley has committed to not returning to his position on a full time basis, and once he is discharged form the military, he

is going to come back for his required one day of service for the city, and then retire from the police department. I am requesting that we move forward and promote a Lt. ahead of time. Increasing or numbers to three approved lieutenants, until such time that Lt. McKinley retires. And then we would reduce the number back down to the current level of two.

Chairman Long: Ok, in talking to a number of council members prior to the meeting, that was the one question that a lot of people had. There's no dates mentioned in your legislative request.

Chief O'Neill: We are still waiting on the actual date. He will not know until the fiscal year begins this Fall. But, he's anticipating returning sometime around the first week of October in 2016 for his mandatory show up day. At which time, he will retire, and we can reduce our number back to two. I know there's some issues with adjusting our manpower level for a position that is vacant. And, I know our labor attorney has addressed that in discussions we have had. I would like to quote you exactly what the procedure is, but we may or may not be able to just abolish a position, but obviously we wouldn't fill it until such time that we could just reduce our numbers down to two.

Chairman Long: Ok, you don't have emergency listed on this legislative request. So you are ok waiting til about the middle of September for this?

Chief O'Neil: Either that, or in discussions with the Mayor, if we change the language to emergency before the second reading, so we can get it done before the end of this month.

Chairman Long: Are there any, Councilman McGrady.

Mr. McGrady: Good afternoon Chief.

Chief O'Neill: Good afternoon.

Mr. McGrady: We talked about this.

Chief O'Neill: Yes.

Mr. McGrady: Here's my thought process on this. I know my years with the state, I had considered a full time position, an AGR position, Active Guard Reserve position. And I know that, had I taken that position, everything would have been fine, it would have brought me back in. But, had I extended beyond that contract, I would have severed my obligation, my retirement, or return to the State of Ohio. And see, here's why I raise this, he does not have orders yet. Now, I'm not trying to fire the guy, because you know, I'm a soldier and I'm gonna take care of soldiers best of my ability. But, I think our HR needs to look at this and see. What guidelines are we gonna follow to continue to allow a continuation on additional orders. Do ya follow what I am saying? Cause I know there is additional soldiers here, within law enforcement, where were gonna find ourself in that position again.

Chief O'Neill: Ok, I'm not exactly sure what you asking. But, with Lt. McKinley's position in the Coast Guard reserve. Obviously, familiar with the command structure. Coast Guard Reserve has two Admirals. For the entire country, the next step down is captain. He's basically the third ranking officer in the Coast Guard Reserve. When you get to that position, I think you are all aware, you can make your orders say what you need me to say, in order to maintain the position that you want to have. He is on, technically, a non-voluntary recall. Which puts him under the protection of the Sara Act. Which basically says, "We can't fire him, we cant have an involuntary separation while he is on active duty." But, we are only paying him the minimum required, 176 hours a year, that's required. That's the only expense that we are seeing from the city's standpoint. The downside is, until we figure out a way to either increase our manpower, or vacate his position, we can't fill it. We can not promote a lieutenant and we're operating with just myself and one lieutenant. And, we're treading water over there, when we could be moving forward.

Mr. McGrady: Yeah, you and I have had that discussion as well. And, in addition to the "X" number of days per year, isn't he accruing some leave time as well?

Chief O'Neill: I'm not exactly sure. And, that's a question for HR, or maybe the Auditor can...

Mr. Harris: Yes, he is accruing sick pay, vacation pay, holiday pay, and we'll be paying his OP&F, when he finally does retire. Just so you are clear however, Councilman McGrady, he is not a member of the bargaining unit.

Mr. McGrady: Right. Right..

Mr. Harris: He is not a contract employee at all.

Mr. McGrady: I understand that. I understand that. It was not a contractual, my question was not relative to a bargain unit employee.

Chairman Long: Councilman Clemens.

Mr. Clemens: Chief, the way I understand it, he could be out this July, if he's put in for additional time, an additional year. Am I correct? That's the way I read it. He's put in to see if their funded another program.

Chief O'Neill: It's not another program.

Mr. Clemens: If he gets it. If he got it, I don't know. It says there.

Chief O'Neill: Their fiscal year ends in September and he will not have an absolute yes or n on that until this September. He does know that his maximum number of months of non-voluntary assignment will be up at he end of September 2016. So, one way or another, at the end of September 2016, his service with the United States Coast Guard will be terminated.

Mr. Clemens: And he will come here, that's for sure or not?

Chief O'Neil: He has to come here for one day. That is a Police and Fire regulation. He can't get credit for his service time until he turns in an 8214, which shows he was honorably discharged from the military. And when he does that, then he can retire with his full twenty-five years including his military time.

Chairman Long: Any further questions? Councilman Barrett.

Mr. Barrett: Is this move in lieu of replacing a Safety Director?

Chief O'Neill: Is it new?

Mr. Barrett: Is it in lieu of?

Chief O'Neill: Yes. Yes, I'm sorry. Yes. Yes.

Chairman Long: Any further questions from members? Councilman Clemens.

Mr. Clemens: Then we will decide later? You'll let us know how you will approach putting someone in this position, what you're gonna do?

Chief O'Neill: As far as putting someone in the lieutenants position?

Mr. Clemens: Yeah, I wanna know what you're gonna do, I mean.

Chief O'Neill: By contract with the OPBA, and the city, there is a process that's set forth to promote sergeants to lieutenant. But, the upside to is, when we do that, we would promote an officer to sergeant, and then we would hire someone in to replace that person. Just the movement, sorta the waterfall effect, by taking some officer from top pay and replacing him with a new officer, would result in a \$30,000 savings the first year, and a \$25,000 savings the second year.

Mr. Clemens: And we would be hiring a new person?

Chief O'Neill: We would be hiring a new person.

Mr. Clemens: Then what happens when he comes back and we do away with the third lieutenant, you lay somebody off, is that what happens?

Chief O'Neill: No, Lt. McKinley is not going to come back and work for more than one day. He is only gonna be here for one day. He is already committed. He sold his house. He's moved his family to Virginia. He's basically cut all of his ties with the City of Reynoldsburg. His kids are grown up and moved out. There's not anything holding him here and he's actually purchased a house in Virginia. So, the thought of him packing up and moving back

here just so he can retire in Reynoldsburg. I don't think that's likely. He has in fact, indicated so in an email to me.

Chairman Long: Councilman McGrady.

Mr. McGrady: You made reference, you said you had to look into the legal ramifications on how to go about this. I believe you said that earlier.

Chief O'Neill: Yes, it's in Ohio Labor Law, and it has to do with elimination of a position, that's vacant. We may have to actually eliminate it the day that he's here. There are some timing issues. But, it's definitely gonna, I have no intention of carrying three lieutenants. That doesn't make much sense. We have shown we can sort of hold our own with one lieutenant. I think two lieutenants is ideal. Just because of the separation of duties over there and some of the things we wanna accomplish. Three lieutenants, I think would be overload.

Mr. McGrady: If you made in an intermittent position, initially, and then carried it, would that somewhat ease some of the legal issues? Just a point of consideration.

Chief O'Neill: I'm not so sure how we would go about that. The OPBA would think about carrying a person on a temporary assignment. Right now we are limited to sixty days on temporary assignment. Right now we are talking, at this point, something like fifteen months. That's a little bit beyond what the expectation is there.

Mr. McGrady: Ok.

Chairman Long: Any further questions from members of the Committee? Hearing none, I'll make a motion to send this onto Council for its first reading. Can I get a second? Second by Councilman McGrady.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/13/2015 7:30 PM
MOVER:	Chris Long, At Large	
SECONDER:	Cornelius McGrady III, Ward III	
AYES:	Kelly, McGrady III, Clemens, Cotner, Long, Skinner, Barrett	