



CITY COUNCIL

Council Meeting

Angie Jenkins, President
Shanette Strickland, Ward 1
Louis Salvati, Ward 2
Bhuwan Pyakurel, Ward 3
Meredith Lawson-Rowe, Ward 4
Barth Cotner, At-Large
Stacie A. Baker, At-Large
Kristin J. Bryant, At-Large

7232 East Main Street
Reynoldsburg, OH 43068
www.ci.reynoldsburg.oh.us

Mollie Prasher, Clerk of Council
614-322-6836

Tuesday, May 26, 2020

Council Chambers

CITY COUNCIL MEETING

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF AGENDA

4. APPROVAL OF MINUTES

- a. City Council – Regular Meeting – May 11, 2020

5. COMMUNITY COMMENTS

The Community Comments portion of the meeting is an opportunity for citizens to address Council. Citizens may wish to bring matters to the attention of City Council or discuss items on the agenda with the exception of legislation scheduled for a public hearing. Comments related to a public hearing may only be made during the Public Hearing portion of the meeting.

Before addressing City Council, members of the public are asked to complete a speaker's form and give it to the Clerk of Council. The Council President will invite speakers to step to the microphone and give their name and address. All remarks should be addressed to Council as a whole and not exceed three minutes.

6. COMMUNICATIONS

7. MOTIONS

- a. A Motion to Approve a Resolution to Appoint Members to the City of Reynoldsburg Board of Tax Review in Accordance with the Provisions of the Ohio Revised Code Section 718.11

8. REPORTS

a. **Clerk of Court**

- 1. Clerk of Court Report

b. **Development, Parks & Recreation Committee**

- 1. An Ordinance to Consent to the Transfer of Territory in the City of Reynoldsburg to the Township of Truro

c. **Public Safety, Law & Courts Committee**

- 1. An Ordinance to Amend Title V of the Codified Ordinances of the City of Reynoldsburg to Add Chapter 503, Prohibiting Discriminatory Practices in Employment, Housing, and Public Accommodations

d. **Public Service & Transportation Committee - There is no meeting of this Committee.**

e. **Finance & Administration Committee**

- 1. A Resolution Adopting the Tax Budget for the City of Reynoldsburg, Ohio for the Fiscal Year Beginning 2021, and Declaring an Emergency

9. LEGISLATION FOR FIRST READING

- a. An Ordinance to Consent to the Transfer of Territory in the City of Reynoldsburg to the Township of Truro --- Baker. Development, Parks and Recreation Committee.
- b. An Ordinance to Amend Title V of the Codified Ordinances of the City of Reynoldsburg to Add Chapter 503, Prohibiting Discriminatory Practices in Employment, Housing, and Public Accommodations --- Bryant. Public Safety, Law and Courts Committee.

- c. A Resolution Adopting the Tax Budget for the City of Reynoldsburg, Ohio for the Fiscal Year Beginning 2021, and Declaring an Emergency --- Salvati. Finance and Administration Committee.

10. LEGISLATION FOR SECOND READING

- a. An Ordinance to Repeal and Replace Chapter 741 of the Reynoldsburg Codified Ordinance on Solicitors (First Reading 5/11/2020). --- Strickland. Public Service and Transportation Committee.

11. LEGISLATION FOR THIRD READING

- a. An Ordinance to Establish Chapter 1399, Registration of Vacant Properties for the Codified Ordinances of the City of Reynoldsburg, Ohio (Second Reading 5/11/2020). --- Strickland. Public Service and Transportation Committee.
- b. An Ordinance to Amend Chapter 160 Employee Compensation, Section 160.02 (E) and (F) Authorized Positions and Section 160.11 City Clothing Provided of the Code of Ordinances for the City of Reynoldsburg, Ohio (Second Reading 5/11/2020). --- Salvati. Finance and Administration Committee.
- c. An Ordinance to Amend the Personnel Procedure Manual Regarding Police Command Staff Promotion, Non-Uniform Clothing, and Drug and Alcohol Testing Policy (Second Reading 5/11/2020). --- Salvati. Finance and Administration Committee.
- d. An Ordinance to Transfer Funds Among Various General Fund Accounts Within the Economic Development Department (Second Reading 5/11/2020). --- Baker. Development, Parks and Recreation Committee.

12. OTHER COUNCIL MATTERS

13. UPCOMING MEETINGS

- a. June 4, 2020 Planning Commission
- b. June 8, 2020 Council 6:00pm
- c. June 18, 2020 BZBA
- d. June 22, 2020 Council 6:00pm

ADJOURNMENT



**MINUTES REGULAR MEETING
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Council President Leanora Jenkins called the meeting to order at 6:00 PM

PRESENT: Cotner (Remote), Baker (Remote), Bryant (Remote), Jenkins (Remote), Strickland (Remote), Salvati (Remote), Pyakurel (Remote), Lawson-Rowe (Remote)
ABSENT:

Approval of Agenda

The agenda stands as submitted.

Approval of Minutes

a. City Council – Regular Meeting – April 27, 2020

The minutes are approved as submitted.

RESULT:	ACCEPTED
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Community Comments

Precious Tate, Executive Director of Youth of Change

Good evening, My name is Precious Tate and I currently serve as the Executive Director of Youth for Change, a civic engagement youth organization that unanimously passed legislation within Toledo City Council to end hair discrimination, better known as The Crown Act in December of 2019. I am here today because I proudly support Councilwoman Shanette Strickland in her efforts to end hair discrimination within the City of Reynoldsburg. Historically, individuals of African descent have systematically been discriminated against, forced to assimilate, and stripped of their identity both explicitly and implicitly, known as Anti-Black racism. Anti-Black racism is an unenviable and tenacious form of discrimination across the nation, including the state of Ohio. Anti-Black racism may manifest through habitual stereotypes and biases, conscious and unconscious, which includes discrimination based on characteristics and cultural practices associated with being Black. These practices often include prohibitions on natural hair or hairstyles most closely associated with Black people. Bans or restrictions on natural hair or hairstyles associated with Black people are often rooted in white standards of assimilation and perpetuate conventional notions that

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Black hairstyles are unprofessional. Such policies exacerbate anti Black biases in employment, education institutions, athletics, and in other areas of daily living. Dating back to the 1800s, enslaved persons were forced to keep their hair shaved and wear head scarves as an act of dehumanization, ridicule, and humiliation. This practice has stripped enslaved Africans of their identity and heritage as many traditional African styles were intricate and held cultural significance. For instance, Tignon Laws in Louisiana prohibited black Americans from displaying their hair, which was utilized as a tactic to end affairs between white men and Creole women due to their hair being viewed as “tempting.” As a result, black women now continue to wear head scarves as a message against white colonialism. Due to society’s legal prohibition of black hairstyles, the black community has continually made an effort to proudly display the cultural significance of their hair. During the Black Power movement of the 1960s and 1970’s, for example, wearing of natural hair, especially in an afro, became a radical symbol of resistance against Eurocentric standards and white supremacy, which persists even today. Still, efforts and policies utilized to exacerbate anti-black hairstyles are in existence today. There is a widespread and fundamentally racist belief that Black hairstyles are not suited for formal settings, and may be unhygienic, messy, disruptive, or unkempt. Indeed, white slave traders initially described African hair and locks as “dreadful,” which led to the commonly used term “dreadlocks” (a term that is now rarely utilized by members of the black community). Black children and adults, from schools to places of employment, have routinely been targeted by discriminatory hair policies. For example, in 2014, the U.S. Department of Defense, the nation’s largest employer, enacted a general ban on Black hairstyles, including Afros, twists, cornrows, and braids, which was later reversed after Black service members expressed wide outrage. In 2017, the Army lifted its ban on female soldiers wearing locks, citing feasibility for Black soldiers, and noting that “females have been asking for a while, especially females of African American descent, to be able to wear dreadlocks and locks because it’s easier to maintain that hairstyle.” The Army also removed the terms “matted and unkempt” from its description of Black hairstyles in its appearance regulations. These changes reflect a shift in American society in reevaluating the basis for long standing appearance norms, in light of their discriminatory nature, and the harm and burden placed on Black people who maintain prohibited hairstyles. Race discrimination based on hair and hairstyles most closely associated with Black people has caused significant physical and psychological harm to those who wish to maintain natural

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hair or specific hairstyles but are forced to choose between their livelihood or education and their cultural identity and/or hair health. Those with tightly coiled or tightly curled hair textures specifically, face significant socioeconomic pressure to straighten or relax their hair to conform to white and European standards of beauty, which can cause emotional distress, including dignitary and stigmatic harms. In view of these expectations, and in addition to physical harms, Black people are more likely than white people to spend more time on their hair, spend more money on professional styling appointments and products, and experience anxiety related to hair. These experiences highlight the unique and heavy burden and personal investment involved in decision making around hair for Black communities, and the consequences of being compelled to style one's hair according to white and European beauty standards or be stigmatized for wearing one's hair in a natural style. Employers and other public entities must evaluate any existing grooming or appearance policies, standards, or norms relating to professionalism to ensure they are inclusive of the racial, ethnic, and cultural identities and practices associated with Black and historically marginalized communities.

Siobhan Boyd-Nelson, Director of Development and External Relations

Siobhan Boyd-Nelson explains her challenge growing up in central Ohio because she is a lesbian. She attended college in Washington DC where she felt accepted and was able to flourish as a person and a student. When deciding with her spouse where to raise their family, they chose Reynoldsburg. Her family proud of the diversity that is represented in Reynoldsburg. She is very involved in the Reynoldsburg community. Reynoldsburg is the City of Respect and feels there is no better way to represent this by adding the LGBTQ Non-Discrimination Protection to its City code.

Multiple Councilmembers thanked Ms. Boyd-Nelson for coming forward and speaking to Council and the community about herself and her experience as well as her involvement in the City of Reynoldsburg.

Gwen Stembridge, Statewide Civic Engagement Director

My name is Gwen Stembridge and I serve as the Statewide Civic Engagement Director for Equality Ohio. Equality Ohio exists out of a need for connection between the LGBTQ

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community and our elected leaders in Ohio. It is still generally legal to fire someone, deny them housing, or access to public goods and services simply because of who they are or whom they love. That's right, it's the year 2020 and sexual orientation (who someone loves) and gender identity (who they are) can be the sole reason someone experiences discrimination. As an organization we have a vested interest in ensuring Ohio is a place everyone can call home, regardless of their sexual orientation, gender identity or expression. We believe that people have the right to be recognized and celebrated for who they are and what they're capable of, not stereotyped, feared, or denied basic human rights. We applaud the fact that Reynoldsburg has chosen to take up this LGBTQ-inclusive nondiscrimination ordinance because we know these basic protections from legal discrimination are not guaranteed at the state or federal level and they have incredibly positive impact in communities that pass them. In the past 4 years, Ohio has gone from 14 cities with these protections to 29 as of last week! We are present to support the City of Reynoldsburg as you consider and, I hope, pass this ordinance. If you have questions or would like to talk further, I welcome further conversation.

Ms. Lawson-Rowe thanked Equality Ohio for educating citizens who do not have all the answers and help bridge the gaps in the community and advocate for those who do not have it.

Multiple Councilmembers than Ms. Stembridge for their advocacy work and the work that was done to complete this legislation in the City of Reynoldsburg.

Thomas and Linda Vollmer

We are writing in our concern for the amendment to Title V that is being discussed in City Council. We understand that Reynoldsburg is currently following and is in compliance with state and federal regulations in this regard. Why do you feel it is necessary to add any further ordinances? Is this going to involve hiring practices for faith based schools, in which faith is an integral facet of their curriculum? We feel this is a very important issue that should be open to citizen participation that cannot be practiced during this stay-at-home period.

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Jim and Cyndi Williams
6700 Helm Lane

Madam President and City Council Members:

I wish to address the Reynoldsburg Council's so-called "anti-discriminatory" legislation discussion tonight, Monday, May 11, 2020.

The State of Ohio and the United State Government make these laws. Why does Reynoldsburg City Council think they must interject themselves into these matters? It seems that there is enough to take care of in the city without political grandstanding.

By dressing-up this proposed legislation with the phrases of "anti-discriminatory" or "diversity" you are hoping to slip it through under the radar and dupe the citizens and voters of Reynoldsburg.

As a resident of Reynoldsburg for the last 26 years, as well as someone who grew up in Reynoldsburg and attended Reynoldsburg Schools (1963 to 1975), I ask that you protect the Constitutional Rights of all those who live, work, worship and conduct business in Reynoldsburg and drop/defeat this ill-advised and worrisome legislation that you are trying to pass!

Let us not waste City Council's time with political matters that have already been addressed by the State and Federal Government.

Mayor Begeny

Mayor Begeny states that the City has begun having Mayor's Court again for the first time last week and it went very well. The City will continue this operation on Tuesdays and Thursdays. He explains this is Police Week not only here but throughout the state, the City of Reynoldsburg has started a campaign, Light Ohio Blue Week. RPD dropped off about 83 light bulbs to citizens on Haft Drive.

Mayor Begeny read the following proclamations into the minutes.

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National Peace Officers Memorial Day

Whereas, In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which may 15 falls, as National Police Week; and

Whereas, the members of the law enforcement agency of the City of Reynoldsburg play an important role in safeguarding the rights and freedoms of the citizens of our community; and

Whereas, it is important that all citizens know and understand the problems, duties, and responsibilities of their police department, and that the members of our departments recognize their duty to serve the people by safeguarding life and property, protecting them against violence or disorder, and protecting the innocent against deception and the weak against oppression or intimidation; and

Whereas, our police department has grown to be a modern and scientific law enforcement agency which unceasingly provides a vital public service;

Now, Therefore, I, Joe Begeny, Mayor of the City of Reynoldsburg, Ohio proclaim May 10-16, 2020 as National Police Week in the City of Reynoldsburg and I call this observance to the attention of all of our citizens.

Teacher Appreciation Week

Whereas, Through their dedicated efforts to ensure our children learn the knowledge and skills needed to be successful in college, careers, and life, Reynoldsburg teachers are vital in their community and building the future; and

Whereas, Because of the increasing diversity of students, teachers, must be constantly learning so they adapt to meet the ever-changing needs of young people in our schools; and

Whereas, Teachers play a crucial role in shaping our children into the people they will become, supporting them through their youth and teaching lessons that have an impact that will carry through life; and

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Whereas, The teaching profession benefits from educators who are empowered to lead within and beyond the classroom, allowing them to best prepare young people to become contributing members of our community, thereby strengthening our democracy; and

Whereas, There are thousands of dedicated educators working in Reynoldsburg and across the state in public schools, putting in countless hours and extra effort to help students achieve, preparing them for further education, the workforce, and their civic duties;

Now, Therefore, I, Joe Begeny, Mayor of the City of Reynoldsburg, Ohio proclaim May 4-8, 2020 as Teacher Appreciation Week in the City of Reynoldsburg and I call this observance to the attention of all of our citizens.

Childhood Apraxia of Speech Awareness Day

Whereas, childhood apraxia of speech causes children to have extreme difficulty in learning to speak and is among the most severe type of speech and communication problems in children; and

Whereas, the act of learning to speak comes effortlessly to most children, but those with childhood apraxia of speech endure an incredible and lengthy struggle; and

Whereas, without appropriate intervention, children with apraxia are at high risk of having related problems in literacy and other school-related skills; and

Whereas, these primary and secondary impacts diminish future independence and employment opportunities if not resolved or improved; and

Whereas, most children with apraxia of speech learn to communicate only if they receive early intervention, appropriate, intensive, and frequent speech therapy; and

Whereas, speech therapy and other services lessen the impact of this disorder and help affected children grow into productive citizens; and

Whereas, it is imperative there be greater public awareness about childhood apraxia of speech in Reynoldsburg, Ohio among community members, physicians, education professionals, policy makers, and elected officials; and

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Furthermore, Childhood Apraxia of Speech Awareness Day recognizes the families, physicians, and education professionals who are dedicated to assisting those affected by childhood apraxia of speech, and it encourages further research that can result in earlier diagnosis and better treatment;

Now, Therefore, I, Joe Begeny, Mayor of the City of Reynoldsburg, Ohio proclaim May 14, 2020 as Childhood Apraxia of Speech Awareness Day in the City of Reynoldsburg and I call this observance to the attention of all of our citizens.

Nurses' Week

Whereas, since President Reagan's Nation Proclamation of 1982, May 6th through May 12th has been observed as Nurses' Week, culminating on May 12th - the birthday of Florence Nightingale; and

Whereas, Ohio has 189,095 nurses; and

Whereas, the nursing profession plays a critical role in improving patient outcomes, increasing access, coordinating care and reducing health-care costs, and

Whereas, the depth and breadth of the nursing profession meet the different and emerging health care needs of the American population in a wide range of settings, and

Whereas, a renewed emphasis on primary and preventative health care will require better utilization of all of our nation's nursing resources, and

Whereas, more qualified nurses will be needed in the future to meet the increasingly complex needs of health care consumer in this community, and

Now, Therefore, I, Joe Begeny, Mayor of the City of Reynoldsburg, Ohio proclaim May 6-12, 2020 as National Nurses Week in the City of Reynoldsburg and I call this observance to the attention of all of our citizens.

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Mayor Begeny addressed the previous meetings comments by the Auditor on a \$15,000.00 tree trimming bill. The service was for taller trees the City usually does not handle. Mayor Begeny explains that he spoke with Parks Director Bauman and the decision to outsource this service is indeed saving the City a very large amount of money. To bring the service in house as a Parks service it would be approximately \$496,000.00.

President Jenkins thanked the Mayor for his proclamations, especially for those recognizing the front line workers during the Covid-19 crisis.

Councilmember Baker thanked Mayor Begeny for the proclamations as well.

Councilmember Lawson-Rowe wanted to recognize the positive that has been in the community. The 2020 Reynoldsburg High School Senior adoption page on Facebook. As well as the Reynoldsburg Drink Fairy group. These groups spread joy and bring the community together and would really like to thank the community.

Councilmember Pyakurel thanked the Mayor for his proclamations as well. As well as the front line workers. Mr. Pyakurel is working with a non-profits making mask to give out to the community and to please let him know if there is anyone who needs a mask. He has also been working to see if any testing can be brought to Reynoldsburg. As well as helping members of the community who have other barriers like language and translating documents and information.

Councilmember Bryant stated that she has been working and arranged to have food trucks come out as they like restaurants have been struggling. Details can be found at streetfoodfinder.com.

Communications

TREASURY BOARD MINUTES

President Jenkins: There are no additional communications. The Treasury Board minutes were included in Council's packet.

RESULT: READ INTO THE MINUTES

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Motions

A MOTION TO APPROVE A RESOLUTION TO SUPPORT OHIO HOUSE BILL 535, ALSO KNOWN AS THE CROWN ACT (CREATING A RESPECTFUL AND OPEN WORKPLACE FOR NATURAL HAIR)

Councilmember Strickland read the resolution into the minutes. Ms. Strickland explains that this is a very important issue her thanks to Ms. Tate for commenting to Council on this same matter earlier in the meeting. Ms. Strickland gives an example of hair discrimination from a high school wrestler that had to cut his hair prior to a meet in order to be able to compete in the tournament. Another example of a woman whose job offer was rescinded because she was not willing to cut her locks. And most recently, a high schools senior would not be allowed to walk at his graduation ceremony unless he cut his locks. Ms. Strickland also explains that she has experienced hair discrimination. She encourages her fellow councilmembers to support this resolution.

Councilmember Lawson-Rowe also supports this resolution as she has natural textured hair. She feels she has been fortunate to be accepted at her places of work. Her hair has nothing to do with her job performance. She appreciates that this resolution is being moved forward. Those who came before her have given her the strength to be herself.

Director Boller explained that the PPM currently states that it is up to the supervisor's authority to ensure and employee is presented appropriately for work. She states that the only department with restrictions in regarding the appearance of hair is in law enforcement. The hair must be shorter cut for males and females have their hair pulled back in most cases as well as clean shaven face. The difference is generally for safety consideration.

President Jenkins thanked Ms. Strickland for bringing forward these examples for the community to be aware of.

Councilmember. Cotner asked the Human Resources Director, Director Boller what the guidelines for City employees are and what the Policy and Procedure Manual says.

Director Boller stated there is nothing that says you cannot wear your hair in a natural state. The Police Department does have some regulation on facial hair. The policy simply asks for a neat and professional appearance and you can wear your hair however you wish.

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Councilmember Cotner stated that the Policy is clear and that the City is doing what is appropriate for the needs of the employees.

Attorney Shook explained that the purpose of the CROWN Act is to eliminate the subjectivity being used in a racially biased manner. The anti-discrimination ordinance enforces all of the anti-discriminatory language against the City. The City's own law can be enforced against the City as an employer.

Councilmember Cotner felt the term "neat" might be too subjective and wanted to make sure they are getting things appropriately done.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Shanette Strickland, Councilwoman
SECONDER:	Meredith Lawson-Rowe, Councilwoman
AYES:	Cotner, Baker, Bryant, Strickland, Salvati, Pyakurel, Lawson-Rowe

Reports

Auditor's Report

Clerk Prasher reported that the City Auditor had submitted reports for the months of January and February, 2020.

AUDITOR'S REPORTS JANUARY, 2020

RESULT:	READ INTO THE MINUTES
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AUDITOR'S REPORTS, FEBRUARY, 2020

RESULT:	READ INTO THE MINUTES
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Development, Parks & Recreation Committee

This is the Development, Parks & Recreation Committee meeting for May 11, 2020.

Members in attendance are: Councilmember Cotner, Councilmember Pyakurel, Councilmember Lawson-Rowe, Chair Baker and President Jenkins.

An Ordinance Consenting to the Annexation of Certain Real Property Located at 704 Waggoner Road in Truro Township Consisting of 130.91+/-, Owned by Rhoderick C. Griffin, Kenton G. Griffin and Laurel J. Sample

Attorney Shook reviewed the ordinance and stated the resolution approving the annexation by the Franklin County Commissioners on April 21, 2020. Under ORC 709.04, Reynoldsburg City Council cannot consider the annexation until 60 days after its delivery to the City. This will have to be tabled for 60 days past the resolution passage. This will be reviewed the first week in July. A representative from the annexation explains that the property is the farm on East side of Waggoner Road. It's essentially an island of Truro Township with Reynoldsburg surrounding it. It is planned to become a new housing development.

Councilmember Baker made a motion to hold this ordinance until the first meeting in July. Second by Councilmember Pyakurel. Motion carried.

Public Safety, Law & Courts Committee

This is the Public Safety, Laws & Court Committee meeting for May 11, 2020.

Members in attendance are: Councilmember Cotner, Councilmember Pyakurel, Councilmember Lawson-Rowe, Chair Bryant and President Jenkins.

AN ORDINANCE TO AMEND TITLE V OF THE CODIFIED ORDINANCES OF THE CITY OF REYNOLDSBURG TO ADD CHAPTER 503, PROHIBITING DISCRIMINATORY PRACTICES IN EMPLOYMENT, HOUSING, AND PUBLIC ACCOMMODATIONS --- Bryant. Public Safety, Law and Courts Committee.

This is a work only session on the item.

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Councilmember Bryant explains she has been working on this issue for some time. Amazon passed on Ohio in building headquarters here because they do not have an Anti-Discrimination ordinance. The Ohio Chamber of Commerce is supporting the State Act. Councilmember Bryant thanks Attorney Shook for putting in so much work toward this ordinance.

Attorney Shook explains that Council passed a motion on February 10th to draft and recommend an ordinance in regards to the Anti-Discrimination Act. Due to the pandemic, this ordinance has been a little delayed. There are 30 cities and counties in Ohio that has passed similar legislations to include Columbus, Cleveland, Coshocton and Newark. This ordinance currently identified certain protected classes and some that are not. They include race, religion, national ethnicity, sexual orientation, military status, disability status, marital status, gender identity or expression and natural hair style or texture. These protections are in employment, housing and public accommodations. There are religious exemption in the employment and public accommodations sections. This would permit religious institutions to discriminate based on religion. This is consistent with what other cities have done. This protects the city and those religious institutions. This ordinance also addresses ethnic intimidation. It enhances the penalties associated with those offenses. An example if this offense occurred recently in the City over a parking spot at Walmart. When one individual returned to their car, they found a note with a racial slur from the other individual. Currently the penalty would be a minor misdemeanor, which would be comparable to a traffic ticket. The new ordinance, this ordinance, would enhance those penalties.

Councilmember Cotner asks for more explanation on the racial intimidation piece and if all incidents where a racial slur is used becomes ethnic intimidation. He does not want to make light of the situation or condone it but wants to make sure each situation is determined based on the factors of why the argument is taking place.

Attorney Shook explains it is taking a case by case basis, the example from Walmart was determined that disorderly conduct was the appropriate action. Ethnic intimidation will elevate the punishment if race in the motivation behind the occurrence.

Councilmember Bryant explains each occurrence will be looked at in context.

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Councilmember Cotner asked about the religious protection and believes it will be strong issue.

Attorney Shook explains that in section 503.05 (f), this section prohibits discriminatory practices in employment. This does not apply to any religious corporation, school or society, association or educational institution. This section allows those institutions to employ only those of the same religion as the institution. An example of this would be the hiring of a priest or catholic schools only hiring those of the catholic religion.

Councilmember Salvati wants to thank Attorney Shook and all involved in writing the ordinance.

Councilmember Strickland also appreciates all the efforts from Councilmember Bryant and Attorney Shook. She understand discrimination happens everywhere and that every type of person is respected and protected and as well as protecting the City. She gives an example of someone within the City building referring to an African American employee as "boy". She wants to make sure these issues are addressed head on and the City and its residents are protected.

Councilmember Bryant wants to thank Councilmember Strickland for bringing the CROWN resolution forward. She speaks of examples previously in the prison system where black men were only permitted to have certain hair styles while white men who did not have these same restrictions.

Councilmember Pyakurel feels that this ordinance will bring more protection and awareness. He has faced a lot of difficulties with his religion and background when he first came to the City.

Councilmember Baker thanks Councilmember Bryant and Attorney Shook for bringing the ordinance forwarded. He has heard many stories from his grandparents experiencing discrimination because they were African American and it's still happening today.

President Jenkins wants everyone to be treated fairly. She wants people to be aware that this happens even if it's not to them, this is still a current issue taking place.

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Councilmember Lawson-Rowe shares her concerns that we are still having to address racism and discrimination in 2020. Having this ordinance in place she hopes will continue to bring conversation about these issues. She feels it's unfortunate that resolutions and ordinances are needed for these conversations to happen it is needed. She is willing to help educate and answers any questions to help fill any gaps.

Councilmember Salvati states this ordinance is important to have and be on the record. Part of the protected classes in this ordinance are not protected at even the state or federal level. Councilmember Salvati questions if the City's legislation can protect those at the state and federal level who are not included in those legislations.

Attorney Shook explains that the City is limited in the remedies that it can provide to those individuals who aren't protected at the state and federal level. For example, they cannot give the right to someone to sue at the state level who is not protected in the state legislation. The ordinance is meant not only to protect our residents but to send a message to state and federal law makers that there is a lot of support for anti-discrimination protection.

Councilmember Bryant feels the odds of being able to make a situation right on the state level may not be there but we can do it at the level of the City and serve it as a message to the state legislators to continue to work toward passing it as the state level.

Mayor Begeny gives his overwhelming support for this legislation and explains that in 2015 he led the fight to include anti-discrimination language in Reynoldsburg School policy. Two years ago he came before Council expressing his concern that the City did not have similar legislation. A measure was put in for employees but not the City at large. He looks forward to signing this legislation and feels it's also important for a business aspect so Reynoldsburg is passed on similar to the situation with the State of Ohio and Amazon. He learned a lot this past summer working with the current Councilmembers that have never been brought to his attention previously. Mayor Begeny feels this anti-discrimination legislation is a wonderful place to start.

Councilmember Baker is asking community members to please do their homework and read this ordinance and research some history on the things that have taken place to bring the ordinance forward.

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REYNOLDSBURG CITY COUNCIL
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Councilmember Bryant recommends that this ordinance be brought back to the Public Safety, law & Courts Committee for a first reading at the May 26th Committee meeting.

RESULT:	REFERRED TO COMMITTEE	Next: 5/26/2020 6:00 PM
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Public Service & Transportation Committee

This is the Public Service & Transportation Committee meeting for May 11, 2020.

Members in attendance are: Councilmember Cotner, Councilmember Pyakurel, Councilmember Lawson-Rowe, Chair Strickland and President Jenkins.

An Ordinance to Repeal and Replace Chapter 741 of the Reynoldsburg Codified Ordinance on Solicitors

Attorney Shook explains this the ordinance that was presented to Council at the previous Council meeting for a work session. Attorney Shook explains that the ordinance will be amended to include the times in which permits can be granted sometime between the first and second reading. As well as to set forth the fees for those permits. These are being set in conjunction with the recommendation of the employees in the Service Department.

Councilmember Bryant questions if a list can be provided on the City website of approved solicitors licenses. Therefore any residents with issues with solicitors are able to verify their license and move forward with the complaint if needed. Attorney Shook states he will discuss the idea with the Police Department, who will be taking over the permitting process.

Councilmember Salvati inquires if there will be a charge for the no soliciting signs for residents and what the costs may be.

Attorney Shook explains that residents can create their own sign to display if has the specific required language as well as a certain size. The City will also be creating a sign that is within the regulations of the ordinance, the cost will be \$5.00 per sign. The cost is minimal, but will defray the cost to the City will be for the signs. Signs

Minutes Acceptance: Minutes of May 11, 2020 6:00 PM (Approval of Minutes)



**MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
May 11, 2020**

have to be 3" by 4" in size and no more than one square foot in totally surface area. This ensures that the sign is visible to solicitors.

Councilmember Pyakurel questions if there is a language requirement for the sign. Attorney Shook's feel that the City is a diverse community and it would be a good idea to have the sign available in other languages as well.

Councilmember Lawson-Rowe questions on behalf of a resident who gave the option of making a printable PDF sign to display. Attorney Shook feels this is a good suggestion as well and appreciates the idea from Ms. Wilson.

Councilmember Strickland moves that the ordinance be forwarded to Council for a first reading. Second by Councilmember Lawson- Rowe. Motion carries.
Finance & Administration Committee

There is no Finance and Administration Committee meeting.

LEGISLATION FOR FIRST READING

AN ORDINANCE CONSENTING TO THE ANNEXATION OF CERTAIN REAL PROPERTY LOCATED AT 704 WAGGONER ROAD IN TRURO TOWNSHIP CONSISTING OF 130.91+/-, OWNED BY RHODERICK C. GRIFFIN, KENTON G. GRIFFIN AND LAUREL J. SAMPLE --- Baker. Development, Parks and Recreation Committee.

RESULT:	ITEM HELD	Next: 7/13/2020 7:35 PM
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AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 741 OF THE REYNOLDSBURG CODIFIED ORDINANCE ON SOLICITORS --- Strickland. Public Service and Transportation Committee.

Minutes Acceptance: Minutes of May 11, 2020 6:00 PM (Approval of Minutes)

Reynoldsburg

OHIO • 1839

MINUTES REGULAR MEETING REYNOLDSBURG CITY COUNCIL May 11, 2020

RESULT:	REFERRED TO COMMITTEE	Next: 5/26/2020 6:00 PM
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LEGISLATION FOR SECOND READING

AN ORDINANCE TO TRANSFER FUNDS AMONG VARIOUS GENERAL FUND ACCOUNTS WITHIN THE ECONOMIC DEVELOPMENT DEPARTMENT --- Baker. Development, Parks and Recreation Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/26/2020 6:00 PM
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AN ORDINANCE TO ESTABLISH CHAPTER 1399, REGISTRATION OF VACANT PROPERTIES FOR THE CODIFIED ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO --- Strickland. Public Service and Transportation Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/26/2020 6:00 PM
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AN ORDINANCE TO AMEND CHAPTER 160 EMPLOYEE COMPENSATION, SECTION 160.02 (E) AND (F) AUTHORIZED POSITIONS AND SECTION 160.11 CITY CLOTHING PROVIDED OF THE CODE OF ORDINANCES FOR THE CITY OF REYNOLDSBURG, OHIO --- Salvati. Finance and Administration Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/26/2020 6:00 PM
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AN ORDINANCE TO AMEND THE PERSONNEL PROCEDURE MANUAL REGARDING NON-UNIFORM CLOTHING AND DRUG AND ALCOHOL TESTING POLICY --- Salvati. Finance and Administration Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/26/2020 6:00 PM
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Minutes Acceptance: Minutes of May 11, 2020 6:00 PM (Approval of Minutes)



**MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
May 11, 2020**

Other Council Matters

Mayor Begeny updates Council with information regarding the cancellation of the Fourth of July fireworks and parade. Currently, the City is moving forward as if the Tomato Festival is taking place and continuing planning but will be dependent on the governors direction. The Farmers Market is going to take place as its considered essential business. It will return in early June.

Councilmember Lawson-Rowe inquires if any money has been paid for the fireworks. Mayor Begeny explains that while the fireworks have been cancelled for the fourth he hopes that they can be rescheduled. Possible dates include Labor Day or Christmas on the Town. Attorney Shook explains that no payment has been made toward the fireworks. The City is in conversation with the firework vendor about possible make up dates.

President Jenkins questions when decisions need to be made on the Tomato Festival contracts before losing any money. Mayor Begeny explains a decision needs to be made 30 days prior. An internal date of June 29 has been set to make the decision. As of now, most events on June and July have been cancelled but August events are still set. Attorney Shook also states that the only money lost on the Tomato Festival contracts would be that paid for lodging but nothing further.

Councilmember Baker thanks all the servicemen, front line workers, grocery store workers and medical workers.

President Jenkins reminds everyone to support local business by order take out from the City's local businesses.

Councilmember Pyakurel thanks school Superintendent Brown for the Wi-Fi idea, many families are in need and utilizing this service.

Upcoming Meetings

President Jenkins advised that the next virtual Council meeting would be on Tuesday, May 26th, due to the Memorial Day holiday.

May 21, 2020 BZBA

May 26, 2020 (Tuesday) Council 6:00pm

June 4, 2020 Planning Commission

June 8, 2020 Council

Minutes Acceptance: Minutes of May 11, 2020 6:00 PM (Approval of Minutes)

Reynoldsburg

OHIO • 1839

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
May 11, 2020

June 18, 2020 BZBA
June 22, 2020 Council

Adjournment

Mollie Prasher
Mollie Prasher, Clerk of Council

Leanora Jenkins
Leanora Jenkins, President of Council

Minutes Acceptance: Minutes of May 11, 2020 6:00 PM (Approval of Minutes)

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

MOTION REQUEST

DATE: **May 26, 2020**

TO:

RE: **Appointments to Board of Tax Review Board**

Approval:

Completed Joe Begeny	Chris Shook	Stephen Cicak
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The previous appointments to the Board of Tax Review Board have expired. The Board of Tax Review is comprised of three members - two appointed by City Council and one appointed by the Mayor.

**A MOTION TO APPROVE A RESOLUTION TO APPOINT MEMBERS TO THE CITY
OF REYNOLDSBURG BOARD OF TAX REVIEW IN ACCORDANCE WITH THE
PROVISIONS OF THE OHIO REVISED CODE SECTION 718.11**

WHEREAS, Section 718.11 of the Ohio Revised Code created a Board of Tax Review composed of three members - one appointed by the Mayor and two appointed by City Council, and;

WHEREAS, the function of the Board is to review an appeal from a taxpayer regarding a decision made by the City Tax Commissioner, and;

WHEREAS, it is required by state tax code that this Board be reappointed every two years.

NOW, THEREFORE, be it resolved by the City of Reynoldsburg, Ohio, that:

Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

Section 1: Members of the Board of Tax Review are hereby appointed as follows:

Council Appointment	<u>Mildred Johnson</u>
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Council Appointment	<u>Franklin Davis</u>
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Mayoral Appointment	<u>Peaches M. Anderson</u>
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Section 2: The Board of Tax Review shall meet upon receipt of an appeal filing.

Section 3: This resolution shall take effect and be in force immediately upon passage.

Clerk of Court**Leslie Clark****7232 E. Main Street****Reynoldsburg OH 43068****614-322-6852 phone****Memo**

DATE: **May 26, 2020**

TO: **City Council**

CC:

RE: **CLERK OF COURT REPORT MONTH ENDING MARCH 2020**

I am submitting monies collected from the courts held on 3/5, and 3/12/20. I am also submitting monies collected during the same period pursuant to City Ordinance No/s. 146-94 and 104-02.

Fines &Waivers/Bond Costs/Bond Forfeitures Order In	(#110.4512)	\$ 7,608.00
Court Costs & Misc. Costs Assessed	(#110.4510)	\$ 15,609.00

Sub-Total (To General Revenue Fund)		\$ 23,217.00
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Computerization Needs Fund	(#211.4510)	\$ 2,194.00
Enforcement & Education Fund	(#293.4616)	\$ 0.00

Sub-Total		\$ 2,194.00
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Total Amount Submitted		\$ 25,411.00
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Clerk of Council
Mollie Prasher
7232 East Main Street
Reynoldsburg OH 43068
614-322-6836 Phone

ORDINANCE REQUEST

DATE: **May 26, 2020**

TO: **Development, Parks and Recreation Committee**

RE: **Detachment of Property Back into Truro Township**

Approval:

Completed Joe Begeny	Completed Chris Shook	Stephen Cicak
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The Board of Trustees for the Township of Truro has requested the City of Reynoldsburg to pass an ordinance that would permit a detachment of certain real estate owned by Truro Township to enable the owner to combine said parcels with another parcel currently located in Truro Township.

AN ORDINANCE TO CONSENT TO THE TRANSFER OF TERRITORY IN THE CITY OF REYNOLDSBURG TO THE TOWNSHIP OF TRURO

WHEREAS, the Board of Trustees for the Township of Truro, State of Ohio (“Truro Township”), has requested the City of Reynoldsburg to pass an ordinance that would permit a detachment of certain real estate owned by Truro Township, as described in Exhibit “A” attached hereto, from the City of Reynoldsburg to Truro Township to enable the owner to combine said parcels with another parcel currently located in Truro Township; and

WHEREAS, the procedure for the transfer of the territory described in Exhibit “A” from the City of Reynoldsburg to Truro Township is provided by Ohio Revised Code Section 709.38; and

WHEREAS, there are no freehold electors as owners of the territory described in Exhibit “A.”

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone**

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, STATE OF OHIO, THAT:

SECTION 1. This Council hereby consents to the transfer of the territory described in Exhibit “A” from the City of Reynoldsburg to the Township of Truro.

SECTION 2. This ordinance shall take effect at the earliest opportunity allowed by law.

EXHIBIT A

PARCEL I. Being a part of Lot No. Twenty-nine (29) in Section 18, Township 18, Range 20, Refugee Tract. Beginning at a point on land formerly owned by Josiah Medbery, on the north line 100 feet, more or less, west from a stake and stone at the northeast corner of a tract of land conveyed to The Silent Home Cemetery Association by Josiah Medbery and wife. Then north 60 feet, more or less, thence west 231-6/10 ft., more or less, thence south 60 ft., more or less, thence east 231-6/10 ft., more or less, to the place of beginning, and containing thirty-two hundredths (32/100) acres, more or less, and the above is the land conveyed to H. Dysart and S. Henderlick from Archibald McCray and wife by deed recorded in Book 133, pages 379-380 of the Franklin County records.

PARCEL II. Being a part of Lot Number Twenty-nine (29) in Section 18, Range 20, Refugee Tract. Beginning at a stake and stone at the northeast corner of a tract conveyed to the Silent Home Cemetery Trustees by Josiah Medbery and wife, then one hundred (100) feet, more or less, west to a point in a tract conveyed to the Silent Home Cemetery Trustees by Samuel Henderlick, Mary Henderlick, and Hiram Dysart, thence north sixty (60) feet, more or less, along the line of the last mentioned tract belonging to Silent Home Cemetery, thence east one hundred (100) feet, more or less, thence south sixty (60) feet, more or less, to the place of beginning, containing 3/29 of an acre, more or less, and being the southeast corner of a tract conveyed to C.L. Graham by Chas. Hutson and wife, recorded in D.B. 443, page 422 on the Franklin County Records.

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone**

Parcel No.: 060-000197-00

Property Address: 0 Graham Rd Rear

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Mollie Prasher
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Reynoldsburg OH 43068
614-322-6836 Phone

ORDINANCE REQUEST

DATE: **May 26, 2020**

TO: **Public Safety, Law and Courts Committee**

RE: **Anti-Discrimination in Employment, Housing and Pubic Accommodations**

Approval:

Completed Joe Begeny	Completed Chris Shook	Stephen Cicak
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**AN ORDINANCE TO AMEND TITLE V OF THE CODIFIED ORDINANCES
OF THE CITY OF REYNOLDSBURG TO ADD CHAPTER 503,
PROHIBITING DISCRIMINATORY PRACTICES IN
EMPLOYMENT, HOUSING, AND PUBLIC ACCOMMODATIONS**

WHEREAS, the State of Ohio prohibits discriminatory practices in housing, employment, and public accommodations based on race, sex, religion, ancestry, national origin, age, disability, familial status, marital status, or military status; and

WHEREAS, the Ohio General Assembly is currently considering Ohio House Bill 369 and Ohio Senate Bill 11, commonly referred to as the “Ohio Fairness Act,” seeking to expand protections based on sexual orientation, gender identification, and gender expression; and

WHEREAS, several versions of the “Ohio Fairness Act” have previously been proposed in the Ohio General Assembly in prior years and have never received a vote; and

WHEREAS, in October 2019, the Speaker of the Ohio House of Representatives declined to provide protections for employees of the Ohio House based on sexual orientation and gender identity, stating “The House has long had a policy of looking at various amounts of classes that are recognized federally and by the state as protected classes. LGBTQ is currently not one of those protected classes;” and

Clerk of Council

Mollie Prasher

7232 East Main Street

Reynoldsburg OH 43068

614-322-6836 Phone

WHEREAS, based on the statements of the Speaker of the Ohio House of Representatives and the history of the Ohio General Assembly failing to act to provide protections to individuals based on sexual orientation and gender identity, the Reynoldsburg City Council finds that it is important to pursue an anti-discrimination ordinance at the local level with the hope that widespread support for the Ohio Fairness Act will convince the General Assembly to pass Ohio House Bill 369 or Ohio Senate Bill 11; and

WHEREAS, the Ohio Chamber of Commerce has expressed its support for the Ohio Fairness Act, testifying as follows before the Ohio House Civil Justice Committee: “[W]e urge your support for HB 369 because prohibiting discrimination on the basis of sexual orientation and gender identity will help businesses attract the best and brightest talent from all walks of life and ensure that Ohio is viewed as a welcoming and hospitable place to do business;” and

WHEREAS, the Ohio Manufacturers’ Association has expressed its support for the Ohio Fairness Act, stating: “We are desperate for people to come and take these jobs. We need them for businesses’ success, for our community’s success. This piece of legislation is vitally important;” and

WHEREAS, several Ohio municipalities and one county have enacted legislation to provide protections to their citizens based on sexual orientation and gender identity, including the following cities: Akron, Athens, Beachwood, Bexley, Bowling Green, Cincinnati, Cleveland, Cleveland Heights, Columbus, Coshocton, Cuyahoga County, Dayton, East Cleveland, Gambier, Golf Manor, Kent, Lakewood, Medina, Newark, Olmsted Falls, Oxford, Sandusky, Shaker Heights, South Euclid, Toledo, Westerville, Worthington, Yellow Springs, and Youngstown; and

WHEREAS, on February 10, 2020, the Reynoldsburg City Council passed a Resolution to Adopt an Expanded Reynoldsburg City Policy Supporting Diversity, and to Direct Actions to the City administration to Investigate, Recommend, Research, and Draft a Proposed Anti-Discrimination Ordinance for the City of Reynoldsburg; and

WHEREAS, it is the intent of the Reynoldsburg City Council to create safeguards and protections against discrimination and intimidation based on race, religion, ethnicity, national origin, sex, disability, military status, family or marital status, sexual orientation, gender identity or expression, and natural hairstyle and/or texture.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the Municipality of Reynoldsburg, State of Ohio:

SECTION 1. That Part Five of the Codified Ordinances of the City of Reynoldsburg, “General Offenses Code,” be and the same is hereby amended to add Chapter 503 “Unlawful Discriminatory Practices.”

Clerk of Council**Mollie Prasher****7232 East Main Street****Reynoldsburg OH 43068****614-322-6836 Phone**

SECTION 2. Upon adoption by Council, this Ordinance shall be in effect thirty days following the signature by the Mayor.

Clerk of Council

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7232 East Main Street

Reynoldsburg OH 43068

614-322-6836 Phone

CHAPTER 511

UNLAWFUL DISCRIMINATORY PRACTICES

503.01 Purpose

It is the intent of the Reynoldsburg City Council to create safeguards and protections against discrimination and intimidation based on race, religion, ethnicity, national origin, sex, disability, military status, family or marital status, sexual orientation, gender identity or expression, and natural hairstyle and/or texture.

503.03 Definitions

As used in this Chapter:

- A. "Age" means at least forty (40) years old.
- B. "Aggrieved individual" means an individual who claims to have been injured by an unlawful discrimination act or practice described in this Chapter.
- C. "City Attorney" means the individual duly elected pursuant to Section 6.01 of the Charter of the City of Reynoldsburg.
- D. "Complainant" means an aggrieved individual who, pursuant to the provisions of this Chapter, files with the Clerk of Council a written complaint alleging an unlawful discriminatory act or practice.
- E. "Disability" means a physical or mental impairment that substantially limits one (1) or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working; a record of a physical or mental impairment; or being regarded as having a physical or mental impairment.
 - 1. "Physical or mental impairment" includes any of the following:
 - a. Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one (1) or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitor-urinary; hemic and lymphatic; skin; and endocrine;

Clerk of Council

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- b. Any mental or psychological disorder, including, but not limited to, orthopedic, visual, speech, and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, sickle cell, human immunodeficiency virus infection, intellectual disabilities, and emotional illness.
- 2. “Physical or mental impairment” does not include any of the following:
 - a. Pedophilia, exhibitionism, voyeurism, or other sexual behavior disorders;
 - b. Compulsive gambling, kleptomania, or pyromania;
 - c. Mental or psychological disorder, or disease or condition, caused by an illegal use of any controlled substance by an employee, applicant, or another individual, if an employer, employment agency, personnel placement service, labor organization, or joint labor management committee acts on the basis of that illegal use.
- F. “Discriminate”, “Discrimination”, or “Discriminatory” means to differentiate and treat differently including to segregate or separate.
- G. “Employee” means an individual employed by an employer but does not include any individual employed in the domestic service of any person.
- H. “Employer” means any person who regularly employs for compensation four (4) or more individuals, excluding the employer’s parents, spouse, and children, including any person acting directly or indirectly in the interest of an employer, provided “employer” does not include a public school system, or an agency of government other than the City.
- I. “Employment agency” means any persons regularly undertaking with or without compensation, to procure opportunities for employment or to procure, recruit, refer, or place employees.
- J. “Familial status” means either of the following:
 - 1. One (1) or more individuals who are under eighteen (18) years of age and who are domiciled with a parent or guardian having legal custody of the individual or domiciled, with the written permission of the parent or guardian having legal custody, with a designee of the parent or guardian; or
 - 2. Any person who is pregnant or in the process of securing legal custody of any individual who is under eighteen (18) years of age.

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- K. “Gender Expression or Identity” means actual or perceived gender-related identity, expression, appearance, or mannerisms, or other gender-related characteristics of an individual, regardless of the individual’s designated sex at birth.

- L. “Hearing Officer” means a neutral independent contractor, hired by the City, who conducts an administrative hearing based on a complaint filed pursuant to the provisions of this Chapter.

- M. “Housing accommodations” including any buildings or structure or portion thereof which is used or occupied or is intended, arranged, or designed to be used or occupied as a home residence or sleeping place of one (1) or more individuals, groups or families, whether or not living independently of each other; and any vacant land offered for sale or lease. It also includes any housing accommodations held or offered for sale or rent by a real estate broker, salesman, or agent, or by any other person pursuant to the authorization of the owner, by the owner, or by such person’s legal representative.

- N. “Labor organization” includes any organization that exists, in whole or in part, for the purpose of collective bargaining or of dealing with employers concerning grievances, terms or conditions of employment, or other mutual aid or protection in relation to employment.

- O. “Military status” means a person’s status in “Service in the uniformed services” as defined in Section 5923.05 of the Ohio Revised Code.

- P. “Natural hair types and natural styles commonly associated with race” means hairstyle, type, and texture, treated and untreated, as well as protective hairstyles such as natural hair, afros, braids, twists, cornrows, and locks, which hair types and hairstyles are commonly associated with African-Americans and their racial ethnic, and cultural identities.

- Q. “Person” includes one (1) or more individuals, partnerships, associations, organizations, corporations, legal representatives, trustees, and trustees in bankruptcy, receivers, and other organized groups of persons. It also includes, but is not limited to, any owner, lessor, assignor, builder, manager, broker, salesman, agent, employee, lending institution; and the City of Reynoldsburg and all political subdivisions, authorities, agencies, boards, and commissions thereof.

Clerk of Council

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- R. “Place of public accommodation” means any inn, restaurant, eating house, barbershop, hotel, motel, bank or other financial services institution, public conveyance by air, land or water, theater, store, or other place for the sale of merchandise, or any other place of public accommodation or amusement where the accommodation advantages, facilities, or privileges thereof are available to the public.
- S. “Protected Class” means a classification of individuals based on one or more of the following characteristics: race, color, religion, sex, national origin, age, familial status, disability, pregnancy, sexual orientation, gender identity or expression, or natural hair types and natural styles commonly associated with race.
- T. “Public use areas” means interior or exterior rooms or spaces of a privately owned building that are made available to the general public.
- U. “Restrictive covenant” means any specification in a deed, land contract or lease limiting the use of any housing because of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, marital status, familial status, genetic information, or military status or any limitation based upon affiliation with or approval by any person, directly or indirectly, employing race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, marital status, familial status, genetic information, or military status as a condition of affiliation or approval.
- V. “Service in the uniformed services” means the performance of duty, on a voluntary or involuntary basis, in a uniformed service, under competent authority, and includes active duty, active duty for training, initial active duty for training, inactive duty for training, full-time national guard duty, and performance of duty or training by a member of the Ohio organized militia pursuant to Chapter 5923 of the Ohio Revised Code. “Service in the uniformed services” includes also the period of time for which a person is absent from a position of public or private employment for the purpose of an examination to determine the fitness of the person to perform any duty described in this division.
- W. “Sex” means male, female, neither, or both, and includes pregnancy, any illness arising out of and occurring during the course of a pregnancy, childbirth, or related medical conditions. .
- X. “Sexual orientation” means a person’s actual or perceived homosexuality, bisexuality; or heterosexuality.

Clerk of Council

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7232 East Main Street

Reynoldsburg OH 43068

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- Y. “Uniformed services” means the Armed Forces, the Ohio organized militia when engaged in active duty for training, inactive duty training, or full-time national guard duty, the commissioned corps of the public health service, and any other category of persons designated by the president of the United States in time of war or emergency.
- Z. “Unlawful discriminatory practice” means any act prohibited by Chapter 503 of the Reynoldsburg Code of Ordinances.

503.05 Unlawful discriminatory employment practices.

- A. It shall be an unlawful discriminatory employment practice, except where based upon applicable national security regulations established by the United States:
 - 1. For any employer, because of a person being in a Protected Class, to discharge without just cause, to refuse to hire, or otherwise to discriminate against that person with respect to hiring, compensation, tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment.
 - 2. For an employment agency or personnel placement service, because of a person being in a Protected Class, to do any of the following:
 - a. Refuse or fail to accept, register, classify properly, or refer for employment, or otherwise discriminate against any person;
 - b. Comply with a request from an employer for referral of applicants for employment, if the request directly or indirectly indicates that the employer fails to comply with the provisions of this chapter.
 - 3. For any labor organization to do any of the following:
 - a. Limit or restrict its membership on the basis of a person being in a Protected Class;

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Reynoldsburg OH 43068

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- b. Discriminate against, limit the employment opportunities of, or otherwise adversely affect the employment status, wages, hours, or employment conditions of any person as an employee because of a person being in a Protected Class.
- 4. For any employer, labor organization, or joint labor-management committee controlling apprentice training programs to discriminate against any person because of that person being in a Protected Class, in admission to, or employment in, any program established to provide apprentice training.
- 5. Except where based on a bona fide occupational qualification certified in advance by an agency of the state or federal government or a political subdivision, for any employer, employment agency, personnel placement service, or labor organization, prior to employment or admission to membership, to do any of the following:
 - a. Elicit or attempt to elicit any information concerning the Protected Class status of an applicant for employment or membership;
 - b. Use any form of application for employment, or personnel or membership blank, seeking to elicit information regarding a person's Protected Class status; provided an employer holding a contract containing a nondiscrimination clause with the government of the United States, or any department or agency of that government, may require an employee applicant for employment to furnish documentary proof of United States citizenship and may retain that proof in the employer's personnel records and may use photographic or fingerprint identification for security purposes;
 - c. Utilize in the recruitment or hiring of persons any employment agency, personnel placement service, training school or center, labor organization, or any other employee-referring source known to discriminate against persons because of their being in a Protected Class.
- 6. For any employer to discriminate against an individual with a disability in any of the following ways:

Clerk of Council

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Reynoldsburg OH 43068

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- a. By limiting, segregating, or classifying a job applicant or employee in a way that adversely affects the opportunities or status of such applicant or employee because of the disability of such applicant or employee.
 - b. By failing to make reasonable accommodations to the known physical or mental limitations of an otherwise qualified individual who is an applicant or employee, unless the employer can demonstrate that the accommodation would impose an undue hardship on the operation of the business of the employer.
 - c. By denying employment opportunities to a job applicant or employee who is an otherwise qualified individual with a disability, on the basis of such disabled individual's use of a service animal, provided nothing in this chapter shall be construed to require any employer, as a reasonable accommodation, to provide a service animal to a disabled person.
7. For any employer to discriminate against a woman affected by pregnancy, childbirth, or related medical conditions for any employment-related purposes, including receipt of benefits under fringe benefit programs, or to fail to treat a woman so affected the same as other persons not so affected but similar in their ability or inability to work.
8. For any employer to discriminate against an employee or potential employee on the basis of age in offering any job opening or in the discharge of an employee without just cause who is physically able to perform the duties and otherwise meets the established requirements of the job and laws pertaining to the relationship between employer and employee.
9. For any employer, employment agency, or labor organization to discriminate against any person because that person has opposed any practice forbidden by this Chapter, or because that person has made a complaint or assisted in any manner in any investigation or proceeding under this Chapter.
10. For any person, whether or not an employer, employment agency, or labor organization, to aid, incite, compel, coerce, or participate in the doing of any act

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declared to be an unlawful discriminatory practice by this Chapter, or to obstruct or prevent any person from enforcing or complying with the provisions of this Chapter, or to attempt directly or indirectly to commit any act declared by this Chapter to be an unlawful discriminatory practice by this Chapter.

B. With regard to age, it shall not be an unlawful discriminatory practice and it shall not constitute a violation of this chapter for any employer, employment agency, joint labor-management committee controlling apprenticeship training programs, or labor organization to do any of the following:

1. Establish bona fide employment qualifications reasonably related to the particular business or occupation that may include standards for skill, aptitude, physical capability, intelligence, education, maturation, and experience;
2. Observe the terms of a bona fide seniority system or any bona fide employee benefit plan, including, but not limited to, a retirement, pension, or insurance plan, that is not a subterfuge to evade the purposes of this section. However, no such employee benefit plan shall excuse the failure to hire any individual, and no such seniority system or employee benefit plan shall require or permit the involuntary retirement of any individual, because of the individual's age except as provided for in the "Age Discrimination in Employment Act Amendment of 1978", 29 U.S.C.A. 623, as amended by the "Age Discrimination in Employment Act Amendments of 1986," 29 U.S.C.A. 623, as amended, or as later amended.
3. Retire an employee who has attained sixty-five years of age who, for the two-year period immediately before retirement, was employed in a bona fide executive or a high policymaking position, if the employee is entitled to an immediate nonforfeitable annual retirement benefit from a pension, profit-sharing, savings, or deferred compensation plan, or any combination of those plans of the employer of the employee, which equals, in the aggregate, at least forty-four thousand dollars, in accordance with the conditions of the "Age Discrimination in Employment Act Amendment of 1978", 29 U.S.C.A. 631, as amended by the "Age Discrimination in Employment Act Amendments of 1986", 29 U.S.C.A. 631, as amended, or as later amended;

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4. Observe the terms of any bona fide apprenticeship program if the program is registered with the Ohio Apprenticeship Council pursuant to sections 4139.01 to 4139.06 of the Ohio Revised Code and is approved by the federal committee on apprenticeship of the United States Department of Labor.

C. Nothing in this chapter shall be construed to prohibit any of the following:

1. The designation of uniform age the attainment of which is necessary for public employees to receive pension or other retirement benefits pursuant to Chapter 145., 742., 3307., 3309., or 5505. of the Ohio Revised Code;
2. The establishment of maximum age requirements for original appointment to a police department or fire department pursuant to sections 124.41 and 124.42 of the Ohio Revised Code;
3. Any establishment of a maximum age not in conflict with federal law that may be established by a municipal charter, municipal ordinance, or resolution of a board of township trustees for original appointment as a police officer or firefighter;
4. Any establishment of a mandatory retirement provision not in conflict with federal law, a municipal charter, municipal ordinance, or resolution of a board of township trustees pertaining to police officers and firefighters.

D. Nothing in this section shall be construed to require a person with a disability to be employed or trained under circumstances that would significantly increase the occupational hazards affecting either the person with a disability, other employees, the general public, or the facilities in which the work is to be performed, or to require the employment or training of a person with a disability in a job that requires the person with a disability routinely to undertake any task, the performance of which is substantially and inherently impaired by the person's disability.

E. Nothing in this chapter shall prohibit an employer, employment agency, personnel placement service, labor organization, or joint labor-management committee from doing any of the following:

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1. Adopting or administering reasonable policies or procedures, including, but not limited to, testing for the illegal use of any controlled substance, that are designed to ensure that an individual no longer is engaging in the illegal use of any controlled substance. For purposes of this chapter, a test to determine the illegal use of any controlled substance does not include a medical examination;
 2. Prohibiting the illegal use of controlled substances and the use of alcohol at the workplace by employees;
 3. Requiring that employees not be under the influence of alcohol or not be engaged in the illegal use of any controlled substance at the workplace;
 4. Requiring that employees behave in conformance with the requirements established under “The Drug-Free Workplace Act of 1988”, 41 U.S.C.A. 701, as amended;
 5. Holding an employee who engages in the illegal use of any controlled substance or who is an alcoholic to the same qualification standards for employment or job performance, and the same behavior, to which the employer, employment agency, personnel placement service, labor organization, or joint labor-management committee holds other employees, even if any unsatisfactory performance or behavior is related to an employee’s illegal use of a controlled substance or alcoholism;
 6. Exercising other authority recognized in the “Americans with Disabilities Act of 1990”, 42 U.S.C.A. 12101, as amended, including, but not limited to, requiring employees to comply with any applicable federal standards.
- F. This Section does not apply to any religious corporation, association, educational institution, or society with respect to the employment of an individual of a particular religion to perform work connected with the carrying on by that religious corporation, association, educational institution, or society of its activities.

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G. Whoever violates this section is guilty of an unlawful discriminatory employment practice.

503.07 Unlawful discriminatory housing practices.

A. Subject to the limitations, exceptions, and qualifications provided in section 4112.024 of the Ohio Revised Code, it shall be an unlawful discriminatory housing practice for any person to do any of the following:

1. Refuse to sell, transfer, assign, rent, lease, sublease, or finance housing accommodations, refuse to negotiate for the sale or rental of housing accommodations, or otherwise deny or make unavailable housing accommodations because of a person being in a Protected Class;
2. Represent to any person that housing accommodations are not available for inspection, sale, or rental, when in fact they are available, and the representation of unavailability is based on the person seeking such housing accommodations being in a Protected Class;
3. Discriminate against any person in the making or purchasing of loans or the provision of other financial assistance for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations, or any person in the making or purchasing of loans or the provision of other financial assistance that is secured by residential real estate, because of that person being in a Protected Class, or because the neighborhood in which the housing accommodations are located is composed of one or more Protected Classes, provided that the person, whether an individual, corporation, or association of any type, lends money as one of the principal aspects or incident to the person's principal business and not only as a part of the purchase price of an owner-occupied residence the person is selling nor merely casually or occasionally to a relative or friend;
4. Discriminate against any person in the terms or conditions of selling, transferring, assigning, renting, leasing, or subleasing any housing accommodations or in furnishing facilities, services, or privileges in connection

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with the ownership, occupancy, or use of any housing accommodations, including the sale of fire, extended coverage, or homeowners insurance, because the person is in a Protected Class, or because of the composition, in terms of Protected Class, of the neighborhood in which the housing accommodations are located;

5. Discriminate against any person in the terms or conditions of any loan of money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations because of a person being in a Protected Class, or because of the composition, in terms of Protected Class, of the neighborhood in which the housing accommodations are located;
6. Refuse to consider without prejudice the combined income of both lawfully married spouses for the purpose of extending mortgage credit to a married couple or either member of a married couple;
7. Except as otherwise provided in this section, make any inquiry, elicit any information, or use any form of application containing questions or entries concerning a person's Protected Class status in connection with the sale or lease of any housing accommodations or the loan of any money, whether or not secured by mortgage or otherwise, for the acquisition, construction, rehabilitation, repair, or maintenance of housing accommodations.
8. Include in any deed, land contract, transfer, rental, or lease of housing accommodations any discriminatory restrictive covenant, or honor or exercise, or attempt to honor or exercise, any discriminatory restrictive covenant;
9. Induce or solicit, or attempt to induce or solicit, a housing accommodations listing, sale, or transaction by representing that a change has occurred or may occur with respect to the Protected Class composition of the block, neighborhood, or other area in which the housing accommodations are located, or induce or solicit, or attempt to induce or solicit, a housing accommodations listing, sale, or transaction by representing that the presence or anticipated

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presence of persons of any Protected Class in the block, neighborhood, or other area will or may have results including, but not limited to, the following:

- a. The lowering of property values;
 - b. A change in the composition, in terms of a Protected Class, of the block, neighborhood, or other area;
 - c. An increase in criminal or antisocial behavior in the block, neighborhood, or other area;
 - d. A decline in the quality of the schools serving the block, neighborhood, or other area.
10. Discourage or attempt to discourage the purchase by a prospective purchaser of housing accommodations, by representing that any block, neighborhood, or other area has undergone or might undergo a change in composition with respect to a Protected Class;
 11. Deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting housing accommodations, or discriminate against any person in the terms or conditions of that access, membership, or participation, because of a person being in a Protected Class;
 12. For any person to discriminate in any manner against any other person because that person has opposed any unlawful practice defined in this chapter, or because that person has made a charge, testified, assisted, or participated in any manner, in any investigation, proceeding, or hearing under the provisions of this chapter;
 13. Refuse to sell, transfer, assign, rent, lease, sublease, or finance, or otherwise deny or withhold, a burial lot from any person because of a person being in a Protected Class, or because of any prospective owner or user of the lot being in a Protected Class;

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14. Discriminate in the sale or rental of, or otherwise make unavailable or deny, housing accommodations to any buyer or renter because of the Protected Class status of the buyer or renter, or any person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available;
15. Discriminate in the terms, conditions, or privileges of the sale or rental of housing accommodations to any person or in the provision of services or facilities to any person in connection with the housing accommodations because of the Protected Class status of that person or any person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available;
16. Except as otherwise provided in this section, make an inquiry of an applicant to determine the Protected Class status of the applicant for the sale or rental of housing accommodations, or any person residing in or intending to reside in the housing accommodations after they are sold, rented, or made available. The following inquiries may be made of all applicants for the sale or rental of housing accommodations, regardless of the applicant's Protected Class:
 - a. An inquiry into an applicant's ability to meet the requirements of ownership or tenancy;
 - b. An inquiry to determine whether an applicant is qualified for housing accommodations available only to persons with disabilities or persons with a particular type of disability;
 - c. An inquiry to determine whether an applicant is qualified for a priority available to persons with disabilities or persons with a particular type of disability;
 - d. An inquiry to determine whether an applicant currently uses a controlled substance in violation of section 2925.11 of the Ohio Revised Code or a substantively comparable municipal ordinance;
 - e. An inquiry to determine whether an applicant at any time has been convicted of or pleaded guilty to any offense, an element of which is the illegal sale, offer to sell, cultivation, manufacture, other production,

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shipment, transportation, delivery, or other distribution of a controlled substance.

17. Refuse to permit, at the expense of a person with a disability, reasonable modifications of existing housing accommodations that are occupied or to be occupied by the person with a disability, if the modifications may be necessary to afford the person with a disability full enjoyment of the housing accommodations. This division does not preclude a landlord of housing accommodations that are rented or to be rented to a disabled tenant from conditioning permission for a proposed modification upon the disabled tenant's doing one or more of the following:
 - a. Providing a reasonable description of the proposed modification and reasonable assurances that the proposed modification will be made in a work-like manner and that any required building permits will be obtained prior to the commencement of the proposed modification;
 - b. Agreeing to restore at the end of the tenancy the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of occupancy, if it is reasonable for the landlord to condition permission for the proposed modification upon the agreement;
 - c. Paying into an interest-bearing escrow account that is in the landlord's name, over a reasonable period of time, a reasonable amount of money not to exceed the projected costs at the end of the tenancy of the restoration of the interior of the housing accommodations to the condition they were in prior to the proposed modification, but subject to reasonable wear and tear during the period of occupancy, if the landlord finds the account reasonably necessary to ensure the availability of funds for the restoration work. The interest earned in connection with an escrow account described in this division shall accrue to the benefit of the disabled tenant who makes payments into the account.
18. Condition permission for a proposed modification of a dwelling unit upon a disabled tenant's payment of a security deposit that exceeds the customarily required security deposit of all tenants of the particular housing accommodations.

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19. Refuse to make reasonable accommodations in rules, policies, practices, or services when necessary to afford a person with a disability equal opportunity to use and enjoy a dwelling unit, including associated public and common use areas;
 20. Fail to comply with the standards and rules adopted under division (A) of section 3781.111 of the Ohio Revised Code;
 21. Discriminate against any person in the selling, brokering, or appraising of real property because of the person being in a Protected Class;
 22. For any person to discriminate in any manner against any other person because that person has opposed any unlawful discriminatory practice defined in this section or because that person has made a charge, testified, assisted, or participated in any manner in any investigation, proceeding, or hearing under this chapter or sections 4112.01 to 4112.07 of the Ohio Revised Code.
 23. For any person to knowingly aid or abet the doing of any act declared by this section to be an unlawful discriminatory practice, to knowingly obstruct or prevent any person from complying with this chapter or any order issued under it, or to knowingly attempt directly or indirectly to commit any act declared by this section to be an unlawful discriminatory practice.
- B. Nothing in this chapter shall bar any bona fide private or fraternal organization that, incidental to its primary purpose, owns or operates lodgings for other than a commercial purpose, from limiting the rental or occupancy of the lodgings to its members or from giving preference to its members.
- C. Nothing in this chapter limits the applicability of any reasonable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy housing accommodations.

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- D. Nothing in this chapter prohibits the owners or managers of housing accommodations from implementing reasonable occupancy standards based on the number and size of sleeping areas or bedrooms and the overall size of a dwelling unit, provided that the standards are not implemented to circumvent the purposes of this chapter and are formulated, implemented, and interpreted in a manner consistent with this chapter and any applicable local, state, or federal restrictions regarding the maximum number of occupants permitted to occupy housing accommodations.

- E. Nothing in this chapter requires that housing accommodations be made available to an individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.

- F. Nothing in this chapter pertaining to unlawful discriminatory housing practice shall be construed to apply to “housing for older persons” as defined and provided in section 42 U.S.C. 3607 (b)(2), as amended.

- G. Nothing in this section shall be construed to require any person selling or renting property to modify the property in any way or to exercise a higher degree of care for a person with a disability, to relieve any person with a disability of any obligation generally imposed on all persons regardless of disability in a written lease, rental agreement, or contract of purchase or sale, or to forbid distinctions based on the inability to fulfill the terms and conditions, including financial obligations, of the lease, agreement, or contract.

- H. Whoever violates this section is guilty of unlawful discrimination in housing accommodations.

511.04 Unlawful discriminatory practices in public accommodations.

It shall be an unlawful discriminatory practice:

- A. For any owner, operator, or manager of a place of public accommodation to deny to any person or permit any employee to deny to any person, except for reasons applicable alike to all persons regardless of them being in a Protected Class, the full enjoyment of the

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accommodations, advantages, facilities, or privileges of the place of public accommodation; or

- B. For any owner, operator, or manager of a place of public accommodation to publish, circulate, issue, display, post or mail, either directly or indirectly, any printed or written communication, notice or advertisement to the effect that any of the accommodations, advantages, facilities, goods, products, services, and privileges of any such place shall be refused, withheld or denied to any person on account of that person being in a Protected Class, or that such person is unwelcome, objectionable, or not acceptable, desired or solicited; or
- C. For any owner, operator, or manager of a place of public accommodation to deny to any individual with a disability the full enjoyment of the accommodations, advantages, facilities, or privileges of the place of public accommodation on the basis of such individual's use of a service animal, provided:
 - 1. The disabled individual using the service animal may be prohibited from having the service animal present in the place of public accommodation if the animal is out of control, as provided by 28 CFR 35.136(d), and the animal's handler does not take effective action to control it.
 - 2. If it is not readily apparent what service a service animal provides, the owner, operator, manager, or an employee of a place of public accommodation may inquire whether the service animal is required because of the disabled person's disability, provided an inquiry may not be made as to disabled person's disability or the disabled person's medical condition or requirements.
 - 3. The owner, operator, manager, or employees of a place of public accommodation are not required to provide care or food for the service animal.
- D. No person shall aid, abet, or participate in the doing of any act declared to be an unlawful discriminatory practice under this section.

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- E. Unless otherwise prohibited by law, nothing in this section shall be construed to prohibit any person from offering senior citizen price discounts or other privileges exclusively for the benefit of senior citizens.

- F. Nothing in this section shall be construed to require the modification of existing facilities or the construction of new or additional facilities.

- G. Nothing in this section shall prohibit a religious or denominational institution, organization, society or association or any nonprofit charitable or educational organization that is operated, supervised or controlled by or in connection with a religious organization, from limiting its offerings of goods, services, facilities, and accommodations to a person of the same religion, or from giving preference to such persons, provided that such offerings mentioned are not offered for commercial purposes or supported by public funds.

- H. Whoever violates this section is guilty of unlawful discrimination in public accommodations.

511.05 Complaint procedure.

- A. Filing of the complaint.
 - 1. An aggrieved person, complainant, may file with the Reynoldsburg Clerk of Council a written complaint sworn under oath which specifies the facts and circumstances, including the location, date(s), and time(s), of alleged unlawful discriminatory act(s) or practices that did or are occurring within the City limits and which identifies the person who committed or continues to commit the alleged unlawful discriminatory act(s) or practices.

 - 2. If the charge of discrimination alleges a violation based on race, sex, ethnicity, national origin, religion, age, disability, military status, and/or any other class protected under state or federal law, then the Clerk of Council shall instruct the complainant to file a charge of discrimination with the Ohio Civil Rights Commission(OCRC)/Equal Employment Opportunity Commission (EEOC). The

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Clerk of Council shall provide the complainant with the information about this requirement and contact information for the OCRC/EEOC within ten (10) days from the date the charge was filed with the Clerk.

3. Concurrent with the filing of the complaint, the complainant shall provide to the Clerk of Council in writing the complainant's mailing address, telephone number, if any, and email address, if any.
4. The complaint shall not be accepted by the Clerk of Council if any of the following apply:
 - a. The complaint is presented to the Clerk of Council more than 180 days following the most recent unlawful discriminatory act alleged in the complaint;
 - b. No incident location provided in the complaint is within the City of Reynoldsburg;
 - c. The investigation of the complaint is required to be conducted pursuant to the terms of a collective bargaining agreement to which the City is a party;
 - d. The complaint fails to include all the information required by (A)(1) of this section;
 - e. The complainant fails to concurrently provide a writing that includes the information required in (A)(2) of this section.
4. Upon receiving a complaint of an alleged unlawful discriminatory act, the Clerk of Council shall immediately date stamp the complaint and:
 - a. Forward a copy thereof to the City Attorney; and
 - b. Mail by certified or registered mail, return receipt requested, certified copies of the complaint to the Respondent.

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5. The Clerk of Council shall retain the original date-stamped complaint and shall open and maintain a file on the matter during the pendency of any actions related to the complaint and for so long thereafter as is necessary to comply with the City's Records Retention Schedule.

B. Investigation by City Attorney

1. Upon receipt of the Complaint, the City Attorney or a designee of the City Attorney shall investigate the Complaint to determine if probable causes exists to believe a violation of this Chapter has occurred.
2. As part of said investigation, the City Attorney shall be permitted to issue an administrative subpoena for documents pursuant to Section 501.15 of the Codified Ordinances of the City of Reynoldsburg.
3. If the City Attorney determines the most recent of the unlawful discriminatory acts alleged in the complaint occurred more than 180 days before the date the complaint was filed with the Clerk of Council or that none of the alleged acts occurred within the City of Reynoldsburg, the City Attorney shall have no authority to investigate or take further actions except to return the complaint to the Clerk of Council with written notice to the Clerk of Council that the Complaint is outside the authority of the City Attorney.
4. Except as otherwise provided in this section, the City Attorney shall be authorized to mediate complaints, issue findings of fact and conclusions of law, issue cease and desist orders, and issue a formal recommendation.
5. If the City Attorney finds, after investigation, that there is probable cause to determine that the Respondent has committed an act of unlawful discrimination under this Chapter, the City Attorney shall file and forward the Complaint with the Reynoldsburg Clerk of Council with a recommendation to refer the Complaint to a Hearing Officer.

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6. If the City Attorney finds, after investigation, that there is insufficient evidence to establish probable cause that Respondent has committed an act of unlawful discrimination under this Chapter, the City Attorney shall dismiss the Complaint and mail notice of dismissal to the Complainant and the Respondent by certified mail, return receipt requested.

C. Hearing Officer

1. Upon receipt of the recommendation of the City Attorney that probable cause exists to determine the Respondent has committed an act of unlawful discrimination under this Chapter, the Clerk of Council shall forward the recommendation to the Mayor.
2. The Mayor shall, upon receipt of the recommendation from the City Attorney, appoint a Hearing Officer who shall be an attorney licensed to practice law in the State of Ohio.
3. If a Hearing Officer is appointed, the Hearing Officer shall conduct an administrative hearing. In the hearing, the Hearing Officer shall take testimony and considering evidence presented by and on behalf of the Complainant and the Respondent respectively. After the hearing is concluded, the Hearing Officer shall issue findings of fact and conclusions of law, and if the Hearing Officer, in the Hearing Officer's sole discretion, deems it appropriate, the Hearing Officer may issue orders and impose sanctions provided in this Chapter.
4. If the Hearing Officer determines that the respondent is engaged in an unlawful discriminatory act or practice under this chapter, the final decision of the Hearing Officer may include the issuance to the Respondent of orders to cease and desist the unlawful discriminatory acts or practices. Any orders to cease and desist shall specify a time period for the Respondent's compliance.
5. If the Hearing Officer determines that the Respondent did engage in, or continues to engage in, an unlawful discriminatory act or practice under this chapter, the

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final decision of the Hearing Officer may include the imposition upon the Respondent of the following:

- a. Reasonable costs of the administrative hearing, provided the cost of the Hearing Officer's services shall not be assessed against the Respondent.
 - b. Reasonable attorney fees incurred by the Complainant.
 - c. The imposition of a civil penalty in an amount not to exceed one thousand dollars (\$1,000.00); or two thousand five hundred dollars (\$2,500) if the Respondent has committed a violation of this Chapter during the five-year period preceding the date on which the Complaint was filed.
6. The final decision of the Hearing Officer may not include any orders for reinstatement of employment, refund of monies paid, other mitigation of damages, or any other orders for corrections or sanctions, except as provided in this section.
 7. The final decision of the Hearing Officer may be appealed pursuant to the provisions of Chapter 2505 of the Ohio Revised Code.
 8. The final decision issued by the Hearing Officer shall be in a writing served by ordinary United States Mail on the Respondent and the Complainant. The documents shall be deemed received and properly served upon the respondent five days following the mailing thereof. Copies of the final decision shall also be sent to the Clerk of Council and the City Attorney.

503.07 Complaints Alleging Unlawful Discriminatory Practices by the City of Reynoldsburg

If a Complaint is filed with the Clerk of Council alleging that the City, or one of its boards, commissions, departments, divisions, officials, or employees has engaged or is engaging in an unlawful discriminatory practice as defined by this Chapter, the following procedures shall apply:

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- A. Upon receipt of the Complaint pursuant to Section 503.06(A)(4)(a), the City Attorney shall forward a copy of the Complaint to City Council.
- B. City Council may appoint a special counsel to conduct a preliminary investigation instead of the City Attorney
- C. The City Council may appoint a Hearing Officer to conduct a determination instead of the Mayor appointing the Hearing Officer.

503.08 Failure to comply with a subpoena.

No person shall fail to comply with a subpoena issued by the City Attorney or the Hearing Officer. Whoever violates this section is guilty of failure to comply with a subpoena, a misdemeanor of the fourth degree.

503.09 Failure to comply with an order of the Hearing Officer.

No person shall fail to comply with any portion of an order issued by the Hearing Officer within thirty days following service of the order or such period of time as the order provides, whichever is greater. Whoever violates this section is guilty of failure to comply with an order of the Hearing Officer, a misdemeanor of the first degree.

503.11 Failure to pay financial sanctions imposed by the Hearing Officer.

If a civil penalty or costs or both are imposed by the Hearing Officer on the Respondent, and any portion thereof remains unpaid thirty days following service of the order or following the expiration of the time period designated by the Hearing Officer, the City may institute civil enforcement proceedings against the Respondent.

503.13 Ethnic Intimidation

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- A. No person shall violate Sections 2903.13, 2903.21, 2903, 22, 2907.06, 2911.06, 2911.07, 2911.21, 2911.211, 2913.02, 2913.04, 2917.11, 2917.12, 2917.21(A)(3) through (A)(5) of the Ohio Revised Code by reason of or where one of the motives is the victim's race, sex, sexual orientation, gender identity or expression, ethnicity, religion, national origin, disability, or military status.
- B. In a prosecution under this section, the offenders' motive, reason, or purpose may be shown by the offender's temporarily related conduct or statements before, during or after the offense, including ethnic, sexual orientation, gender identity or expression, religious or racial slurs, and by the totality of the facts, circumstances and conduct surrounding the offense.
- C. Whoever violates this Section is guilty of Ethnic Intimidation, a misdemeanor of the first degree. If the underlying offense, as a necessary element of Ethnic Intimidation, is a misdemeanor of the first degree, there shall be a minimum mandatory jail sentence of at least ten (10) days.

503.15 Severability

Should any section, clause, or paragraph of this chapter be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the Chapter as a whole or any part thereof other than the part declared invalid.

City Auditor's Office**Stephen Cicak****7232 E. Main Street****Reynoldsburg OHIO 43068****614/322-6858 Phone****ORDINANCE REQUEST**

DATE: May 26, 2020

TO: Finance and Administration Committee

RE: Adoption of the 2021 Tax Budget

Approval:

Completed Joe Begeny	Pending Chris Shook	Pending Stephen Cicak
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Emergency/Suspension: Emergency

Reason For Emergency: Financial needs of the City's government

Reason For Emergency: Financial needs of the City of Reynoldsburg

Requesting three readings with a public hearing on 6/22/2020

Emergency adoption requested upon third reading.

Per ORC, this must pass and be effective before July 20, 2020

**A RESOLUTION ADOPTING THE TAX BUDGET FOR THE CITY OF
REYNOLDSBURG OHIO, FOR THE FISCAL YEAR BEGINNING 2021, AND
DECLARING AN EMERGENCY**

WHEREAS, the tax budget of the City of Reynoldsburg, Ohio for the fiscal year 2021 has been presented to the City Council; and

WHEREAS, said tax budget has been made conveniently available to public inspection for at least ten (10) days by having at least two (2) copies thereof on file with the Clerk of Council; and

City Auditor's Office**Stephen Cicak****7232 E. Main Street****Reynoldsburg OHIO 43068****614/322-6858 Phone**

WHEREAS, the Council has held a Public Hearing on said tax budget of which public notice was given by publication not less than ten (10) days previous to the date thereof;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the said tax budget of the City of Reynoldsburg, State of Ohio, for the fiscal year beginning January 1, 2021 and ending December 31, 2021, is hereby adopted and approved, and that taxes are levied upon the real and personal property within the City of Reynoldsburg as returned upon the tax duplicate and should be collected for municipal purposes for the fiscal year 2021 as required by said tax budget.

SECTION 2. That the Clerk be and is hereby authorized and directed to send a certified copy of this Resolution to the Auditors of Franklin, Licking, and Fairfield Counties of the State of Ohio.

SECTION 3. That this resolution is deemed to be an emergency measure necessary for the expedient financial operation of the city and further for the reason that the official tax budget of the city must be filed with the County Auditor by July 20, 2020; wherefore upon adoption by Council, this resolution shall be in effect immediately upon signature by the Mayor.

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IV ESTIMATED 2020 PERMANENT IMPROVEMENTS	8
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VI DEBT OUTSTANDING AND DUE FOR 2021	10

9. C. a
LOCAL REVENUE

DESCRIPTION

For 2012 For 2013 For 2014 For 2015 For 2016 For 2017 For 2018 For 2019 For 2020 For 2021
 Actual Actual Actual Actual Actual Actual Actual Actual Actual

REVENUES

Local Taxes

General Property Tax - Real Estate	248,410	245,164	247,726	241,271	242,331	247,669	276,717	278,686	275,300	275,300
Tangible Personal Property Tax	77	124	12	0	0	0	0	0	0	0
Municipal Income Tax	10,175,369	10,075,605	10,645,209	12,437,681	11,928,194	13,170,421	14,567,932	18,361,232	17,350,000	17,500,000
Other Local Taxes	524,950	541,963	538,770	585,574	653,667	630,438	586,223	504,334	550,000	600,000
Total Local Taxes	10,948,806	10,862,856	11,431,717	13,264,526	12,824,192	14,048,528	15,430,872	19,144,252	18,175,300	18,375,300

Intergovernmental Revenues

State Shared Taxes and Permits

Local Government	858,169	652,308	635,743	693,340	680,014	680,591	715,159	783,440	775,000	750,000
Local Government (State Share)	88,051	71,761	70,892	55,707	26,170	9,494	0	62,882	65,000	65,000
Estate Tax	471,401	263,113	65,767	8	681	0	0	0	0	0
Cigarette Tax	1,227	1,259	1,208	1,280	1,160	1,289	1,275	1,347	1,200	1,200
License Tax										
Liquor and Beer Permits	48,723	46,545	45,705	46,874	44,087	41,233	45,852	43,491	40,000	40,000
Gasoline Tax										
Library and Local Government Support Fund										
Property Tax Allocation - Homestead & Rollback	41,707	40,207	24,530	34,394	34,391	34,543	37,701	37,438	35,000	35,000
Other State Shared Taxes and Permits	0	0	0	0	0	0	0	0	0	0
Total State Shared Taxes and Permits	1,509,278	1,075,193	843,845	831,603	786,503	767,150	799,987	928,598	916,200	891,200

Federal Grants or Aid

State Grants or Aid

Other Grants or Aid

Total Intergovernmental Revenues

	1,522,000	1,088,088	1,002,337	861,644	817,832	782,893	802,911	944,341	921,200	896,200
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Special Assessments

Charges For Services

Fines, Licenses, and Permits

Miscellaneous - Interest

Other Financing Sources:

Proceeds from Sale of Debt

Transfers

Advances

Other sources

TOTAL REVENUE

	14,008,320	13,634,251	14,358,020	16,148,664	15,390,272	17,101,346	18,529,144	22,810,958	21,233,125	21,196,500
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DESCRIPTION	For 2012 Actual	For 2013 Actual	For 2014 Actual	For 2015 Actual	For 2016 Actual	For 2017 Actual	For 2018 Actual	For 2019 Actual	For 2020 Estimate	For 2021 Estimate
EXPENDITURES										
Security of Persons and Property										
Personal Services	7,344,083	7,460,963	7,848,127	8,063,715	8,450,618	8,432,848	8,953,765	9,853,840	11,097,816	11,097,
Travel Transportation										
Contractual Services	435,590	403,013	424,307	452,790	449,467	458,678	414,455	558,232	707,754	707,
Supplies and Materials	249,118	261,163	242,060	204,791	204,693	230,819	282,079	454,775	344,118	344,
Capital Outlay	140,205	59,286	190,815	154,327	165,001	195,621	731,821	452,111	263,159	150,
Total Security of Persons and Property	8,168,996	8,184,425	8,705,309	8,875,623	9,289,779	9,317,966	10,382,120	11,318,958	12,412,847	12,299,
Public Health Services										
Personal Services										
Travel Transportation										
Contractual Services	205,667	212,964	219,428	257,940	271,288	285,500	302,551	319,732	333,255	345,
Supplies and Materials										
Capital Outlay										
Total Public Health Services	205,667	212,964	219,428	257,940	271,288	285,500	302,551	319,732	333,255	345,
Leisure Time Activities										
Personal Services	659,661	657,472	741,676	738,369	823,832	850,466	896,461	1,170,493	1,397,180	1,397,
Travel Transportation	0	0	0	0	0	0	0	0	0	0
Contractual Services	198,134	169,922	194,917	348,041	223,652	325,701	392,081	613,656	737,909	737,
Supplies and Materials	81,298	100,377	148,567	132,848	169,486	184,476	219,581	231,129	294,676	294,
Capital Outlay	20,169	24,629	19,994	58,928	263,254	36,310	291,077	111,858	73,484	40,
Total Leisure Time Activities	959,262	952,400	1,105,154	1,278,186	1,480,224	1,396,953	1,799,200	2,127,136	2,503,249	2,469,
Community Environment										
Personal Services	731,011	787,536	759,307	772,115	812,729	863,654	774,839	870,135	1,031,958	1,062,
Travel Transportation		0		0	0	0	0	0	0	0
Contractual Services	475,324	455,435	470,043	468,472	535,223	559,809	649,743	622,520	757,831	607,
Supplies and Materials	17,267	16,292	15,956	15,155	15,058	18,827	16,033	20,682	25,108	25,
Capital Outlay	191	0	9,950	0	22,382	24,653	0	5,000	0	0
Total Community Environment	1,223,793	1,259,263	1,255,256	1,255,742	1,385,392	1,466,943	1,440,615	1,518,337	1,814,897	1,695,
Basic Utility Service										
Personal Services										
Travel Transportation										
Contractual Services										
Supplies and Materials										
Capital Outlay										
Total Basic Utility Services										

Attachment: 20200518110706580 [Revision 1] (Adoption of the Tax Budget)

DESCRIPTION	For 2012 Actual	For 2013 Actual	For 2014 Actual	For 2015 Actual	For 2016 Actual	For 2017 Actual	For 2018 Actual	For 2019 Actual	For 2020 Estimate	For 2021 Estimate
EXPENDITURES (Continued)										
Transportation										
Personal Services										
Travel Transportation										
Contractual Services										
Supplies and Materials										
Capital Outlay										
Total Transportation										
General Government										
Personal Services	1,878,630	1,751,248	1,944,286	2,155,011	2,259,542	2,258,497	2,430,684	2,417,432	2,841,320	2,841,3
Travel Transportation	0	0	0	0	0	0	0	0	0	0
Contractual Services	788,706	827,062	964,400	769,461	962,809	989,561	1,119,848	1,174,431	1,628,312	1,628,3
Supplies and Materials	89,540	93,550	99,389	98,906	92,316	100,169	123,608	145,482	184,230	184,2
Capital Outlay	24,916	71,565	9,805	40,866	78,359	85,897	291,442	525,899	159,129	200,0
Total General Government	2,781,792	2,743,425	3,017,880	3,064,244	3,393,026	3,434,124	3,965,582	4,263,244	4,812,991	4,853,8
Debt Service										
Redemption of Principal										
Interest										
Other Debt Service										
Total Debt Service										
Other Uses of Funds										
Transfers	150,000	250,000		10,000					39,722	
Advances										
Contingencies										
Other Uses of Funds										
Total Other Uses of Funds	150,000	250,000	0	10,000	0	0	0	0	39,722	
TOTAL EXPENDITURES	13,489,510	13,602,477	14,303,027	14,741,735	15,819,709	15,901,486	17,890,068	19,547,407	21,916,961	21,664,1
Revenues Over (Under) Expenditures	518,810	31,774	54,993	1,406,929	(429,437)	1,199,860	639,076	3,263,551	(683,836)	(467,6
Beginning Cash Fund Balance	3,219,321	3,738,132	3,769,906	3,824,899	5,231,828	4,802,391	6,002,251	6,641,327	9,904,878	9,221,0
Ending Cash Fund Balance	3,738,132	3,769,906	3,824,899	5,231,828	4,802,391	6,002,251	6,641,327	9,904,878	9,221,042	8,753,3
Estimated Encumbrances (outstanding at year end)	329,824	425,682	269,171	403,065	518,275	651,499	1,086,887	1,021,472	1,000,000	1,000,0
Estimated Ending Unencumbered Fund Balance	3,408,308	3,344,224	3,555,728	4,828,763	4,284,116	5,350,752	5,554,440	8,883,406	8,221,042	7,753,3
Fund Balance % of expenditures				35%	30%	38%	37%	51%	42%	41%

<u>DESCRIPTION</u>	For 2012 Actual	For 2013 Actual	For 2014 Actual	For 2015 Actual	For 2016 Actual	For 2017 Actual	For 2018 Actual	For 2019 Estimate	For 2020 Estimate	For 2021 Estimate
REVENUE										
Real Estate & Public Utility Taxes	169,997	166,829	170,706	165,775	165,894	169,513	190,446	192,464	185,000	185,000
Tangible Personal Property Tax	4,623	2,377	2,292	1,142	0	0	0	0	0	0
Trailer Tax	332	343	301	313	365	264	221	261	400	400
Real Property Tax - Homestead	14,415	17,911	34,517	22,079	22,037	21,993	24,055	23,934	20,000	20,000
TOTAL REVENUE	189,367	187,460	207,816	189,309	188,296	191,770	214,722	216,659	205,400	205,400
EXPENDITURES										
Police Pension Expenses	192,705	192,743	192,970	162,740	162,761	192,695	162,822	202,836	185,000	205,000
TOTAL EXPENDITURES	192,705	192,743	192,970	162,740	162,761	192,695	162,822	202,836	185,000	205,000
Revenues Over (Under) Expenditures	(3,338)	(5,283)	14,846	26,569	25,535	(925)	51,900	13,823	20,400	0
Beginning Cash Fund Balance	28,895	25,557	20,274	35,120	61,689	87,224	86,299	138,199	152,022	172,422
Ending Cash Fund Balance	25,557	20,274	35,120	61,689	87,224	86,299	138,199	152,022	172,422	172,422
Estimated Encumbrances (outstanding at end of year)	0	0	0	0	0	0	0	0	0	0
Estimated Ending Unencumbered Fund Balance	25,557	20,274	35,120	61,689	87,224	86,299	138,199	152,022	172,422	172,422

Attachment: 20200518110706580 [Revision 1] (Adoption of the Tax Budget)

DESCRIPTION	For 2012 Actual	For 2013 Actual	For 2014 Actual	For 2015 Actual	For 2016 Actual	For 2017 Actual	For 2018 Actual	For 2019 Estimate	For 2020 Estimate	For 2021 Estimate
REVENUE										
Real Estate & Public Utility Tax										
Tangible Personal Property Tax										
Trailer Tax										
Real Property Tax - Rollback										
Sale of Bonds					35,942		1,447,091			
Sale of Notes										
Operating Transfers	150,000	250,000		0	0					
Operating Transfers - Income Tax	1,695,895	1,679,268	1,774,201	2,072,947	1,988,032	2,017,852	1,986,536	3,018,285	2,950,000	2,900,000
Interest Earned										
Miscellaneous Reimbursements	82724		154200							
TOTAL REVENUE	1,928,619	1,929,268	1,928,401	2,072,947	2,023,974	2,017,852	3,433,627	3,018,285	2,950,000	2,900,000
EXPENDITURES										
Registrar/Agent Fees	77,800	1,000					380240			
Expense of Issue					34320		172002			
G.O. Note - Principal	1,241,626	1,415,520	1,396,084	1,174,296	986,433	1,382,498	1,490,265	1,886,891	1,863,557	1,863,557
G.O. Note - Interest										
G.O. Bond - Interest	587,780	393,842	360,416	324,594	184,872	194,313	528,000	1,236,739	1,191,995	1,141,995
Payment to Refunded Bond Escrow Agent		20,000			311100					
TOTAL EXPENDITURES	1,907,206	1,830,362	1,756,500	1,498,890	1,516,725	1,576,811	2,570,507	3,123,630	3,055,552	3,005,552
Revenues Over (Under) Expenditures	21,413	98,906	171,901	574,057	507,249	441,041	863,120	(105,345)	(105,552)	(114,552)
Beginning Cash Fund Balance	106,182	127,595	226,501	398,402	972,459	1,479,708	1,920,749	2,783,869	2,678,524	2,572,972
Ending Cash Fund Balance	127,595	226,501	398,402	972,459	1,479,708	1,920,749	2,783,869	2,678,524	2,572,972	2,458,420
Estimated Encumbrances (outstanding at end of year)	0	0	0	0	0	0	0	0	0	0
Estimated Ending Unencumbered Fund Balance	127,595	226,501	398,402	972,459	1,479,708	1,920,749	2,783,869	2,678,524	2,572,972	2,458,420

Attachment: 20200518110706580 [Revision 1] (Adoption of the Tax Budget)

FUND All Funds Not Listed on Exhibits I or II	Estimated	2021	Available	2021 Expenditures & Encumbrances			Estimated
	Unencumbered	Estimated	For	Personal	Other	Total	Unencumbered
	Fund Balance 01/01/21	Receipt	Expenditure	Services			Fund Balance 12/31/21
GOVERNMENTAL:							
SPECIAL SERVICE:							
Income Tax	3,434,032	795,000	4,229,032	90,000	475,000	565,000	3,664,032
Permissive Tax	602,000	280,000	882,000	0	250,000	250,000	632,000
Sewer Capacity	142,787	45,000	187,787	0	45,000	45,000	142,787
Street	2,000,555	1,480,000	3,480,555	735,000	850,000	1,585,000	1,895,555
State Highway	333,876	117,000	450,876		95,000	95,000	355,876
Cops in Schools Grant	0	0	0	0	0	0	0
Cops More	0	0	0	0	0	0	0
G.R.E.A.T. Grant Fund	0	0	0	0	0	0	0
Law Enforcement	100,824	10,000	110,824		45,000	45,000	65,824
Drug Enforcement	47,945	1,000	48,945		1,000	1,000	47,945
Safety Belt Program	4,376	0	4,376		0	0	4,376
DUI Education	17,000	3,000	20,000		2,500	2,500	17,500
Federal Forfeiture	90,705	1,500	92,205		5,000	5,000	87,205
Computerization Needs (court)	174,000	30,000	204,000		15,000	15,000	189,000
Law enforcement Asst Fund	57,122	1,000	58,122		1,000	1,000	57,122
Indigent Drivers Interlock Fund	16,078		16,078			0	16,078
Endowments and Contributions	390,900		390,900			0	390,900
Reynoldsburg Recovery Court	39,722		39,722			0	39,722
TOTAL SPECIAL REVENUE FUNDS	7,451,922	2,763,500	10,215,422	825,000	1,784,500	2,609,500	7,605,922
DEBT SERVICE FUNDS							
Special Assessment	0	0	0	0	0	0	0
Taylor sq. TIEF debt retirement	290,000	571,000	861,000	0	571,000	571,000	290,000
TOTAL DEBT SERVICE FUNDS	290,000	571,000	861,000	0	571,000	571,000	290,000
CAPITAL PROJECT FUNDS							
Capital Improvements	4,102,000	3,600,000	7,702,000	0	3,000,000	3,000,000	4,702,000
Sidewalk Construction	844,000	5,000	849,000	0	1,000	1,000	848,000
Brice-Main Corridor	0	0	0	0	0	0	0
TOTAL CAPITAL PROJECTS	4,946,000	3,605,000	8,551,000	0	3,001,000	3,001,000	5,550,000

FUND	Estimated	Estimated	Total	2021 Encumbrances and Expenditures			Estimated
All Funds Not Reported on Exhibits I or II	Unencumbered Fund Balance	Receipts 2021	Available For Expenditures	Personal Services	Other	Total	Unencumbered Fund Balance
	01/01/21						12/31/21
PROPRIETARY:							
ENTERPRISE FUNDS							
Water	3,435,000	7,600,000	11,035,000	500,000	6,800,000	7,300,000	3,735,0
Sewer	2,498,000	6,600,000	9,098,000	560,000	5,900,000	6,460,000	2,638,0
Utility Deposits	125,463	10,000	135,463	0	10,000	10,000	125,4
Storm Water	350,000	1,900,000	2,250,000	350,000	900,000	1,250,000	1,000,0
Solid Waste	300,000	2,200,000	2,500,000		2,000,000	2,000,000	500,0
TOTAL ENTERPRISE FUNDS	6,708,463	18,310,000	25,018,463	1,410,000	15,610,000	17,020,000	7,998,4
FIDUCIARY:							
TRUST AND AGENCY FUNDS							
Arts Commission	0	0	0	0	0	0	
Delinquency Prevention	16,555	0	16,555	0	0	0	16,5
Beautification Commission	0	0	0	0	0	0	
French Creek Footbridge	0	0	0	0	0	0	
Supervision and Inspection	145,000	110,000	255,000	0	65,000	65,000	190,0
Plot Grade and Utility	80,000	50,000	130,000	0	45,000	45,000	85,0
Unclaimed Funds	39,100	5,000	44,100	0	10,900	10,900	33,2
Employee Fund	1,450	750	2,200	0	500	500	1,7
School Ski Club	0	0	0	0	0	0	
Miscellaneous Trust	125,000	350,000	475,000	0	300,000	300,000	175,0
Board of Building Standards	16,157	9,500	25,657	0	7,500	7,500	18,1
Visitors Bureau	0	75,000	75,000	0	75,000	75,000	
Sewer Capacity Charge - Columbus	26,000	35,000	61,000	0	35,000	35,000	26,0
Engineering Fees/Plan Reviews	100,000	35,000	135,000	0	35,000	35,000	100,0
Taylor Square School TIEF	600,000	2,000,000	2,600,000	0	1,800,000	1,800,000	800,0
Brice - Main TIF	35,000	285,000	320,000	0	275,000	275,000	45,0
Kroger Tif	79,000	0	79,000	0	0	0	79,0
Summit Rd Tif #1	28,900	25,000	53,900	0	1,200	1,200	52,7
Taylor Rd Tif #1	187,400	20,000	207,400	0	300	300	207,1
Taylor Rd Tif #2	15,900	1,200	17,100	0	50	50	17,0
JEDD # 1	10,000	15,000	25,000	0	15,000	15,000	10,0
JEDD # 2	10,000	15,000	25,000	0	15,000	15,000	10,0
JEDD # 3	50,000	100,000	150,000	0	10,000	10,000	140,0
JEDD # 4	200,000	30,000	230,000	0	30,000	30,000	200,0
TOTAL TRUST AND AGENCY FUNDS	1,765,462	3,161,450	4,926,912	0	2,720,450	2,650,450	1,846,4
TOTAL FOR MEMORANDUM ONLY	8,473,925	21,471,450	29,945,375	1,410,000	18,330,450	19,670,450	9,844,9

(Excludes Expenses to be Paid from Bond Issues)

Attachment: 20200518110706580 [Revision 1] (Adoption of the Tax Budget)

PURPOSE OF BONDS
AND NOTES

Authority for
Levy Outside
10 Mill Limit

Date of
Issue

Date
Due

Ordinance/
Resolution

Serial
or Term

Rate of
Interest

Amounts of Bonds
& Notes Outstanding
as of 1/1/2021

Amount Required
for Principal and
Interest 2021

Source Fund to Pay
Debt Payments

INSIDE 10 MILL LIMIT

Taylor Square TIEF	4/26/16	2023	Ord 85-15	S	2.163	1,640,000	570,473	TIEF Fund
Cobblestone/Windsor San. Sewer	05/2001	2021	Ord 124-99	S	3	31,615	32,089	Sewer Fund
Public Safety Building	4/26/16	2025	Ord 85-15	S	2.163	1,960,000	412,395	Debt Retirement
Old Reyn North Waterline	7/1/03	2023	Ord 141-99	S	3.0	72,764	25,544	Water Fund
SR 256 Waterline	12/1/03	2023	Ord 103-00	S	3.0	175,791	61,712	Water Fund
Commercial Corridor Phase II	6/28/05	2022	Ord 53-05	S	0	247,500	123,750	Debt Retirement
Huber Water Line Replacement	2012	2021	Ord 11-12	S	2.49	110,100	112,842	Water Fund
Commercial Corridor Refunding	2012	2023	Ord 80-12	S	1.7	445,000	182,565	Debt Retirement
Commercial Corridor Refunding	2012	2023	Ord 81-12	S	1.7	250,000	79,250	TIF Fund
Commercial Corridor II Partial Refunding	2012	2025	Ord 81-12	S	1.7	2,855,000	658,535	Debt Retirement
2012 Sewer Rehab and Manhole Project	2012	2022	Ord 39-12	S	2.49	77,100	40,020	Sewer Fund
Brice Road Corridor Improvements	2016	2036	Ord 22-13	S	0	841,239	54,273	Debt Retirement
2017 Stormwater Project	2017	2026	Ord 15-17	S	2.26	690,000	125,594	Stormwater Fund
2017 Main St Waterline Replacement	2017	2026	Ord 16-17	S	2.26	935,000	166,131	Water Fund
Livinston Ave Improvements	2018	2036	Ord 22-16	S	0	240,780	15,534	Debt Retirement
YMCA Community Center	2018		Ord 62-18	S	3.5	27,035,000	1,567,028	Debt Retirement
TOTAL						37,606,889	4,227,735	

OUTSIDE 10 MILL LIMIT:

TOTAL 0.00 0.00

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone****ORDINANCE REQUEST**

DATE: May 26, 2020

TO: Public Service and Transportation Committee

RE: Update of Solicitor Permit Code

Approval:

Skipped Joe Begeny	Completed Chris Shook	Completed Stephen Cicak
-----------------------	--------------------------	----------------------------

This legislation rewrites our Solicitor ordinance to comply with federal constitutional considerations and to provide for the criminal offense of trespass for Solicitors who ignore proper "No Soliciting" signs.

**AN ORDINANCE TO REPEAL AND REPLACE CHAPTER 741 OF THE
REYNOLDSBURG CODIFIED ORDINANCE ON SOLICITORS**

WHEREAS, the Council of the City of Reynoldsburg, Ohio, has determined that it is necessary to update Chapter 741 Solicitors.

NOW, THEREFORE; BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO, that:

SECTION 1. That Chapter 741 shall be repealed and replaced to the Reynoldsburg Code of Ordinances to require registration of solicitors in the City of Reynoldsburg be and is hereby attached as Exhibit A.

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.

City Attorney's Office

Chris Shook

7232 E. Main Street

Reynoldsburg OHIO 43068

6143226869 Phone

§741.01 Intent

The City of Reynoldsburg finds that persons and organizations have been visiting and continue to visit private residential properties for purposes of soliciting or for the peddling of goods, wares, merchandise or services. Some residents find these activities to be intrusive upon their privacy. The City Council further finds that a variety of misrepresentations and other frauds are or could be employed in such activities. As such, the City Council wishes to enact this chapter for the purposes of protecting the privacy of residents and minimizing fraudulent practices by persons representing themselves as peddlers, solicitors or canvassers.

§741.02 Definitions

As used in this Chapter, the words and terms below shall have the following meanings respectively prescribed to them in this Chapter:

- A. "Solicitor" shall include any person or organization that sells, offers for sale, or solicits orders for any goods, property, merchandise, periodicals, or services by going from door to door within the City.
- B. "Person" means any individual, firm, partnership, corporation, company, association, joint stock company, or any combination of them, and includes any trustee, member, receiver, assignee, agent or other representative thereof
- C. "Residence" means every separate living unit occupied for residential purposes by one or more persons, contained within any type of building or structure.

§741.03 Notice Prohibiting Solicitation

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6143226869 Phone

- A. An owner or occupant of any residence or place of business located within the City may refuse to receive any uninvited solicitors by displaying a weatherproof card, decal or sign not less than three (3") inches by four (4") inches in size nor more than one (1') square foot in total surface area upon or near the main entrance door to the residence or place of business, indicating such determination by the owner or occupant, containing the language "No Soliciting per Rey. Ord. 741.02", with letters at least one-third (1/3") inch in height.
- B. Any such sign which complies with the requirements of this section shall be exempt from any additional or different requirements contained in the provisions of Section 1105.03 of the Codified Ordinances.
- C. The Service Department of the City of Reynoldsburg shall design and provide decals that comply with the requirements of this Section with a fee of five (\$5.00) dollars per decal.

§741.04 Solicitation in Violation of Notice

- A. No Solicitor, acting in such capacity, shall go upon any premises and ring the doorbell upon or near any door, or rap or knock upon any door, or create any sound in any other manner calculated to attract the attention of any occupant of such premises for the purpose of securing an audience with the occupant thereof if there is displayed at the premises a notice in accordance with the provisions of Section 741.02.
- B. Whoever violates this Section shall be in violation of Reynoldsburg Codified Ordinance 541.05(a)(1) for Criminal Trespass.

§741.05 Time Limit on Solicitation

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It is unlawful and shall constitute the offense of criminal trespass for any Solicitor to go upon any premises and ring the doorbell upon or near any door of a residence located thereon, or rap or knock upon any door, or create any sound in any manner calculated to attract the attention of any occupant of such residence, for the purpose of securing an audience with the occupant(s) thereof during the following times:

1. Before 9:00 a.m. ; and
2. After 9:00 p.m. or 30 minutes prior to sunset, whichever is earlier.

§741.06 Permit Required

- A. No person shall act as a Solicitor in the City without first having registered as such with the Division of Police.
- B. The Chief of Police or his designee shall issue a registration permit to each applicant and such permit shall be carried on the person of the registrant at all times when engaged in such solicitation and shown on request of any police officer or any person of whom a request for contribution or offer to sell is made.
- C. Application for a Solicitor permit shall be made upon a form promulgated jointly by the Division of Police and the City Attorney. Each application shall contain:
 1. The name, address and the telephone number of the person completing the application;
 2. The name of the entity for which the person or organization intends to sell, offer for sale, or solicit orders, or the name of the cause for which the person intends to solicit contributions.

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D. Each applicant shall provide to the Division of Police evidence of person identification in the form of any of the following:

1. Valid drivers' license;
2. Certified copy of a birth certificate;
3. Valid United State passport;
4. An official organization photo containing the following information: name, address, and telephone of the organization and the individual's name, address, and social security number;
5. Current State of Ohio Bureau of Motor Vehicles identification card.

E. Each applicant shall provide the Division of Police evidence of organizational identification in the form of any of the following;

1. Vendor's license;
2. I.R.S. identification number;
3. Corporation identification number;
4. Any other identification acceptable to the Division of Police.

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- F. Each applicant shall pay an administrative fee of \$50.00 to the City Auditor's Office. This fee is to be paid per applicant. This fee is intended to cover and defray the cost of registration and issuance of the permit, and may not be waived unless on the authority of the Chief of Police.

- G. Background Investigation Required. All engaged in solicitation activities within the City operating under the provisions of a permit issued pursuant to this section must provide results of a background investigation completed within 30 days of the date of application. The requestor of a permit must provide copies of all background investigation results of each member of the group or employee at time of application. The only accepted form of background investigation is a completed Federal Bureau of Investigation (FBI) and Ohio Bureau of Criminal Identification and Investigation (BCI) Webcheck® otherwise known as a BFBI check.

- H. Within five (5) days after receipt of the completed application and background check, the Division of Police shall issue solicitation permits to the applicant, unless:
 - 1. The applicant has provided false, misleading or deceptive information in the application; and/or
 - 2. The applicant, or any solicitor named on the application, has been convicted of a felony violation within his/her lifetime, or misdemeanor violation involving fraud or moral turpitude within the past five years.

- I. Once issued, a permit may be used only in conformity with the laws of the City and the State of Ohio; it may not be assigned or transferred; it must be carried by the licensee at all times; and it may be revoked or suspended by the Division of Police for any of the following causes:
 - 1. The licensee or person preparing the application on behalf of the licensee provided false, misleading or deceptive information in the license application.

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2. The licensee charged or convicted of a felony or of misdemeanor involving fraud or moral turpitude.
 3. The licensee violates any provision of this Chapter or solicits in an unlawful manner.
- J. In the event a license application is not approved or in the event any license issued pursuant to the provisions of this Chapter is revoked, written notice shall be given to the applicant or licensee by regular U.S. mail service at the address provided on the application.
- K. The applicant may appeal the denial/revocation of a permit to City Council by submitting a notice of appeal to the Clerk of City Council within thirty (30) days of the denial or revocation and City Council will set a hearing on the appeal within thirty (30) days of receipt of the notice of appeal.

§741.07 Activities exempt from permit; Waiver of permit fee

- A. Persons engaging in the following activities do not need a permit and are exempt from the requirements in Section 741.06:
1. Any person authorized to act on behalf of a non-profit organization whose primary objective is to support school-related activities and youth programs such as, but not limited to, youth sports, music, arts, and scouting-related activities.
 2. Any person seeking to influence the personal belief of the occupant of any residence or business in regard to any political or religious matter;

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- B. Those persons who are exempt under this section are still required to comply with the requirements set in Sections 741.03, 741.04, and 741.05.

- C. The permit fee may be waived if the applicant is a charitable organization. As used in this section, “charitable organization” means an organization that has received from the Internal Revenue Service a currently valid ruling or determination letter recognizing tax-exempt status of the organization pursuant to Internal Revenue Code 501(c)(3).

- D. If the application for a waiver is denied, the applicant may appeal the denial to City Council by submitting a notice of appeal to the Clerk of Council within thirty (30) days of the denial of the waiver and City Council will set a hearing on the appeal within thirty (30) days of the receipt of the notice of appeal.

§741.08 Regulation of Painting House Numbers on Street Curbs

- A. All persons and/or companies which desire to conduct the business of painting street numbers within the corporate limits of the City shall have an FBI and BCI background check completed and apply to the Division of Police for a permit to paint house numbers on street curbs.

- B. All companies which apply for a permit to paint house numbers on street curbs shall pay an annual fee of \$50.00.

- C. The Division of Police can revoke the permit at any time for good cause shown.

§741.99 Penalty

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- A. Whoever violates any provision of this chapter for which no penalty is otherwise provided is guilty of a misdemeanor of the fourth degree.
- B. Whoever violates Section 741.05(A) is guilty of a misdemeanor of the fourth degree for the first offense and a misdemeanor of the third degree for any subsequent offense.
- C. Any person who provides false information in the registration described in Section 741.05 is guilty of a 4th degree misdemeanor for the first offense and a misdemeanor of the third degree for any subsequent offense.

City Attorney's Office**Chris Shook****7232 E. Main Street****Reynoldsburg OHIO 43068****6143226869 Phone****ORDINANCE REQUEST**

DATE: **May 26, 2020**

TO: **Public Service and Transportation Committee**

RE: **Vacant Property Registration**

Approval:

Completed Joe Begeny	Completed Chris Shook	Stephen Cicak
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At the request of Councilmember Strickland, the City Attorney's Office has drafted the proposed Vacant Registration Ordinance for discussion and review.

AN ORDINANCE TO ESTABLISH CHAPTER 1399, REGISTRATION OF VACANT PROPERTIES AS PART OF THE CODIFIED ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO

WHEREAS, the City of Reynoldsburg recognizes that Chapter 1399 should be established to protect the public health, safety and welfare of the citizens and inhabitants of the City by preventing property deterioration and by establishing minimum standards governing the maintenance, appearance, and conditions of all residential and non-residential premises; to fix certain responsibilities and duties upon owners and occupants, and to fix penalties for violations of this Chapter,

WHEREAS, the City of Reynoldsburg finds a vacant property registration would ensure that the owners of vacant properties are known to the city and can be reached if necessary; and

WHEREAS, the City of Reynoldsburg desires to ensure that the owners of vacant properties are aware of the obligations of ownership under relevant codes and regulations; and

WHEREAS, the City of Reynoldsburg desires of to ensure the owners of vacant properties meet minimum standards of maintenance of vacant properties.

NOW, THEREFORE; BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO, that:

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Chris Shook

7232 E. Main Street

Reynoldsburg OHIO 43068

6143226869 Phone

SECTION 1. That Chapter 1399 of the Codified Ordinances of the City of Reynoldsburg be established as follows:

CHAPTER 1399

REGISTRATION OF VACANT PROPERTIES

§1399.01 Purpose

§1399.02 Definitions

§1399.03 Registration required

§1399.04 Designated Agent;

Notice of service of process

§1399.05 Exemptions

§1399.06 Registration application form

§1399.07 Registration term and renewal

§1399.08 Vacant building plan

**§1399.09 Rehabilitation plan required for
re-occupancy**

§1399.10 Inspections

§1399.11 Maintenance requirements

§1399.12 Security requirements

§1399.13 Fees

§1399.14 Notice of Violations

§1399.15 Appeals

§1399.16 Failure to Remediate

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Chris Shook

7232 E. Main Street

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6143226869 Phone

§1399.17 Validity

§1399.99 Penalties

§1399.01 Purpose

~~The purpose of this Chapter is to establish a program for identifying and registering vacant buildings. This registration is to be used as a tool to protect and preserve our neighborhoods from becoming blighted through the lack of adequate maintenance and security concerns at vacant structures. The City of Reynoldsburg believes the presence of vacant buildings can lead to neighborhood decline, create public nuisances, contribute to lower property values, and discourage potential buyers from purchasing a home or business in neighborhoods with vacant properties.~~

§1399.02 Definitions

~~For the purpose of this Chapter, certain words and phrases used in this Chapter are defined as follows:~~

- ~~A. "Accessible property" means a property that is accessible through a compromised or breached gate, fence, wall, or other opening providing access.~~
- ~~B. "Accessible structure" means a house, building or other structure that is unsecured or breached in such a way as to allow access to the interior space by unauthorized persons.~~
- ~~C. "Appeal" means a written notice to be filed with the City Board of Zoning and Building Appeals ("the Board") challenging a Notice of Violation. Such appeal must be filed within 14 days of the date of the Notice of Violation.~~
- ~~D. "Buyer" means any person, partnership, co-partnership, association, and corporation, fiduciary or other entity that agrees to transfer anything of value in consideration for the property.~~
- ~~E. "City" means the City of Reynoldsburg.~~

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6143226869 Phone

~~F. "Deed in lieu of foreclosure" means a recorded document that transfers ownership of a property from the mortgagor to the mortgagee.~~

~~G. "Default" means the failure to fulfill a contractual obligation, whether monetary or conditional.~~

~~H. "Designated City Official" means the Service Director or his designee of the Service Director.~~

~~I. "Designated Agent" means a business entity located in the State of Ohio or an individual person eighteen (18) years or older residing in the State of Ohio. The "Designated Agent" must have with an address other than a post office box and shall be named by an owner as a secondary point of contact regarding the use or condition of land and the occupancy and physical condition of structures on a platted lot or parcel of land.~~

~~J. "Distressed" means a property that is the subject of a pending foreclosure suit, has been foreclosed upon by the foreclosing entity, is set for sheriff's sale, has been sold at a sheriff's sale or has been conveyed to the mortgagee via a deed in lieu of foreclosure.~~

~~K. "Evidence of vacancy" means any condition that on its own or combined with other conditions present would lead a reasonable person to believe the property is vacant. Such conditions include, but are not limited to; significantly below standard utility usage, overgrown and or dead vegetation, graffiti or other defacement of buildings or structures, accumulation of newspapers circulars, flyers, and/or mail, vehicles, auto parts or materials, the absence of window coverings, such as curtains, blinds, and/or shutters, the absence of furnishings and/ or personal items consistent with habitation or occupations.~~

~~L. "Foreclosing entity" means an entity holding a note secured by a mortgage, an entity holding a lien recorded with the Franklin, Licking, or Fairfield County Recorder's Office, a non-government entity that holds an interest in delinquent property taxes,~~

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Chris Shook

7232 E. Main Street

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6143226869 Phone

~~an entity that takes property via a deed in lieu of foreclosure, an entity that has purchased a property from a sheriff's sale, a government entity that accepts property as a result of a government insured mortgage or loan.~~

~~M. "Foreclosure" means the process by which a foreclosing entity seeks a decree of foreclosure from the Franklin County, Fairfield County, or Licking County Common Pleas Court.~~

~~N. "Mortgage" means an agreement between a mortgagor and a mortgagee by which a mortgagee retains an interest in real estate title as collateral for a loan. This definition applies to any and all subsequent mortgages, i.e., second mortgage, third mortgage, etc.~~

~~O. "Mortgagee" means the person, partnership, co-partnership, association, corporation, lender, fiduciary or any other entity holding a mortgage on a property.~~

~~P. "Mortgagor" means a borrower under a mortgage.~~

~~Q. "Notice of Violation" means a notice issued by the Designated City Official to the owner of real property or to their designated agent that there has been a violation of a provision of this Chapter or any other applicable section of the Reynoldsburg City Code, ordinance, or regulation concerning vacant properties.~~

~~R. "Owner" means any person who, alone or jointly or severally with others, shall have the legal or equitable title to a property, and shall include executors, administrators, trustees or guardians of the estate of the owner, and any purchaser or assignee under a certificate of sale pursuant to a mortgage foreclosure. The term "owner" shall also include partnerships and other unincorporated associations. Any individual owner, regardless of whether he or she shares ownership responsibility with any other person, any general partner of a partnership, and any officer of a corporation or unincorporated association, shall have direct and personal responsibility and liability for compliance with the provisions of this chapter.~~

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Chris Shook

7232 E. Main Street

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6143226869 Phone

~~S. “Property” means any unimproved or improved real property or portion thereof, situated in the City including any house, building or other structures that may be located on the property regardless of condition.~~

~~T. “Securing” means such measures as may be directed by the Designated City Official that assist in rendering the property inaccessible to unauthorized persons, including but not limited to the repairing of fences and walls, chaining or padlocking of gates, the repair or replacement of doors, windows, or other openings.~~

~~U. “Vacant” means a house, building or other structure where no person or persons actually or currently conducts a lawfully licensed business, lawfully resides or lives in any part of the building as the legal or equitable owner(s) or tenant occupants(s), or owner-occupant(s), or tenants(s).~~

~~1. A building shall be deemed vacant if it is unoccupied for a period of time over sixty (60) days and is:~~

~~a. Unsecured; or~~

~~b. Secured by other than normal means; or~~

~~c. An unsafe building as determined by the Code Enforcement Officer; or~~

~~d. Utilities have been disconnected; or~~

~~e. Has property maintenance violations under Chapter 1711 of the Reynoldsburg Codified Ordinances; or~~

~~f. In a mortgage status of abandonment (i.e. deceased or foreclosed); or~~

~~g. Abandoned by the property owner.~~

~~2. A building shall be deemed vacant if it is legally occupied which shall include loitering and vagrancy; or~~

~~3. A building shall be deemed vacant if it has not been used for its intended purpose for more than 180 days.~~

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Chris Shook

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6143226869 Phone

~~V. "Secured by other than normal means" is defined as a building secured by means other than those used in the design of the building.~~

~~W. "Unoccupied" is defined as a building which is not being used for the occupancy authorized by the owner. The term "unoccupied" shall only be applicable to multi-unit structures when more than half (1/2) of the units and/ or more than half (1/2) of the available space are not currently occupied by a tenant or tenants.~~

~~X. "Unsecured" is defined as building or portion of a building which is open to entry by unauthorized persons without the use of tools or ladders.~~

§1399.03 Registration required

~~A. The owner of a vacant building shall register the building with the City of Reynoldsburg Designated City Official not later than ninety (90) days after any building in the City becomes a vacant or not later than thirty (30) days of being notified by a designated city official of the requirement to register based on evidence of vacancy, whichever event occurs first.~~

~~B. For any abandoned real property subject to foreclosure that is located within the City of Reynoldsburg, the foreclosing entity shall register the abandoned property within thirty (30) days after the property becomes vacant when:~~

- ~~1. The entity files a foreclosure action; or~~
- ~~2. The entity accepts a deed in lieu of foreclosure; or~~
- ~~3. The entity buys real property at a sheriff's sale or accepts property as result of a government insured mortgage or loan.~~

~~C. The Registration requirement of this Section shall be in full force and effect ninety (90) days after the effective date of this Chapter.~~

§1399.04 Designated agent; Notice of service of process

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Chris Shook

7232 E. Main Street

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6143226869 Phone

A. Every owner of a vacant property or foreclosing entity of a vacant property shall designate an agent who resides in the State who shall be responsible for the vacant property and who may accept service of process and official notices on behalf of the owner or foreclosing entity. An official notice or service of process issued to a designated agent shall be deemed as served or delivered upon the owner of record.

B. The Designated Agent shall reside or maintain a principal place of business within twenty five (25) miles of the vacant property. The purpose of this requirement is to ensure a timely response to any Notice of Violation.

§1399.05 Exemptions

1. A building under active construction/ renovation and having a valid building permit(s) at the time of the initial inspection shall be exempt from the registration until the expiration of the longest-running currently active building permit.

2. A building that has suffered fire damage or damage caused by extreme weather conditions shall be exempt from the registration requirement for a period of ninety (90) days if the owner submits a request for exemption in writing to the Designated City Official. The request shall include the names and addresses of the owner or owners, and a statement of intent to repair and reoccupy the building in an expedient manner, or the intent to demolish the building.

3. A building that is for sale shall be exempted for a period of twelve (12) months from the start of the vacancy, provided that the owner submits proof to the Designated City Official of such listing and for sale status.

4. Any owner of a vacant building may request an exemption from the provisions of this Chapter by filing a written application with the City who shall timely consider the same. In determining whether a request for exemption should be granted, the Designated City Official or designee shall consider the following:

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- ~~a. The applicant's prior record as it pertains to Property Maintenance Code Violations.~~
- ~~b. The amount of vacant property the applicant currently has within the City of Reynoldsburg.~~
- ~~c. The length of time that the building for which the exemption is sought has been vacant.~~
- ~~d. The Designated City Official shall approve with conditions, or reject the completed application for exemption within thirty (30) days of receiving it.~~

§1399.06 Registration application form

~~A. Application for registration of vacant buildings shall be on forms provided by the Designated City Official and shall including, at a minimum, the following:~~

~~(1) Address of the vacant property;~~

~~(2) Name, address, telephone, and e-mail address, if applicable, of an individual owner, sole proprietor or a corporate officer or business representative of a corporation, trust or other entity capable of holding title, or foreclosing entity, if applicable; and~~

~~(3) Name, address, telephone number, and e-mail address, if applicable, of the Designated Agent, who must be located in the State of Ohio; and~~

~~(4) Names and addresses of all known lien holders and all other parties with an ownership interest in the building.~~

~~(5) A Vacant Building Plan as describe in Section 1399.08 of this Chapter.~~

~~B. No post office boxes shall be accepted as a legal address for purposes of this Chapter.~~

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Chris Shook

7232 E. Main Street

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6143226869 Phone

~~C. Registrations shall be retained by the City as a public record and made available to any other City department or public entity upon request.~~

~~D. Every person required to register a vacant building shall complete a new application upon amendment or change of any required information.~~

~~E. Upon sale or transfer of the property, the previous owner shall provide the Designated City Official with the name and contact information of the new owner so that they may complete a new application for certificate of registration.~~

~~F. The failure of the owner of the vacant building to obtain a deed for the property or to file the deed with the County Recorder shall not excuse the property owner from registering the property.~~

§1399.07 Registration term and renewal

~~A. Registration shall remain valid for twelve (12) months from the approved registration date. Should the property remain vacant upon the expiration of the initial registration, the owner or foreclosing entity shall complete another application to re-register the property and pay an escalating fee schedule as outlined in Section 1399.07 of this Chapter.~~

~~B. If the building is to remain vacant after twelve (12) months, the owner or foreclosing entity shall submit, in writing, an explanation how the building will remain secure, along with the procedure that will be used to maintain the property, and the reasons why the building will be left vacant.~~

~~C. Once a registered property is sold and the deed is transferred into a new owner's name, the new owner or foreclosing entity must submit in writing to have the property removed from the registry.~~

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Chris Shook

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6143226869 Phone

§1399.08 Vacant building plan

Upon registration of a vacant building, the owner shall also file a vacant building plan, which must contain one of the following:

- (1) If the building is to be demolished, a demolition plan that complies with the Ohio Building Code; or
- (2) If the building is to remain vacant, an explanation detailing how the building will remain secure, along with the procedure that will be used to maintain the property, and the reasons why the building will be left vacant.

§1399.09 Rehabilitation plan required for re-occupancy

If a vacant building is to be returned to the appropriate occupancy or use, the owner shall submit a rehabilitation plan for the building and grounds. The rehabilitation plan shall be completed not longer than twelve (12) months from the time permits are obtained, unless the Designated City Official or designee grants an extension upon receipt of a written request from the owner detailing the reasons for the extension. Any repairs, improvements or alteration to the property must comply with the applicable zoning, housing, historic, preservation, or building codes and the property must be secured during the rehabilitation.

§1399.10 Inspections

- A. Inspections shall be conducted on the premises upon presentation of proper credentials. Nothing in this chapter shall be construed to require an owner or foreclosing entity owner to consent to a warrantless inspection of a vacant building premises except as provided by law.
- B. Any exterior or interior common area, which is accessible to the public, of any vacant building may be inspected at any time.
- C. Interior inspections of vacant buildings may be performed at the request or consent of an owner or foreclosing entity.

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~~D. If the owner or foreclosing entity does not consent to the proposed inspection, the Designated City Official may appear before any judge in a court of competent jurisdiction and seek an administrative search warrant to allow an inspection. Any such application shall be made within ten (10) calendar days after the non-consent. The application for the warrant shall specify the basis upon which the warrant is being sought and shall include a statement that the inspection will be limited to a determination whether there are violations of the Ohio Residential Building Code, the Property Maintenance Code under Chapter 1711 of the City Ordinances of Reynoldsburg, or any other applicable law. The Court may consider any of the following factors along with such other matters as it deems pertinent in its decision as to whether a warrant shall be issued:~~

- ~~1. Eyewitness account of a violation;~~
- ~~2. Citizen complaints;~~
- ~~3. Plain view violations;~~
- ~~4. Violations apparent from city records;~~
- ~~5. Property deterioration;~~
- ~~6. Age of property;~~
- ~~7. Nature of alleged violation;~~
- ~~8. Condition of similar properties in the area;~~
- ~~9. Documented violations on similar properties in the area;~~
- ~~10. Passage of time since last inspection;~~
- ~~11. Previous violations on the property.~~

~~E. If a warrant is issued, no owner or foreclosing entity shall fail or neglect, upon presentation of a warrant, to properly permit entry therein by the code official or his/her duly authorized designee for the purpose of conducting an inspection and examination pursuant to this section and consistent with the terms of the warrant.~~

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Chris Shook

7232 E. Main Street

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6143226869 Phone

~~F. No criminal or civil penalty under this Chapter shall attach solely by reason of the owner or foreclosing entity's refusal to consent to a full inspection.~~

1399.11 Maintenance requirements

~~While vacant properties are required to be registered with the City pursuant to this chapter, such properties are required to be maintained in accordance with Chapter 1385 and Chapter 1711 of the City of Reynoldsburg Codified Ordinances.~~

1399.12 Security requirements

~~Any structure on the premises of a registered vacant property is required to be maintained in a secure manner, so as not to be accessible to any unauthorized persons. Secure manner includes, but is not limited to:~~

- ~~1. Closure and locking of all windows, doors, and other openings that may allow access to the interior of a structure~~
- ~~2. In the case of damaged or broken doors, windows or other openings, they must be repaired properly within thirty (30) days of notification.~~
- ~~3. Boarding up a damaged or unsecure door, window or other openings may be permitted only to eliminate an immediate hazard, but not to exceed thirty (30) days.~~
- ~~4. Any property found to be unsecure must be secured within forty eight (48) hours of notification.~~

1399.13 Fees

~~The fees described in this section are established in order to defray the costs to the City related to the health, safety, and economic impact of structures which remain vacant for long periods of time, including but not limited to administrative costs for registering and processing the vacant building owner registration form and for the costs incurred by the City in monitoring the vacant building. The annually increased fee amounts are reasonably related to the costs incurred by the City for demolition and hazard abatement or repairs to vacant buildings, as well as the continued administrative costs.~~

- ~~1. The owner of a vacant building shall pay an annual fee of two hundred dollars (\$200) for the first year the building remains vacant.~~

City Attorney's Office

Chris Shook

7232 E. Main Street

Reynoldsburg OHIO 43068

6143226869 Phone

- ~~2. For every consecutive year that the building remains vacant, the annual registration fee shall be increased by two hundred dollars (\$200) over the previous year to a five (5) year maximum of one thousand dollars (\$1,000) to be used for the fifth and for all consecutive, subsequent years of vacancy.~~
- ~~3. The first annual fee shall be paid at the time the building is registered. If the fee is not paid, the amount owed shall be assessed against the owner and certified to the appropriate County Auditor as a lien against the property.~~
- ~~4. The fee shall be paid in full prior to the issuance of any building permits unless the property is granted an exemption.~~
- ~~5. All delinquent fees shall be paid by the owner prior to any transfer of an ownership interest in the vacant building. A lien may be placed on the property to collect delinquent fees.~~

§1399.14 Notice of Violations

- ~~A. The Designated City Official, or his or her designee, shall have the power to enforce all provisions of this Chapter.~~
- ~~B. The Designated City Official, or designee, shall have the responsibility to issue to the owner of a vacant property or an authorized agent of an owner of a vacant property a Notice of Violation of any part of this Chapter, the Property Maintenance Code provided in Chapter 1711, or any other applicable section of the City ordinances.~~
- ~~C. The Notice of Violation shall include the applicable code section the owner is alleged to have violated, a brief statement of the factual basis for the alleged violation, and instructions to the owner of the right to appeal under Section 1399.1515.~~

1399.15 Appeals

City Attorney's Office

Chris Shook

7232 E. Main Street

Reynoldsburg OHIO 43068

6143226869 Phone

~~The Board of Zoning and Building Appeals (the "Board") shall have jurisdiction to hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the Designated City Official in the enforcement or administration of this chapter.~~

~~Any person affected by any Notice of Violation which has been issued in connection with the enforcement of any of the provisions of this Chapter may request and shall be granted a hearing on the matter by filing an appeal.~~

~~The person shall file, in the office of City Council with the Clerk of City Council, an appeal with a written request for the hearing and shall set forth the name, address, and phone number of the appellant and a brief statement of the grounds for the hearing and appeal from any Notice of Violation of this Chapter. Requests shall be filed within 14 days of the date of the Notice of Violation. On receipt of the appeal, the Clerk of Council shall set a time and place for a hearing before the Board. The hearing shall be held within a reasonable time after a request has been filed. At the hearing, the appellant shall be given an opportunity to be heard and to show cause why the notice and order should be modified or dismissed, or why a variance should be granted. The failure of the appellant or his representative to appear and present his position at the hearing shall be grounds for dismissal of the request.~~

~~Any party entitled to appeal a decision of the Board may appeal to a court of competent jurisdiction.~~

§1399.16 Failure to Remediate

~~A. If, after expiration of the time to file an appeal of a Notice of Violation or upon the affirmance by the Board and exhaustion of further appeals, the owner fails to remediate revision the violation, the Designated City Official shall have the power to issue a criminal or civil citation to the owner.~~

City Attorney's Office

Chris Shook

7232 E. Main Street

Reynoldsburg OHIO 43068

6143226869 Phone

~~B. Any citation issued under Section (A) shall be filed in the Reynoldsburg Mayor's Court, in the Franklin County Municipal Court, Environmental Division, or in the appropriate county municipal or common pleas court which shall have jurisdiction over the address where the violation occurred.~~

§1399.17 Validity:

~~Should any section, clause, or paragraph of this chapter be declared invalid by a court of competent jurisdiction, the same shall not affect the validity of the Chapter as a whole or any part thereof other than the part declared invalid.~~

1399.99 Penalties

~~Whoever violates or fails to comply with any of the provisions of this Chapter, including the failure to register a vacant property pursuant to Section 1399.03, is guilty of an unclassified misdemeanor that shall be punishable by up to one thousand dollars (\$1000.00) in fines. Each separate violation shall constitute a separate offense, and a separate offense shall be deemed committed for each day a violation continues.~~

Human Resources Dept.**Sandra Boller****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6868 Phone****ORDINANCE REQUEST****DATE: May 26, 2020****TO: Finance and Administration Committee****RE: Amend Section 160.02 (e) and (f) and Section 160.11 of Chapter 160**

Approval:

Completed Joe Begeny	Completed Chris Shook	Completed Stephen Cicak
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**REQUESTING CHANGES TO CHAPTER 160.02 (e) PARKS AND RECREATION;
CHAPTER 160.11 (f) AND CHAPTER 160.11 CITY PROVIDED CLOTHING. (SEE
ATTACHED)**

**AN ORDINANCE TO AMEND THE PERSONNEL PROCEDURE MANUAL
REGARDING NON-UNIFORM CLOTHING AND DRUG AND ALCOHOL TESTING
POLICY**

WHEREAS, the Council of the City of Reynoldsburg, Ohio, has determined that it is necessary to amend Reynoldsburg Personnel Procedure Manual.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the City of Reynoldsburg, Ohio Personnel Procedure Manual does hereby amend the Non-Uniform Clothing and Drug and Alcohol Testing polices to read as follows:

See Exhibit "A" attached hereto and incorporated herein.

Human Resources Dept.**Sandra Boller****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6868 Phone**

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect following the signature of the Mayor.

SECTION 3. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.

City of Reynoldsburg, Ohio
Chapter 160
Employee Compensation

Attachment: Chapter 160 Proposal 032020 (Chapter 160 Updates)

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160.01 DEFINITIONS

Active Pay Status: Except where otherwise defined in this manual, active pay status is a period when an employee is eligible to receive pay directly from the City and includes hours worked, and/or paid leave.

ADA: Americans With Disabilities Act.

Appointing Authority: Elected Official, commission, board or body having the power to appoint, to remove, to suspend or otherwise discipline positions in any office, department, commission, or board.

BWC: abbreviation for Ohio Bureau of Workers' Compensation.

City: The City of Reynoldsburg, Ohio.

Classification (Class): a position, or group of positions that involve similar responsibilities and require similar qualifications to which the same schedule of compensation equitably applies.

Classification Plan (Class Plan): alphabetically arranged compilation of the classification specifications for employees of the City.

Classification Series: classifications which are closely related, and grouped to form a career progression.

Classification Title: descriptive name of a group of positions similar enough to be included under a single classification.

Classified Service: all persons in the employ of the City, not specifically included in the unclassified service.

Collective Bargaining Agreement: written agreement(s) entered into between the City and an exclusive representative of employees of the City pursuant to ORC Section 4117.

Commission: the Civil Service Commission of the City of Reynoldsburg, Ohio.

Compensatory Time: the substitution of earned hours off, in lieu of overtime pay.

Continuous Service: uninterrupted service of an employee with the City where no break in service occurs. Authorized leaves of absence, or any separation from service which carries with it the right to reinstatement or reemployment shall not constitute a break in service provided the employee is reinstated or reemployed within the allowable time. However, time spent on a leave of absence without pay, layoff, or other separation shall not be included where the completed service of the employee is utilized to determine eligibility for City-provided benefits, except where the employee has a right to such benefits under USERRA (Military Leave).

Day(s): unless otherwise specified, means calendar day(s).

Demotion: change in position that reduces the employee's scope of responsibility and compensation.

Department: city organizational unit directed and controlled by the City and charged with a specific public service function and mission.

Department Head: supervisor (as defined herein) charged with the responsibility of managing a department on behalf of the City. Also called Director in some departments.

Designee: any person authorized by the City or management official to perform a function with or on behalf of the City or management official.

Director: an unclassified supervisor (as defined herein) charged with the responsibility of managing a department on behalf of the City.

Discourteous Treatment: failure by an employee to treat others with respect, in a polite and courteous manner.

Dishonesty: disposition to lie, cheat, or defraud; untrustworthiness; lack of integrity.

Distribution: an act of distributing goods, materials, and/or written materials or literature.

Division: city organizational unit directed and controlled by the City and charged with a specific public service function and mission.

Division Head: supervisor (as defined herein) charged with the responsibility of managing a division on behalf of the City. Also called Superintendent in some divisions.

Earned Time: includes hours actually worked plus hours granted to the employee by the City for holiday, and/or any paid leave provided.

Temporary Appointment: an appointment may be made by the Appointing Authority without regard to the Chapter 160 or the rules of O.R.C. 124.01 to 124.64, but in no case to continue longer than six months, and in no case shall successive appointments be made.

Employee: any person holding a position subject to appointment, removal, promotion, or demotion by the Appointing Authority.

Employee, Classified: an employee included in the Classified Civil Service of the City of Reynoldsburg as defined by City Charter.

Employee, Half-Time: part-time employee who regularly works 20 hours per week who will receive sick time of 2.30 hours per pay, vacation at 1.54 hours per pay, and holiday pay at 4 hours per holiday.

Employee, Full-Time: an employee whose employment is expected to continue for longer than one year and who normally works a standard workweek of a minimum of 37.5

Employee, Seasonal: An individual hired primarily to perform services which because of climatic conditions or because of the seasonal nature of such service, it is customary to operate only during regular periods of forty weeks or less in any consecutive fifty-two weeks.

Employee, Service Date: date on which an employee was appointed to initial employment with the City adjusted for time off without pay, or any prior service credit.

Employee, Three-quarter time: part-time employee who regularly works 30 hours per week who will receive sick time of 3.45 hours per pay, vacation at 2.31 hours per pay, and holiday pay at 6 hours per holiday.

Excused Absence: absence from work with the approval of the Appointing Authority or appropriate designee (e.g., sick leave, vacation, holiday, unpaid leave of absence, etc.).

Exempt Employee: salaried employee determined to be exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act, and who therefore does not have to legally be paid the statutory minimum wage and/or be compensated, at premium rates, for additional hours worked in the workweek.

FLSA: abbreviation for the Fair Labor Standards Act.

FML: abbreviation for Family and Medical Leave.

Flex-Time: adjustment of an employee's work hours to avoid the employee working in excess of 40 hours in one (1) workweek or any other standard work period established in accordance with the FLSA.

Interim Appointment: Interim appointment, made necessary by reason of sickness, disability, or other approved leave of absence of regular officers or employees shall continue only during, such period of sickness, disability or other approved leave of absence. Interim appointments shall be made only to fill a vacancy that results from an employee's absence, or to fill a vacancy that results because of an other employee receives an interim appointment.

Injury Leave: period of time granted by the Appointing Authority or designee for inability of the employee to work because of an on-the-job accident substantiated by a medical report.

Legal Holidays: days proclaimed by the Mayor as days which employees are normally not required to work and are paid the normal hours per day at the employee's prevailing rate, according to the schedule set forth in Section 5.06 or 5.061 herein, as applicable.

Length of Service: interval from the employees service date to any given date.

Longevity: Full-time employees of the City shall be eligible for longevity compensation at the conclusion of six years of continuous service. Payment will be made annually as a lump sum.

Non-Exempt Employee: an employee who is entitled to be paid the federal minimum wage and to be paid at the rate of one and one-half (1 1/2) times the employee's regular rate of pay for all hours worked in excess of 40 in the established workweek or other standard work period established in accordance with the FLSA.

O.R.C.: abbreviation for the Ohio Revised Code. Also abbreviated as R.C. when followed by a chapter or section number.

OSHA: abbreviation for Ohio's Occupational Safety and Health Act.

Occasional Labor/Independent Contract: an employee who works on an irregular schedule which is determined by the fluctuating demands of the work and is generally not predictable and not paid through a timesheet.

Overtime: time worked by non-exempt full-time employees in excess of the normal schedule.

PART-TIME: an individual that does not work a regular 40 hour work week .

PERS: abbreviation for the Public Employees Retirement System.

PFDPF: abbreviation for the Ohio Police and Fireman's Disability and Pension Fund.

Pay Period: the official pay period shall be biweekly.

Pay Plan: schedule of compensation rates established for all classifications or positions in the City service.

Personnel Actions: a specific act by the City to implement a personnel decision (e.g. hiring, promotion, demotion, suspension, removal, layoff, wage increases).

Personnel Decisions: such decisions include, but are not limited to: (1) recruitment, (2) selection, (3) placement, (4) testing, (5) training, (6) promotions and transfers, (7) layoff and recall, (8) removal, (9) disciplinary action, (10) employee benefits and compensation, and (11) tangible program services and benefits.

Position: group of duties and responsibilities assigned or delegated by competent authority to be performed by one (1) person. All of the positions listed in the organizational chart constitute positions within City. Positions and the duties of a position may be revised, but the employee's classification remains the same unless the position is reclassified.

Prevailing Pay Rate: rate of compensation in effect at any time.

Prior Service Credit: the City will allow service credit for any prior service an employee may have had with the City or any other Ohio governmental agency or Ohio political subdivision. Part-time service will be pro-rated for prior service credit purposes.

Promotion: change in position which results in an increase in an employee's compensation and responsibility.

Separation (except for cause): applies when the employee leaves the City service of his own volition.

Sick Leave: period of time granted by the Appointing Authority or appropriate designee due to inability of the employee to work because of physical or mental sickness, or injury due to an off-the-job accident.

Solicitation: act of requesting an individual to purchase goods, materials, or services, or a plea for financial contribution.

Superintendent: a classified individual who has been authorized by the City to perform or assist in performing some or all of the following: hiring, transferring, suspending, laying off, recalling, promoting, discharging, assigning, rewarding, interviewing, evaluating, approving leave requests, approving payroll time sheets or disciplining employees under the direction of the City; to responsibly direct employees; to adjust their grievances; or to effectively recommend any of these actions. Also referred to as Supervisor.

Supervisor: a classified individual who has been authorized by the City to perform or assist in performing some or all of the following: hiring, transferring, suspending, laying off, recalling, promoting, discharging, assigning, rewarding, interviewing, evaluating, approving leave requests, approving payroll time sheets or disciplining employees under the direction of the City; to responsibly direct employees; to adjust their grievances; or to effectively recommend any of these actions. Also referred to as Superintendent.

Suspension: relief of an employee from duty without pay, usually for a short period of time as a disciplinary measure.

Transfer: voluntary and/or involuntary reassignment from one department in the City service to another.

Training Appointment: In the event of a planned (i.e. retirement, notice given of separation) employee separation, the Appointing Authority may employ an additional employee for no longer than eight (8) weeks while the current employee continues their employment with the City.

Unclassified Service: those positions set forth in Section 7.03 of the City Charter as applied to the Civil Service of the City of Reynoldsburg. Positions in the unclassified service shall be exempt from all examinations.

Vacation Leave: period of time granted by the Appointing Authority or appropriate designee during which employees are exempt from work and paid at the employee's prevailing rate.

Vacation Year: the interval of time based on the employee's service date with the City and extends from service date to service date.

Vendor: any individual or group engaged in or desiring to engage in the supply of goods, materials, or services, (which are utilized in the conduct of public business) to the City and/or its employees.

Work Area: any office, room, or physical location where official City business is transacted and/or operations of the City are conducted.

Work Time: the time when an employee's duties require that the employee be engaged in work tasks.

Written Reprimand: written record of disciplinary action, usually issued after a written warning has failed to improve an employee's conduct or when the employee has committed a more serious violation, which is provided to the employee and placed in the employee's personnel file in an attempt to improve the employees conduct and performance.

Written Warning: written documentation of a verbal counseling and instruction which is provided to the employee and placed in the employee's personnel file to correct any misconduct and improve the employee's conduct and performance.

160.02 AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY
GRADE

<u>Position</u>	<u>Personnel</u>	<u>Classification</u>	<u>Pay Grade</u>
(a) ADMINISTRATIVE			
Mayor	1	Unclassified	See Sect.141.01
Auditor	1	Unclassified	See Sect.143.01
City Attorney	1	Unclassified	See Sect.147.03
Asst. City Attorney	1	Unclassified	22
Asst. City Prosecutor	2 p/t	Unclassified	19
City Attorney Secretary	1	Unclassified	15
City Attorney Clerk	1	Classified	12
Criminal Justice Program			
Administrator	1	Unclassified	12
Mayor's Secretary	1	Unclassified	15
Clerk of Courts	1	Unclassified	18
Assistant Clerk of Courts	1	Classified	11
Data Entry Operator	1p/t	Classified	8
Data Entry Operator	1	Classified	8
Clerk of Council	1	Unclassified	16
Asst. Clerk of Council	1 p/t	Unclassified	10
Tax Administrator	1	Classified	17
Deputy Auditor	1	Unclassified	15
Auditor's Secretary	1 p/t	Unclassified	10
Finance Manager	1	Classified	22
Civil Service			
Administrative Assistant	2 p/t	Unclassified	15
(b) DEPARTMENT OF COMPUTER SYSTEMS			
Director of Computer Systems	1	Unclassified	22
Network Systems Administrator	1	Classified	19
(c) DEPARTMENT OF DEVELOPMENT			
Development Director	1	Unclassified	22
Development Director			
Administrative Assistant	1	Unclassified	13
Planning & Zoning Administrator	1	Classified	19
(d) HUMAN RESOURCES DEPARTMENT			
Director of Human Resources	1	Unclassified	22
Human Resources Generalist	1	Unclassified	12

(e) PARKS & RECREATION DEPARTMENT

Director	1	Unclassified	22
Administrative Assistant	1	Unclassified	13
Senior Center Manager	1	Classified	16
Special Events/Media Coordinator	1	Unclassified	12

<u>Position</u>	<u>Personnel</u>	<u>Classification</u>	<u>Pay Grade</u>
Senior Citizens Assistant	2 p/t	Classified	7
Senior Center Activities Instructor	1 p/t	Classified	5
Recreation Superintendent	1	Classified	16
Grounds Superintendent	1	Classified	16
Assistant Grounds Superintendent/ <u>Arborist</u>	1	Classified	12 14
Parks Grounds Maintenance	2	Classified	3
Field and Landscape Operator	2	Classified	6
Horticulturist	1	Classified	10
Recreation Coordinator	1	Classified	7
Seasonal & Occasional	Variable	Unclassified	See 160.03(d) & (e)

(f) POLICE DEPARTMENT

Director of Public Safety	1	Unclassified	22
Chief of Police	1	Classified	26A
Deputy Chief of Police	1	Classified	24A
Lieutenant	2	Classified	See Chapter 166
Sergeant	9	Classified	See Chapter 166
Police Officer	57	Classified	See Chapter 166
Dispatcher	9	Classified	See Chapter 162
Support Services Supervisor	1	Classified	18
Property Room Coordinator	1	Classified	10
Property Room Clerk	1p/t	Classified	7
Chief of Police			
Administrative Assistant	1	Classified	14
Public Service <u>Safety</u> Records Technician	32	Classified	9
<u>Public Safety Records/Research Technician</u>	<u>1</u>	<u>Classified</u>	<u>10</u>
Court Specialist	1	Classified	9
Detective Bureau Administrative Assistant	1	Classified	9
Command & Staff Administrative Assistant	1	Classified	10
Accreditation Manager	1 p/t	Classified	10
Training Coordinator	1p/t	Classified	10
Court Liaison	2 p/t	Classified	13

(g) SERVICE DEPARTMENT

(1) Director of Public Service	1	Unclassified	22
Service Director			
Administrative Assistant	1	Unclassified	13
Secretary	1	Classified	8
Maintenance Foreman	1	Classified	16
Custodian	3	Classified	5
Maintenance Crew Leader	1	Classified	9

(2) Building Division

Chief Building Official	1	Classified	19
Asst. Chief Building Inspector	1	Classified	17
Building Inspector I	3	Classified	14
Permit Technician	2	Classified	11
Code Compliance Officer	4	Classified	6

(3) Water/Wastewater Division

Superintendent	1	Classified	18
Asst. Superintendent	1	Classified	15
Maintenance Spec/Equip Operator	6	Classified	10
Billing Supervisor	1	Classified	14
Account Clerk 2	4	Classified	7

(4) Street Division

Superintendent	1	Classified	17
Asst. Superintendent	1	Classified	15
Administrative Assistant	1	Classified	8
(To be shared with Storm Water Utility Division)			
Maintenance Spec/Equip Operator	5	Classified	10
Maintenance Spec/Equip Operator	1*	Classified	10
(To be shared with Storm Water Utility Division)			

Fleet Maintenance Supervisor	1	Classified	14
Fleet Maintenance Technician	1	Classified	10

(4)(a) Storm Water Utility Division

Asst. Superintendent	1	Classified	14
Administrative Assistant	1	Classified	8
(To be shared with Street Division)			
Maintenance Spec/Equip Operator	2	Classified	10
Maintenance Spec/Equip Operator	1*	Classified	10
(To be shared with Street Division)			

(h) DEPARTMENT OF ENGINEERING

Director of Engineering	1	Unclassified	22
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**CITY OF REYNOLDSBURG, OHIO
SALARY SCHEDULE**

160.03 SALARY SCHEDULE

BEGINNING July 1, 2019 with the implementation of steps, THE FOLLOWING PAY GRADES SHALL BE IN EFFECT:

(a) Full Time Employees – NON SUPERVISORY PERSONNEL

Pay Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
3	\$ 15.15	\$ 15.91	\$ 16.70	\$ 17.54	\$ 18.41	\$ 19.34	\$ 20.30
4	\$ 15.29	\$ 16.88	\$ 18.51	\$ 20.12	\$ 21.74	\$ 23.30	\$ 24.96
5	\$ 15.67	\$ 17.30	\$ 18.97	\$ 20.62	\$ 22.29	\$ 23.89	\$ 25.58
6	\$ 15.98	\$ 17.65	\$ 19.35	\$ 21.02	\$ 22.73	\$ 24.36	\$ 26.09
7	\$ 16.56	\$ 18.00	\$ 19.74	\$ 21.44	\$ 23.18	\$ 24.85	\$ 26.61
8	\$ 17.48	\$ 19.13	\$ 20.78	\$ 22.45	\$ 24.08	\$ 25.75	\$ 27.41
9	\$ 18.32	\$ 20.05	\$ 21.78	\$ 23.53	\$ 25.24	\$ 26.99	\$ 28.73
10	\$ 18.78	\$ 20.55	\$ 22.53	\$ 24.12	\$ 25.87	\$ 27.67	\$ 29.45
11	\$ 19.15	\$ 20.96	\$ 22.77	\$ 24.60	\$ 26.38	\$ 28.22	\$ 30.04
12	\$ 19.53	\$ 21.38	\$ 23.23	\$ 25.09	\$ 26.91	\$ 28.78	\$ 30.64
13	\$ 19.92	\$ 21.81	\$ 23.69	\$ 25.59	\$ 27.45	\$ 29.36	\$ 31.25
14	\$ 20.32	\$ 22.24	\$ 24.16	\$ 26.11	\$ 27.99	\$ 29.95	\$ 31.88
15	\$20.65	\$ 22.69	\$ 24.65	\$ 26.63	\$ 28.55	\$ 30.55	\$ 32.52

*Nonexempt payroll will be based upon hourly rates derived from the annual rates.

(b) SUPERVISORY PAY RANGE

Pay Grade	Minimum	Maximum
14	\$ 24.50	\$ 34.00
15	\$ 25.50	\$ 36.00
16	\$ 26.00	\$ 38.00
17	\$ 27.00	\$ 41.00
18	\$ 28.00	\$ 43.00
19	\$ 29.00	\$ 45.00
20	\$ 31.00	\$ 47.00
21	\$ 33.00	\$ 49.00
22	\$ 35.00	\$ 51.00

(c) Senior Police Management

Pay Grade	Minimum	Maximum
24A	\$ 45.00	\$ 60.00
26A	\$ 50.00	\$ 65.00

*Nonexempt payroll will be based upon hourly rates derived from the annual rates.

(c) Part Time Employee

Part time employees' rate of pay shall begin at the minimum hourly rate for the pay grade assigned.

(d) Seasonal Employee

1) Parks and Recreation Department:

Seasonal Recreation Employee	\$8.00 - \$30.00
Seasonal Maintenance Employee	\$8.50 – \$16.00
Bus/Van Driver	\$9.50 per hour-\$16.00

2) Service Department

Water/Wastewater Laborer	\$10.00 - \$12.00 per hour
Service Seasonal Laborer	\$10.00 - \$12.00per hour

3) Street Department

Street Seasonal Laborer	\$10.00 - \$12.00per hour
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(e) Occasional Labor/Independent Contract

Unless otherwise indicated, occasional shall be paid at the rate mandated as the minimum wage by the Fair Labor Standards Act. Exceptions to this area are as follows:

(1) Parks and Recreation Department:

Umpire/Referee-	\$7.00 to \$ \$60.00 per game
Program Assistant	\$7.80 - \$20.00 per game/hour

(2) Service Department (Building Division)

Building Plans Examiner	
Residential/Inspector	\$13.00 - \$16.00 per hour

(f) Other

Intern – permitted by a department that has funding available within the department budget for a college intern that will be on payroll on a part-time basis not to exceed six-months. There will be no benefits, holiday, vacation and sick leave earned.

160.04 OTHER COMPENSATION

(1) Water/Wastewater Departments – License Compensation

(a) Any employee in the Water Department or Waste Water Department who receives a Class I, Class II, or Class III license from the Ohio EPA shall receive an additional amount per month for the highest held as follows:

Class I	\$ 75.00
Class II	\$100.00
Class III	\$150.00

(b) An employee may be compensated for the highest license regardless of the Department.

2) All Second Shift Chapter 160 Eligible Employees Shift Differential

A shift differential of seventy-five cents (\$.75) per hour worked shall be paid to any Chapter 160 eligible employees when the majority of their regularly scheduled shift is after 1:00 p.m. and before 6:00 a.m.

- 3) Employees who work less than 20 hours per week on a regular basis will receive no benefits.
- 4) An employee who is temporarily assigned to a classification with a lower rate of pay will not be reduced in pay. An employee temporarily assigned to perform the duties of a higher classification with additional responsibilities should be granted a minimum of (five percent (5%)), but no more than ten percent (10%) temporary increase, as determined by the Appointing Authority.

160.05 OVERTIME ELIGIBILITY

A. POLICY

1. Exempt (Salary): Administrative, executive, professional, and certain other employees paid on a salary basis may be exempted or may fall into one of the specific categories of "non-covered" employees under the FLSA. The following positions are exempt from overtime compensation:

Safety Director	Service Director
Development Director	Deputy Chief of Police
Parks & Recreation Director	Computer Systems Director
Human Resources Director	Superintendent of Streets
Chief Building Official	Clerk of Courts
Superintendent of Water/Wastewater	Chief of Police
Tax Administrator	Finance Manager
Assistant City Prosecutors	Clerk of Council

Planning & Zoning Administrator

Assistant City Attorney

Such employees shall not receive a reduction in pay for absences of less than an entire work period (normally five [5] days). Absences will first be deducted from the employee's accumulated sick leave, vacation, or other paid leave time, as appropriate. Sick leave, vacation leave, and holiday pay are based upon a 40 hour week for exempt employees.

2. Nonexempt (Hourly): Employees that fall into the non-exempt status, either by ordinance or the federal Fair Labor Standards Act (FLSA), are paid a set wage on an hourly basis.
3. Part-time employees are expected to work their normally prescribed amount of work hours as determined by the City.

160.06 OVERTIME PAY

(a) Overtime will be authorized by the Appointing Authority or designee when it is necessary to prevent loss of life, damage to property, or to continue essential City services. Only full-time non-exempt employees are eligible for overtime pay.

(b) Full-time employees required to work, in excess of the established regular work week, holidays and/or any paid leave during the scheduled work week, shall be compensated for the excess hours at the rate of one and one-half (1½) times their current rate of pay. Employees must submit a time sheet by noon on Monday in order to be paid for overtime in the prior two (2) weeks. If not, overtime will be paid in the following pay period. Part-time employees must work more than forty (40) hours per week in order to qualify for overtime pay.

(c) The work period for calculating overtime shall be 12:00 a.m. Saturday through 11:59 p.m. Friday, unless the City has established an alternative work period for certain classes of employees. The City's right to use dual calculations to compute overtime owed to employees covered by collective bargaining agreements remains intact.

(d) In case of death of an employee, any earned overtime hours worked credited to such employee shall be paid to the surviving spouse, or to the estate of the deceased, if there is no surviving spouse.

160.07 LONGEVITY

Full-time employee of the City shall be eligible for longevity compensation at the conclusion of six (6) years of continuous service. Employees who are eligible for longevity prior to November 1, 2014 will have an adjusted longevity payment date of November 1. Longevity will be paid on the pay period that includes November 1 annually.

Full-time employees who become eligible for longevity as of November 1, 2014 will be paid longevity their actual anniversary dated with the city. The new rate effective January 1, 2019 is:

<u>From</u> (Conclusion of):	<u>To</u> (Conclusion of):	
6 th year	9 th year	\$550.00 annually
10 th year	14 th year	\$ 600.00 annually
15 th year	19 th year	\$ 650.00 annually
20 th year	----	\$ 700.00 annually

Employee must be employed by the City of Reynoldsburg on their longevity payment date to receive longevity pay. Longevity pay will not be prorated.

160.08 ADMINISTRATION OF PAY PLAN

(a) SALARY SCHEDULE AND PAY GRADES

- 1) Effective July 1, 2019 the City will implement a step program for non-bargaining unit employees in pay grades 1 through 15 in non-supervisory roles as reflected in 160.03 (a). There are two methods by which employees shall receive pay increase based upon steps 1) on their anniversary date of hire and 2) if Council approves an increases in the step table, employees would be given that adjustment effective January 1.
- 2) During the implementation of steps, on an employee's anniversary date they will move to the next step based upon the assigned step as of July 1, 2019. For example, an employee with an August 15 anniversary date and a current rate of pay that is between Step 3 and Step 4, but closest to a step 3, would be assigned a step 3 and they will move to Step 4 on their anniversary date. If the current rate of pay is closest to a step 4, they would be placed in a Step 4.
- 3) All new employees will be assigned to Step 1 at the time of hire, unless they meet qualifications that the Appointing Authority approves a start of a higher step up to step 3 of each pay grade.
- 4) In order to move to the next step an employee's performance must meet or exceed expectations. Any employee not meeting performance standards will be notified of a delay of the step increase by six-months. At the six-month mark there will be another evaluation of performance and if the employee meets the performance standards, they will be granted their step increase and then move forward to their

next step on their anniversary date. The denial of an increase is not a disciplinary action nor a reduction in pay, the employee has simply not earned an increase

- 5) For supervisory staff in pay grades 14 -26A hiring rate of pay will be based upon the minimum and maximum range set forth in each pay grade, based upon qualifications and approval of the appointing authority. Increases will be based upon annual performance reviews/feedback from their supervisor and/or Appointing Authority within the approved ranges and will effective January 1 of each year.
 - 6) The Human Resources Director with the approval of the Mayor will present to City Council from time to time a recommendation based upon a review of the minimum and maximum rates set forth in Reynoldsburg Chapter 160.03 and determine whether and to what extent the City should adjust the overall Salary Schedule in order to allow the City of Reynoldsburg to remain competitive in the labor market and to help its employees' wages maintain pace with inflation
 - 7) Cost of living adjustment will be determined by Council and would be effective January 1. The CPI data and any survey data of comparable jurisdictions will only be used as guidelines to help the Council assess the City's options year to year. Although the City might only resurvey every three (3) years, rather than annually, the Salary Schedule will nevertheless be reviewed annually for possible adjustment.
- (b) Promotions
- Upon promotion, the employee's rate of pay shall be the rate within the higher appropriate Pay Grade that affords the employee an increase of not less than 5% over the employee's rate for the position prior to promotion.
- (c) Transfers and Certain Other Appointments

Upon lateral transfer or appointment to a classification within the same Pay Grade, the employee's pay level is to remain at the same Pay Grade and rate. If that lateral transfer or appointment is to a classification with a lower Pay Grade, the appointing authority may establish the employee's pay at an equitable rate within the lower Pay Grade authorized by Reynoldsburg Chapter 160.03 Salary Schedule. Promotion transfers and appointments will be approved by the Appointing Authority. All benefits are retained when an employee transfers or is appointed to another position within the service of the City for any reason.

160.09 GROUP INSURANCE

(a) Each employee eligible for medical insurance under the Affordable Health Care Act is entitled to such benefits provided by a group insurance contract, the premiums of which, including premiums for dependent coverage, if appropriate, shall be paid by the City less an employee/newly elected or appointed official premium contribution of twelve percent (12%) of the total monthly premium for health, and seven percent (7%) for dental and vision insurance unless otherwise specified. Premium contributions shall be paid by payroll deduction. Coverage's and exclusions are as follows:

1. Effective January 1, 2014, eligible employees and each newly elected official who choose to utilize the City's medical insurance will pay twelve (12%) of the monthly premium contribution.
2. Effective January 1, 2008 for eligible employees and place into the H.S.A. amounts for single and family coverage as determined annually by City Council. Contributions for elected officials shall be equal to the contribution for full-time employees. Said amounts will be placed into the individual H.S.A. by the Auditor not later than January 15th of each year or as determined by the appropriate Labor Agreement.

A. The following shall apply for each full-time employee and is eligible for Medicare coverage:

The City will reimburse said full-time employee or elected official for qualified medical expenses and prescriptions that meet the insurance plan deductible coverage up to the same contribution level of those not eligible for Medicare coverage.

3. Full-time employees required to forfeit insurance coverage because their spouse is also a covered City employee shall receive twenty-five (25) dollars per month while such forfeiture is in effect.
4. Full-time employees may "opt out" of City provided health insurance provided they supply a certificate of coverage from another provider. Employees who "opt out" of employee only coverage will be paid One Thousand Five Hundred Dollars (\$1,500.00) annually. Employees who "opt out" of family coverage will be paid Two Thousand Five Hundred Dollars (\$2,500.00) annually and any employee opting to take employee only coverage in lieu of family coverage, except as determined by Section (4) above, will be paid One Thousand Five Hundred Dollars (\$1,500.00) annually. All dates of payments made under this "opt out" provision will be determined by the Auditor.

5. Each permanent three-quarter (30 hour) or more employee shall receive a minimum of Fifty Thousand Dollars (\$50,000.00) or one times annual salary Life insurance rounded off to the next higher One Thousand Dollars (\$1,000.00), plus an equal amount of Accidental Death Insurance. Part-time elected officials do not receive Life Insurance benefits. Premiums shall be fully paid by the City. The city shall provide police liability insurance for all police officers.

Effective January 1, 2001 each full-time, non-bargaining unit employee is entitled to disability benefits provided by an insurance carrier, the premium of which is paid by the City of Reynoldsburg.

160.10 EDUCATIONAL ASSISTANCE

1. All full-time employees are eligible to participate in the Educational Assistance Incentive Program of the City. Participation is voluntary and available to those who elect job-related self-development activities during non-working hours. All coursework must be taken in accordance with a Planned Program of Professional Improvement approved by the appointing authority in advance.
2. The allowances for assistance are as follows:
 - A. All full-time employees are eligible to participate in the Educational Assistance Incentive Program of the City. Participation is voluntary and available to those who elect job-related self-related self-development activities during non-working hours. All coursework must be taken in accordance with a Planned Program of Professional Improvement approved by the appointing authority in advance.
 - B. The allowances for assistance are as follows:
 1. The annual allowance for college credit coursework education assistance (per employee) is \$3,000.00 per academic year.
 2. The annual allowance for non-college credited coursework education assistance (per employee is \$1,000.00 per academic year
 3. Annual text book reimbursement shall not exceed fifty percent (50%) of the actual cost of textbooks for college credit coursework and \$250.00 for non-college credit coursework during the academic year.
 4. All coursework must be preapproved before commencement of the course
3. To qualify for assistance, plan participants shall satisfactorily complete the course(s) with a grade of C or better, or pass a pass/fail course. Reimbursement shall be made upon submission of official transcripts, tuition statements, and receipts for textbooks.
4. An employee who has received educational assistance must remain an employee for one (1) year following completion of the courses for which assistance was received. Should

an employee separate from service with the City of Reynoldsburg within the one (1) year period, except in the event of a disability retirement, that employee must repay any assistance received in the one (1) year period.

160.11 CITY CLOTHING PROVIDED

1. The Appointing Authority reserves the right to prescribe appropriate attire and grooming and to set standards which are deemed to be in the best interest of the City and ensure an appropriate image for the City.
2. The Appointing Authority requires that an employee's clothing, grooming, and overall appearance be appropriate, in good taste, present a favorable public image, and be in conformity with regulations established by the City due to the specialized nature of service provided or the employment position maintained.
3. Clothing shall be conducive to the safe and effective performance of required job duties.
4. Certain employees may be required to wear regulation uniforms while on duty. The applicable departments may establish policies and procedures governing uniforms. When employees are required to wear a regulation uniform, the City shall provide the uniforms and/or provide a uniform allowance as prescribed by the City ordinance or applicable collective bargaining agreement.
5. Employees are required to keep uniforms neat, clean, and in good repair. City-issued uniforms may only be worn by employees while conducting official City business.
6. The City shall provide standard work clothing and safety equipment for all maintenance employees of the Parks and Recreation, Service, Street, Vehicle Maintenance, Water/Waste Water, Storm Water Utility and the Building Department employees. Each item of work clothing shall be suitably and permanently identified as belonging to the City. Any item unaccounted for shall be charged to the employee.
7. Employees not required to wear uniforms daily, may be provided shirts, sweaters, and jackets, etc. with the City of Reynoldsburg logo. The clothing may be worn for work at any time but are primarily to be worn for special events where it is desired the City of Reynoldsburg employees can be identified.

All clothing purchased must be approved colors and be branded with City of Reynoldsburg logo/name. Department directors are responsible for approving clothing options with the City of Reynoldsburg logo.

While wearing city branded clothing, employees are to conduct themselves in a professional manner. This portion of the policy does not negate the ability of the

City of Reynoldsburg from providing protective clothing, boots, vests, gloves, aprons or other items deemed protective in nature and intended for specific purposes.

Uniforms or clothing purchased by the city and distributed to employees will be treated as a fringe benefit, included as wages to the employee and subject to withholding tax purposes unless not permit by law.

160.12 CITY CLOTHING PROVIDED (SENIOR POLICE MANAGEMENT)

In addition to non-conflicting provisions in Section 7.07, the following shall apply to Senior Police Management.

The City shall furnish the basic uniforms and new equipment for all sworn officers. Uniform parts and equipment shall be replaced by the City on an as-needed basis. All uniforms and equipment purchased by the City remain the property of the City and must be returned when a member is separated from City service for any reason.

Uniform items not accounted for shall be replaced at the employee's expense. Failure to do so shall result in the value of the uniform items not accounted for being withheld from the employee's separation pay.

The City shall repair or replace all uniform items damaged or destroyed in the line of duty so long as the damage was not due to the employee's misconduct or negligence.

The City shall repair or replace eye glasses damaged or destroyed in the line of duty so long as the damage is not due to the employee's misconduct or negligence. This section shall provide coverage only for a like amount of the damaged eye glasses.

Employees assigned to plain clothes or administrative duty shall be permitted to purchase civilian clothing and components up to the reimbursable amount of \$850 per year. Clothing selected shall be at the discretion of the employee but shall be moderately conservative in style, cut, and color, and shall be acceptable to the local business community.

If not caused by negligence or misconduct of the employee, civilian clothing and/or components damaged to the point of unserviceability, in the line of duty, shall be replaced by the City as soon as possible at no charge to the current or subsequent allowance. Replacement does not include normal wear and tear.

Employees shall be reimbursed for necessary dry cleaning of uniforms or plain cloths items. Employees shall utilize the dry cleaning facility or facilities designated by the City. The following items shall be provided by the City:

Trousers — 5	Holster — 1
Shirts, Winter — 5	Magazine — 2
Shirts, Summer — 5	Magazine Pouches — 1 (dbl)
Ties — 3	Handcuffs — 1
Tie Bar — 1	Handcuff Case — 1
Shoes — 1 pair	Handcuff Key — 1
Boots — 1 pair	Belt Keepers — 4
Jacket – All Season – 1	Walkie Talkie Holder — 1
Raincoat — 1	Mace — 1
Hat, Winter — 1	Mace Holder — 1
Trooper Winter Hat — 1	Gloves — 1 pair
Hat, Summer — 1	Flashlight — 1 (3 cell)
Raincoat Cover — 1	Cite Bookholder — 2
Hat Badge — 1	Wristwatch — 1
Breast Badge — 2	Protective Vest — 1
Name Plate — 2	Belt (Trouser) — 1
Whistle — 1	Gun Belt — 1
Whistle Chain — 1	Service Weapon — 1

Human Resources Dept.**Sandra Boller****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6868 Phone****ORDINANCE REQUEST**

DATE: May 26, 2020

TO: Finance and Administration Committee

RE: Updates to Personnel Procedure Manual

Approval:

Completed Joe Begeny	Completed Chris Shook	Completed Stephen Cicak
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Requesting updates to the Personnel Procedure Manual Sections Titled: Police Command Staff Promotion, Personal Appearance and Drug and Alcohol Policy (see attachment)

**AN ORDINANCE TO AMEND THE PERSONNEL PROCEDURE MANUAL
REGARDING POLICE COMMAND STAFF PROMOTION, NON-UNIFORM
CLOTHING AND DRUG, AND ALCOHOL TESTING POLICY**

WHEREAS, the Council of the City of Reynoldsburg, Ohio, has determined that it is necessary to update Reynoldsburg Personnel Procedure Manual.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That the City of Reynoldsburg, Ohio Personnel Procedure Manual does hereby amended the Police Command Staff Promotion, Non-Uniform Clothing and Drug and Alcohol Testing polices to read as follows:

See Exhibit "A" attached hereto and incorporated herein.

Human Resources Dept.**Sandra Boller****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6868 Phone**

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.

CITY OF REYNOLDSBURG

PERSONNEL PROCEDURE MANUAL

Attachment: PPM 04152020 Update (Updates to Personnel Procedure Manual)

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INTRODUCTION OF PERSONNEL PROCEDURE MANUAL

The provisions of this Personnel Procedure Manual (Manual) are applicable to all City employees, unless otherwise specified or governed by a collective bargaining agreement. The Manual is not a contract of employment or a guarantee of any rights or benefits, but is merely intended to be used to assist and guide employees in the day-to-day directions and performance of their duties.

The policies adopted in this Manual supersede all previous written and unwritten personnel policies or operational guidelines that directly conflict with this Manual, excluding Charter provisions and ordinances adopted by City Council, including Chapter 160, which may be amended from time to time. This Manual is also intended to be construed in such a manner as to comply with all applicable federal, state, and civil service laws and regulations. Employees are responsible, as a condition of their employment, to familiarize themselves with, and abide by, these policies and procedures.

The City may revise these policies with or without advance notice. The City will attempt to give employees advance notice of any Manual changes. Notice of revisions shall be provided to all employees.

If any article or section of this Manual is held to be invalid by operation of law, the remainder of this Manual and amendments thereto shall remain in force and effect. Should a conflict arise between the Ohio Revised Code (O.R.C.), applicable federal law, or applicable local law and this Manual, law shall prevail. Additionally, should a direct conflict exist between this Manual and a Collective Bargaining Agreement, the Bargaining Agreement shall prevail.

Questions regarding the interpretation and application of these policies and procedures contained herein shall be directed to the employee's Department Head/Supervisor with input from the Human Resources Director.

In addition to the policies and procedures contained herein, each department and/or division of the City may have operational rules and/or policies in writing or practice that are unique to that department or division which are not covered by this Manual. Employees are responsible for complying with those departmental or divisional rules and policies, in addition to the policies and procedures contained herein.

All supervisory personnel responsible for administering the policies and procedures contained in this Manual. Supervisory personnel shall administer all policies and procedures contained herein to ensure compliance by subordinate personnel.

EQUAL EMPLOYMENT OPPORTUNITY POLICY

The City is an equal opportunity employer and does not discriminate on the basis of race, color, religion, sex, age, national origin, disability, military status, genetic testing, or other unlawful bias except when such a factor constitutes a bona fide occupational qualification (“BFOQ”). All personnel decisions and practices including, but not limited to, hiring, suspensions, terminations, layoffs, demotions, promotions, transfers, and evaluations, shall be made without regard to the above listed categories.

The City does not tolerate any conduct that intimidates, harasses, or otherwise discriminates against any employee or applicant for employment on the grounds listed above. Anyone who feels that their rights have been violated under this policy should submit a written complaint of discrimination to the Human Resources Director, who shall have the authority and responsibility to investigate and take appropriate action concerning the complaint.

AMERICANS WITH DISABILITY ACT

The City prohibits discrimination in hiring, promotions, transfers, or any other benefit or privilege of employment, of any qualified individual with a permanent disability. To be considered a qualified individual, the employee must satisfy the requisite skills, experience, education and other job-related requirements of the position he holds or desires and must be able to perform the essential functions of his position, with or without a reasonable accommodation.

The City will provide reasonable accommodation to a qualified applicant or employee with a disability unless the accommodation would pose an undue hardship on or direct threat to the facility. Decisions as to whether an accommodation is necessary and/or reasonable shall be made on a case-by-case basis after engaging in an interactive process. An employee who wishes to request an accommodation shall direct such request to the HR Director, or EEO/ADA Coordinator, each of whom shall have the authority and responsibility to investigate and take appropriate action. Requests for accommodation should be in writing to avoid confusion; however, verbal requests will be considered. The employer and employee will meet and discuss whether an accommodation is appropriate and, if applicable, the type of accommodation to be given.

Any employee who feels that his rights have been violated under this policy should submit a written complaint as set forth in the Unlawful Discrimination and Harassment Policy.

Definitions

Sex-Based Discrimination

Sex discrimination involves treating someone unfavorably because of that person's sex. Discrimination against an individual because of gender identity, including transgender status, or because of sexual orientation is discrimination because of sex in violation of Title VII, which

protect lesbian, gay, bisexual, and transgender (LGBT) applicants and employees against employment bias.

Unlawful discrimination occurs when individuals are treated less favorably in their employment because of their membership in a protected classification. An employer may not discriminate against an individual with respect to the terms and conditions of employment, such as promotions, raises, and other job opportunities, based upon that individual's membership in that protected class.

Harassment is a form of discrimination. Harassment may be generally defined as unwelcome conduct based upon a protected classification. However, harassment becomes unlawful where:

1. Enduring the offensive conduct becomes a condition of continued employment.
2. The conduct is severe or pervasive enough to create a work environment that a reasonable person would consider intimidating, hostile, or abusive.

Examples.

By way of example, sexual harassment is one type of unlawful harassment. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to the conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. Harassment on the basis of an employee's membership in any protected classification (as set forth above) is unlawful, will not be tolerated, and must be reported.
4. Unlawful discrimination and harassment does not generally encompass conduct of a socially acceptable nature. However, some conduct that is appropriate in a social setting may be inappropriate in the work place. A victim's perceived acquiescence in the behavior does not negate the existence of unlawful discrimination or harassment. Inappropriate conduct that an employee perceives as being "welcome" by another employee may form the basis of a legitimate complaint.
5. Additional examples of unlawful sexual harassment may include, but are not limited to: repeated unwanted and/or offensive sexual flirtations, advances or propositions; verbal abuse; graphic comments; display of objects, pictures or displays through other media; offensive, abuse and/or unwanted physical contact.

UNLAWFUL DISCRIMINATION AND HARASSMENT

The City is committed to providing an environment that is safe and free from unlawful discrimination and harassment. Unlawful discrimination or harassment is behavior directed toward an employee because of his membership in a protected class such as: race, color, religion, sex, age, national origin, disability, military status, genetic testing, or other unlawful bias. Discrimination and harassment is inappropriate and illegal and will not be tolerated. All forms of unlawful discrimination and harassment are governed by this policy and must be reported and addressed in accordance with this policy. Unlawful discrimination and/or harassment may be committed against employees by elected officials, department heads, supervisors, co-workers, or members of the public. Further, unlawful discrimination and/or harassment may occur on-duty or off-duty.

Off Duty Conduct

Unlawful discrimination or harassment that affects an individual's employment may extend beyond the confines of the workplace. Conduct that occurs off duty and off premises may also be subject to this policy. Employees are also cautioned that conduct off-duty and online may be constitute unlawful discrimination or harassment.

REPORTING HARASSMENT OR DISCRIMINATION

It is the responsibility of the City to maintain an environment that is free from unlawful discrimination or harassment. Employees who feel they have been subject to unlawful discrimination or harassment by a fellow employee, supervisor, or other individual otherwise affiliated with the City shall immediately report the conduct, in writing, the Human Resources Director, who shall have the authority and responsibility to investigate and take appropriate action concerning the complaint. Similarly, employees who feel they have knowledge of discrimination or harassment, or who have questions or concerns regarding discrimination or harassment, shall immediately contact their supervisor. Late reporting of complaints and verbal reporting of complaints will not preclude the City from taking action. However, so that a thorough and accurate investigation may be conducted, employees are encouraged to submit complaints in writing and in an expedient manner following the harassing or offensive incident. All supervisors are required to follow up on all claims or concerns, whether written or verbal, regarding unlawful discrimination and harassment.

Although employees may confront the alleged harasser at their discretion, they are also required to submit a written report of any incidents as set forth above. When the City is notified of the alleged harassment, it will timely investigate the complaint. The investigation may include private interviews of the employee allegedly harassed, the employee committing the alleged harassment and any and all witnesses. Information will be kept as confidential as practicable, although confidentiality is not guaranteed. All employees are required to cooperate in any investigation. Determinations of harassment shall be made on a case-by-case basis. If the investigation reveals

the complaint is valid, prompt attention and disciplinary action designed to stop the harassment and prevent its recurrence will be taken.

Retaliation.

Anti-discrimination laws prohibit retaliatory conduct against individuals who file a discrimination charge, testify, or participate in any way in an investigation, proceeding, or lawsuit under these laws, or who oppose employment practices that they reasonably believe discriminate against protected individuals, in violation of these laws. The law also prevents retaliatory conduct against individuals who are close friends or family members with an individual who engaged in protected conduct. The City and its supervisors and employees shall not in any way retaliate against an individual for filing a complaint, reporting harassment, participating in an investigation, or engaging in any other protected activity. Any employee who feels he has been subjected to retaliatory conduct as a result of actions taken under this policy, or as a result of his relationship with someone who took action under this policy shall report the conduct to their supervisor immediately. Disciplinary action for filing a false complaint is not a retaliatory act.

False Complaints.

Legitimate complaints made in good faith are strongly encouraged; however, false complaints or complaints made in bad faith will not be tolerated. Failure to prove unlawful discrimination or harassment will not constitute a false complaint without further evidence of bad faith. False complaints are considered to be a violation of this policy.

Corrective Action.

If the City determines unlawful discrimination, harassment, or retaliation has taken place, appropriate corrective action will be taken, up to and including termination. The corrective action will be designed to stop the unlawful conduct and prevent its reoccurrence. If appropriate, law enforcement agencies or other licensing bodies will be notified. Any individual exhibiting retaliatory or harassing behavior towards an employee who exercised a right under this policy, or who is a close personal friend or family member of someone who exercised a right under this policy, will be subject to discipline, as will any employee who has knowledge of unlawful conduct and allows that conduct to go unaddressed.

Coverage.

This policy covers all employees, supervisors, department heads and elected officials. Additionally, this policy covers all suppliers, subcontractors, residents, visitors, clients, volunteers and any other individual who enters City property, conducts business on City property, or who is served by City personnel.

CLASSIFICATION STATUS

The classified service shall comprise all City employees not specifically included in the unclassified service. Following completion of the probationary period of one (1) year, no classified employees shall be reduced in pay or position, fined, suspended or removed, or have his or her longevity reduced or eliminated, except and for those reasons set forth in the civil service law, or local law. Such reasons include: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, violation of any policy or work rule of the City, any other failure of good behavior, any other acts of misfeasance, malfeasance or nonfeasance in office, or conviction of a felony, except for just cause.

Unclassified employees serve at the pleasure of the City and may be terminated or otherwise separated from employment for any reason not inconsistent with law. An unclassified employee may not be rendered classified due to the provisions of this Manual.

PROBATIONARY PERIOD

Newly hired or newly promoted employees in the classified service shall be required to successfully complete a one (1) year probationary period. The probationary period allows the City to closely observe and evaluate the employee's fitness and suitability for the position. Only those employees who demonstrate an acceptable standard of conduct and performance shall be retained in their positions.

A newly hired probationary period may be removed at any time during their probationary period due to unsatisfactory work performance. If an employee is removed during their original appointment probationary period, the employee lacks any appeal rights. Time spent on inactive pay status or non-paid leave of absence shall not be counted toward the completion of the probationary period. An employee's probationary period may be extended due to time spent in inactive pay status or on a non-paid leave of absence.

Employees working irregular schedules and intermittent employees shall have a one (1) year probationary period.

The failure of a promoted employee to complete a probationary period due to unsatisfactory performance shall result in the employee being returned to the same or similar position he held at the time of his promotion.

Unclassified employees serve at the pleasure of the appropriate appointing authority and do not serve a probationary period. Nothing contained in this policy should be considered a waiver of the right to remove an unclassified employee consistent with law.

POLICE COMMAND STAFF PROMOTIONS

A. Senior Police Department Management by definition includes all positions as set forth herein above the rank of Sergeant and not included in a collective bargaining agreement. Senior Police Department Management positions are:

- a. Chief of Police
- b. Deputy Chief of Police
- c. Lieutenant

2. Pursuant to the power granted to the Reynoldsburg City Council by Section 7.03(e) of the Reynoldsburg City Charter, the Reynoldsburg City Council hereby eliminates the application of general laws of Ohio pertaining to the civil service provisions for selection and filling of Police Department positions above the rank of Police Officer and Sergeant, specifically Ohio Revised Code Section 124.44, and hereby substitutes its local procedure and provisions for filling said positions.

3. The Chief of Police may be filled by original appointment of a person who is not in the Reynoldsburg Police Department.

The following selection procedure shall be followed whether by original appointment or promotion:

- (1) a competitive promotional Civil Service Examination as set forth in Reynoldsburg City Code 157.04 shall not be given;
- (2) a candidate for promotion to Chief of Police or original appointment to Chief of Police shall have achieved a rank of command with at least one (1) year of police- command experience and a bachelor's degree in criminal justice, police science, or a related field such as the social sciences, business management, or public administration required commencing January 1, 1996, from an accredited college or university that would enable the candidate to be admitted to a graduate school at an accredited university; and
- (3) successful completion of one of the following: FBI National Academy, the Southern Police Institute's Command Officer Development Course, Northwestern University/Traffic Institute's School of Police Staff and Command, Public Safety Leadership Academy (PSLA), or Certified Law Enforcement Executive (CLEE).

Unless the Civil Service Commission contracts with an accredited law enforcement consulting agency to accept and rank resumes, a Preliminary Screening Committee shall be established to review applications and resumes of Chief of Police candidates. This committee shall be responsible for selection not more than ten (10) candidates.

The Preliminary Screening Committee shall be comprised of:

- Safety ~~Director~~Committee Chair;
- A representative from the OACP;
- A representative from the FOP
- Human Resource Director

Any of the above can be replaced by a designee if necessary. Such designee would require approval by the Civil Service Commission.

The Committee will determine if the applicants meet the minimum job requirements as outlined in the job classification for the position of Chief of Police.

The Preliminary Screening Committee will rank the qualified candidates based upon their qualifications utilizing an objective evaluation form. The Committee shall submit to a final Selection Committee the top five (5) candidates.

The Final Selection Committee will be comprised of:

- Mayor
- A representative from the OACP
- A representative from the FOP
- Council President
- Safety Committee Chair
- City Attorney
- ~~Safety Director~~A representative appointed by the Mayor

Any of the above can be replaced by a designee if necessary. Such designee would require approval by the Civil Service Commission.

The final selection committee shall interview the final five (5) candidates and make a recommendation of the top three (3) to the appointing authority based on majority vote. The Appointing Authority will appoint from the top three (3).

4. The Deputy Chief of Police may be filled by original appointment or of a person who is not in the Reynoldsburg Police Department.
 - a. The following selection procedure shall be followed whether by original appointment or promotional appointment:
 - (1) A competitive promotional Civil Service examination as set forth in Reynoldsburg City Code 157.04 shall not be given;
 - (2) Candidate for promotion to Deputy Chief of Police or original

appointment to Deputy Chief of Police shall have achieved a rank of command with at least one (1) year of police command experience and a bachelor's degree in criminal justice, police science, or a related field such as the social sciences, business management or public administration required commencing January 1, 1996, from an accredited college or university that would enable the candidate to be admitted to a graduate school at an accredited university; and

- (3) Successful completion of one of the following: FBI National Academy, the Southern Police Institute's Command Officer Development Course, Northwestern University/Traffic Institute's School of Police Staff and Command, Public Safety Leadership Academy (PSLA), or Certified Law Enforcement Executive (CLEE).

- b. Unless the Civil Service Commission contracts with an accredited law enforcement consulting agency to accept and rank resumes, a Preliminary Screening Committee shall be established to review applications and resumes of Deputy Chief of Police candidates.

The Preliminary Screening Committee shall be comprised of:

- ~~Safety Director~~ A representative appointed by the Mayor
 - Current Chief of Police
 - Human Resource Director
- Any of the above can be replaced by a designee if necessary. Such Designee would require approval by the Civil Service Commission.

The Committee will determine if the applicants meet the minimum job requirements as outlined in the job classification for the position of Deputy Chief of Police.

- c. The Preliminary Screening Committee will rank the qualified candidates based upon their qualifications utilizing an objective evaluation form. The committee shall submit to a final Selection Committee the top five (5) candidates.

The Final Selection Committee shall be comprised of:

- Mayor
- Chief of Police
- City Attorney
- Safety Director

- Human Resource Director

Any of the above can be replaced by a designee if necessary. Such designee would require approval by the Civil Service Commission.

- d. The final selection committee shall interview the final five (5) candidates and make a recommendation of the top three (3) to the appointing authority based on majority vote. The Appointing Authority will appoint from the top three (3).

5. A candidate for promotion to the rank of Lieutenant shall have:

- a. The following selection procedure shall be followed whether by original appointment or promotion:
 - i at least three (3) years of experience at the rank of Sergeant with the Reynoldsburg Police Department immediately preceding the date of promotion; and an Associate's Degree or two (2) complete years of college education from a community college, college or university, that would enable the candidate to be admitted to an undergraduate school as a third year student at an accredited college or university
 - ii. A written exam may be administered to all eligible candidates pursuant to the rules established by the Civil Service Commission.
 - iii. If a written exam is administered, then all candidates achieving a passing grade shall submit to an assessment center.

If a written exam is not given, then all eligible candidates shall submit to a assessment center, prepared and presented by an accredited law enforcement consulting agency as selected by the Civil Service Commission. The consulting agency shall submit the results to the Civil Service Commission, who will forward the names of the top three candidates to the appointing authority (the Mayor) who shall appoint from the top four ranked candidates.

- (b) When there are not two (2) or more eligible candidates within the Reynoldsburg Police Department for the rank of Lieutenant, open posting shall be conducted throughout the state of Ohio for potential candidates, who are currently certified law enforcement officers through the Ohio Peace Officers Training Council.

- i. the outside candidate shall have at least three (3) years of experience at the rank of Sergeant and an Associate's Degree or two (2) complete years of college education from a community college, college or university, that would enable the candidate to be admitted to an undergraduate school as a third year student at an accredited college or university;
- ii. A written exam may be administered to all eligible candidates pursuant to the rules established by the Civil Service Commission.
- iii. If a written exam is administered, then all candidates achieving a passing grade shall submit to an assessment center.

If a written exam is not given, then all eligible candidates shall submit to an assessment center, prepared and presented by an accredited law enforcement consulting agency as selected by the Civil Service Commission. The consulting agency shall submit the results to the Civil Service Commission, who will forward the names of the top four candidates to the appointing authority (the Mayor) who shall appoint from the top four (4) candidates.

REDUCTION IN FORCE

If it becomes necessary to reduce staffing levels by layoff or job abolishment due to lack of work, lack of funds, reorganization or other justified business reason, the City shall lay off employees in accordance with law. The City shall determine the number of positions and the classifications in which layoffs will occur. Employees may have recall rights for up to one (1) year.

MEDICAL EXAMINATIONS AND DISABILITY SEPARATION

All City employees are required and expected to maintain the appropriate physical and mental capacities to perform the essential functions of their job. The City may require an employee to take an examination, conducted by a licensed medical practitioner, to determine the employee's physical or mental capacity to perform the essential functions of his job, with or without reasonable accommodation. This examination may include a fitness-for-duty examination following an employee's absence from work due to their own illness or injury. This examination shall be at the City's expense. If the employee disagrees with the City's licensed medical practitioner's determination, he may request to be examined by a second licensed medical practitioner of his choice at his own expense. If the reports of the two practitioners conflict, a third opinion shall be rendered by a neutral party chosen by the City and paid for by the City. The third opinion shall be controlling.

If an employee, after examination, is found to be unable to perform the essential functions of his

position with or without reasonable accommodation, he may request use of accumulated, unused, paid and unpaid leave benefits, if applicable.

If a classified employee remains unable to perform the essential functions of his position after exhausting available leaves, he may request a voluntary disability separation. The City may require an employee seeking a voluntary disability separation to undergo a physical or psychological examination by a licensed medical practitioner of its choosing. If the examination supports the request for a voluntary disability separation, it will be granted.

If, after exhausting available leave, an employee refuses to request a voluntary disability separation, the City may place the employee on an involuntary disability separation if the City has substantial credible medical evidence to indicate that the employee remains disabled and incapable of performing the essential job duties. If the City seeks to involuntarily disability separate an employee, it may request that an employee submit to a medical or psychological examination to determine the employee's physical and mental capacity to perform the essential functions of their job. The employee must cooperate in this process. A failure to participate in the process may result in a finding that the employee is insubordinate which may result in discipline, up to and including termination. The City will select the licensed medical practitioner. While an examination is pending, the employee may be placed on administrative leave with pay.

If, after the examination, the City determines that the employee is incapable of performing the essential functions of the position, it shall institute the involuntary disability separation process. The City shall schedule a hearing with at least seventy-two (72) hours advance notice regarding whether the employee is capable of performing the essential functions of the position. The employee may waive the right to a hearing. However, if the employee chooses to have a hearing, the employee has the right to examine the City's evidence regarding the employee's ability to perform the essential functions of the position, rebut the City's evidence and/or present their own medical evidence.

If it is determined after the hearing that the employee is incapable of performing the essential functions of the position, the City shall issue an involuntary disability separation, which may be appealed to the City's civil service commission. However, if, after a hearing, it is determined that the employee is capable of performing the essential functions of their position, the employee shall be deemed fit for duty and returned to their position.

Employees that are disability separated have a two (2) year right to reinstatement. Any requests for reinstatement must be made in writing and include appropriate medical documentation to support the request. The City may require the employee to be examined by a licensed medical practitioner of its choosing. The City shall pay for the cost of its licensed medical practitioner. If it is determined that the employee is capable of performing the essential functions of the position, the employee shall be reinstated.

WORKPLACE ROMANCES

To avoid concerns of sexual harassment, preferential treatment and other inappropriate behavior, employees are required to inform the Human Resources Director if they currently are, or if they intend to become, romantically involved with a co-worker. Such relationships are not necessarily prohibited, but must be appropriately addressed. Should the City determine that a conflict exists between an employee's employment and a personal relationship with a co-worker, the City will attempt to work with the employees to resolve the conflict. Should operational needs prevent resolution, the relationship must cease or one or both of the parties must separate from employment. Supervisors are expressly prohibited from engaging in romantic or sexual relationships with any employee they directly, or indirectly, supervise.

NEPOTISM

Hiring

Although the employment of close relatives is discouraged, the City will receive employment applications from relatives of current employees. However, the following five (5) situations shall prevent the City from hiring a relative of a current employee:

1. If one relative would have supervisory or disciplinary authority over another.
2. If one relative would audit the work of another.
3. If a conflict of interest exists between the relative and the employee or the relative and the City.
4. If the hiring of relatives could result in a conflict of interest.
5. If one of the family members would have access to confidential material.

Employment

An employee is not permitted to work in a position where his supervisor or anyone within his chain of command is a relative. If such a situation is created through promotion, transfer or marriage, one of the affected employees must be transferred or an accommodation acceptable to the City must be established. Termination of employment will be a last resort. If two employees marry, they will be subject to the same rules listed above as other relatives.

The provisions of O.R.C. §§ 102.03 and 2921.42 render it unlawful for a public official to use his influence to obtain a benefit, including a job for her relative. Any violation of these statutes may result in criminal prosecution and/or disciplinary action. For purposes of the Article, the term "relative" shall include spouse, children, grandchildren, parents, grandparents, siblings, brother-in-law, sister-in-law, daughter-in-law, son-in-law, father-in-law, mother-in-law, stepparents,

stepchildren, stepsiblings, and a legal guardian or other person who stands in the place of a parent to the employee.

ETHICS/CONFLICTS OF INTEREST

The proper operation of a democratic government requires that actions of public officials and employees be impartial, that government decisions and policies be made through the proper channels of governmental structure, that public office not be used for personal gain, and that the public have confidence in the integrity of its government. Ohio Revised Code §§ 102.03 and 2921.42 prohibit public employees from using their influence to benefit themselves or their family members. In recognition of the above-listed requirements, the following Code of Ethics is established for all City officials and employees:

- A. No employee shall use his official position for personal gain, or shall engage in any business or shall have a financial or other interest, direct or indirect, which is in conflict with the proper discharge of his official duties.
- B. No employee shall, without proper legal authorization, disclose confidential information concerning the property, government or affairs of the City, nor shall he use such information to advance the financial or other private interest of himself or others.
- C. No employee shall accept any valuable gift, whether in the form of service, loan, item or promise from any person, firm or corporation that is interested directly or indirectly in any manner whatsoever in business dealings with the City; nor shall an employee accept any gift, favor or item of value that may tend to influence the employee in the discharge of his duties or grant, in the discharge of the employee's duties any improper favor, service or item of value.
- D. No employee shall represent private interests in any action or proceeding against the interest of the City in any matter wherein the City is a party.
- E. No employee shall engage in or accept private employment or render services for private interests when such employment or service is incompatible with the proper discharge of his official duties or would tend to impair his independent judgment or action in the performance of his official duties. Neither shall other employment, private or public, interfere in any way with the employee's regular, punctual attendance and faithful performance of his assigned job duties.

Any employee having doubt as to the applicability of these provisions should consult the Human Resources Director. Any employee offered a gift or favor who is not sure whether acceptance is a violation of the Code of Ethics, should inform his supervisor of the gift offer. No employee will accept from any contractor or supplier doing business with the City, any material or service for the employee's private use.

State law prohibits City employees and officials from having a financial interest in companies that do business with the City, with minor exceptions. Employees who have any doubt concerning a possible violation of these statutes are advised to consult an attorney.

PERSONNEL FILES AND INFORMATION

The City shall maintain personnel files for all City employees. Such files may include individual employment data, payroll information, schedules, records of additions or deductions, application forms, and records pertaining to hiring, promotion, demotion, transfer, layoff and termination. Personnel files shall be available to members of the public in accordance with the law. An employee shall have a right of reasonable inspection of his official personnel file. No personnel records shall be removed from the official records unless in accordance with state or federal law or in accordance with the City's retention of records policy.

When a public records request is made for an employee's records, the City will endeavor to inform the employee of the request in advance of the release of records. The City will make reasonable efforts to redact personal information, and other non- public information, from the files before release. Notifying the employee of the release may not result in an unreasonable delay in releasing the records pursuant to an appropriate request. Employees are responsible for taking legal action in the event they wish to prohibit release of the requested documents to the requesting individual or entity.

Employees must timely advise the City of any change in name, address, marital status, telephone number, number of tax exemptions, citizenship, or association with any government military service organization.

OUTSIDE EMPLOYMENT

Employees are required to notify their supervisor of any outside employment. No employee shall have outside employment, which conflicts in any manner with the employee's ability to properly and efficiently perform his duties and responsibilities with the City. Employees are expected to be at work and fit for duty when scheduled.

Employees are prohibited from engaging in secondary employment while on sick leave, disability leave, or family medical leave. Employees are strictly prohibited from engaging in or conducting outside private business during scheduled working hours and are further prohibited from engaging in conduct which creates a potential or actual conflict of interest with their duties and responsibilities as a City employee.

RESIGNATION

Employees may voluntarily resign in good standing by submitting a written letter of resignation to their Appointing Authority at least two (2) weeks in advance of the effective date of resignation. Such resignation letter should be signed, dated and include the expected date of resignation. A failure to provide the appropriate notice may result in an individual being ineligible for re-employment with the City.

Employees voluntarily resigning from the City are expected to return all City equipment/property to their supervisor on, or before, the date of their voluntary resignation. A failure to timely return City equipment/property may result in a delayed delivery of their final paycheck.

An employee that is absent without leave for three (3) or more consecutive days may be considered to have constructively resigned their employment with the City.

POLITICAL ACTIVITY

Although the City encourages all employees to exercise their constitutional rights to vote, certain political activities are legally prohibited for classified employees of the City whether in active pay status or on leave of absence. The following activities are examples of conduct permitted by classified employees:

- a. Registration and voting.
- b. Expressing opinions, either orally or in writing.
- c. Voluntary financial contributions to political candidates or organizations.
- d. Circulating non-partisan petitions or petitions stating views on legislation.
- e. Attendance at political rallies.
- f. Signing nominating petitions in support of individuals.
- g. Displaying political materials in the employee's home or on the employee's property.
- h. Wearing political badges or buttons, or the display of political stickers on private vehicles.

- i. Serving as a precinct official under O.R.C. § 3501.22.
- A.** The following activities are examples of conduct prohibited by classified employees.
- 1. Candidacy for public office in a partisan election.
 - 2. Candidacy for public office in a non-partisan general election if the nomination to candidacy was obtained in a primary partisan election or through the circulation of a nominating petition identified with a political party.
 - 3. Filing of petitions meeting statutory requirements for partisan candidacy to elective office.
 - 4. Circulating official nominating petitions for any partisan candidate.
 - 5. Holding an elected or appointed office in any partisan political organization.
 - 6. Accepting appointment to any office normally filled by partisan election.
 - 7. Campaigning by writing in publications, by distributing political material, or by writing or making speeches on behalf of a candidate for partisan elective office, when such activities are directed toward party success.
 - 8. Solicitation, either directly or indirectly, of any assessment, contribution or subscription, either monetary or in-kind, for any political party or political candidate.
 - 9. Solicitation for the sale, or actual sale, of political party tickets.
 - 10. Partisan activities at the election polls, such as solicitation of votes for other than nonpartisan candidates and nonpartisan issues.
 - 11. Service as a witness or challenger for any party or partisan committee.
 - 12. Participation in political caucuses of a partisan nature.
 - 13. Participation in a political action committee that supports partisan activity.

Any employee having a question pertaining to whether specific conduct of a political nature is permissible should contact their immediate supervisor, or City Attorney, prior to engaging in such conduct.

PERFORMANCE EVALUATIONS

A written Performance Evaluation provides supervisors with an effective mechanism to measure and communicate levels of job performance to their employees. The City may conduct annual performance evaluations of employees. Evaluations, if conducted, will be based upon defined and specific criteria and will generally be reviewed with the employee by their supervisor or department head. The results will be discussed with the employee and the employee will be asked to sign the evaluation. An employee's signature will reflect their receipt of the evaluation, not their agreement with its contents. Should the employee refuse to sign, a notation will be made reflecting the date and time of the review along with the employee's refusal to sign. Employees may offer a written response to their performance evaluation. Such response, if given, will be maintained with the evaluation. Performance evaluations will be retained in the employee's personnel file.

Additional performance evaluations may be performed by the City at the City's discretion.

SOLICITATION

Individuals not employed by the City are prohibited from soliciting funds or signatures, conducting membership drives, distributing literature or gifts, offering to sell merchandise or services (except by representatives of suppliers or vendors given prior authority), or engaging in any other solicitation, distribution, or similar activity on the premises or at a worksite.

The City may authorize a limited number of fund drives by employees on behalf of charitable organizations or for employee gifts. Employees are encouraged to volunteer to assist these drives; however, participation is entirely voluntary.

The following restrictions apply when employees engage in permitted solicitation or distribution of literature for any group or organization, including charitable organizations:

- A. Distribution of literature, solicitation and the sale of merchandise or services is prohibited in public areas.
- B. Soliciting and distributing literature during the working time of either the employee making the solicitation or distribution, or the targeted employee, is prohibited. The term "working time" does not include an employee's authorized lunch or rest periods or other times when the employee is not required to be working.
- C. Distributing literature in a way that causes litter on City property is prohibited.

The City maintains various communications systems to communicate City-related information to employees and to disseminate or post notices required by law. The unauthorized use of the

communications systems or the distribution or posting of notices, photographs, or other materials on any City property is prohibited.

Violations of this policy will be addressed on a case-by-case basis. Disciplinary measures will be determined by the severity of the violation, not the content of the solicitation or literature involved.

PAYCHECKS

The City requires that all payroll checks be issued by way of Direct Deposit. It is the employees responsibility to inform the City of any changes, pay will be issued on the Friday following the end of a pay period, except when a regular payday falls on a holiday. If payday falls on a holiday, paychecks will be distributed the day immediately preceding the holiday. Pay advances are not permitted.

REPORTING TO WORK AND TARDINESS

Employees are expected to report for and remain at work as scheduled and to be at their work stations at their starting time. Employees who call off work for personal reasons should call off in advance of their starting time in accordance with procedures established by their Supervisor. Employees who call off must make contact with their supervisor or designee each day of their absence unless they have made alternate arrangements. Calling off work in accordance with this procedure will not necessarily result in an employee receiving approved leave for their absence.

Tardiness may result in a reduction in the corresponding amount of pay for which the employee is late and/or discipline.

HOURS OF WORK AND OVERTIME

The City will establish the hours of work for all employees. Generally, the normal business hours will be 8:00 a.m. to 5:00 p.m. Work hours may vary by Department. Staff may be required to work days, evenings, nights and/or weekends due to operational needs. Additionally, each City Department may alter the work schedules, days off and shifts of employees based upon operational needs.

Due to federal regulations, employees who are not exempt from the overtime provisions of the Fair Labor Standards Act ("FLSA") are prohibited from signing in or beginning work before their scheduled starting time, or signing out/stopping work past their scheduled quitting time except with supervisory approval or in emergency situations. Additionally, non-exempt employees who receive an unpaid lunch period are prohibited from working during their lunch period except with supervisory approval or in emergency situations. Non-exempt employees

who work outside their regularly scheduled hours in contravention of this rule shall be paid for all hours actually worked, but may be disciplined accordingly.

Failure to properly sign-in or sign-out as required, misrepresenting time worked, altering any time record, or allowing a time record to be altered by others will result in disciplinary action. However, supervisors may make adjustments to an employee's time sheet, as necessary.

Generally, employees not exempt from the overtime provisions of the FLSA shall be compensated for overtime for all hours worked in excess of forty (40) in any one work week, regardless of the employee's regularly scheduled work day. Overtime shall be compensated at a rate of one and one-half times the employee's regular rate of pay for overtime worked, including time spent in paid status, unless otherwise noted.

The City may require overtime as a condition of continued employment. An employee who refuses to work a mandatory overtime assignment may be considered insubordinate and disciplined accordingly. Additionally, the City may authorize or require employees to work a flexible schedule in a work week. For overtime-eligible employees, a flexible schedule must occur within a single forty-hour workweek.

Employees who are exempt from the overtime provisions of the FLSA are not eligible for overtime payment. Such exemptions may include employees whose job duties are executive, administrative or professional in nature. At the discretion of the appointing authority, exempt employees may be required to keep track of, and report, their hours without destroying their exempt status. However, generally, exempt employees will not have a reduction in pay for absences of less than an entire work period of five (5) days. Absences will first be deducted from the employee's accumulated sick leave (if appropriate), vacation leave or other paid leave. The following positions have been determined to be exempt from the overtime provisions of the FLSA:

Safety Director	Service Director
Development Director	Parks & Recreation Director
Computer Systems Director	Tax Administrator
Human Resources Director	Superintendent of Streets
Chief Building Official	Clerk of Courts
Superintendent of Water/Wastewater	Planning and Zoning Administrator
Chief of Police	Director of Senior Center
Deputy Chief of Police	Assistant City Attorney
Finance Manager	Assistant City Prosecutors
Clerk of Council	

COMPENSATORY TIME

Employees may choose to take compensatory time for overtime worked in lieu of compensation if such choice is indicated during the pay period in which the overtime is worked and the request is approved by the Appointing Authority or designee.

- a. Compensatory time shall be credited to employees who are eligible for overtime pay at the

rate of one and one-half (1½) hour for each overtime hour worked.

- b. Employee's compensatory time balance shall be limited to a maximum of 100 hours, therefore, they would have to use some of the compensatory time before they could accumulate more. Once an employee reaches 100 hours, they must take over-time pay until they drop below 100 hours.
 - c. Employees shall have the option of receiving a cash payment for any or all hours accrued but unused compensatory time in that calendar year. Request for payout of comp time must be submitted by the 15th of October. The payment will be made at the employee's current rate of pay and will be paid no later than mid-November of that year.
 - d. Any hours which are not paid out will be carried over to the next calendar year and will be subject to a 100 hour maximum refillable bank for the following year.
2. Any overtime pay earned as a result of this section must be within the limits appropriated by City Council.
 3. In case of death of an employee, any earned overtime hours worked credited to such employee shall be paid to the surviving spouse, or to the estate of the deceased, if there is no surviving spouse.
 4. Upon separation from employment with the City for any reason, the employee (or spouse or estate upon employee's death) shall be entitled to payment for any accrued but unpaid overtime hours, including compensatory time hours accrued but not used. Such payment shall be at the overtime rate applicable to the employee's current rate of pay at the time of separation.

CALL-IN PAY

When an employee is called back to work by his supervisor for hours not abutting their regular work hours, the employee shall receive a minimum of two (2) hours pay at the employee's overtime rate. If the employee is called-in and works more than two (2) hours, the employee shall be paid their overtime rate for all hours worked.

EMERGENCY HOLIDAY CALL IN PAY

Employees that are called in due to an emergency on any of the City recognized holidays will be paid two (2) times their rate of pay plus the holiday pay.

INCLEMENT WEATHER

The City recognizes that on certain days it may not be possible to report to duty due to inclement weather caused by excessive snow, ice or other weather conditions.

When snow, ice, or other weather conditions make travel to and from work difficult, but it is not severe enough to close the City, employees are encouraged to make reasonable efforts to report to work as scheduled. Employees will be compensated in the following manner for these types of weather conditions:

- A. Employees reporting for work as scheduled will be paid at their regular rate of pay for all hours actually worked.
- B. Employees not scheduled to work, but who are called-in, shall be paid consistent with the Call-In Pay Policy for all hours worked.
- C. Employees who are scheduled to work and who make a reasonable attempt to report to work, but are unable to due to weather conditions, shall notify their immediate supervisor as soon as possible. Employees unable to report to work may:
 - a. Request to use accrued vacation or personal leave for the period of absence, subject to the approval of their supervisor, or Department Head;
 - b. Request a personal leave of absence without pay for the period of absence, subject to the approval of their supervisor, or Department Head;
 - c. Employees failing to report during inclement weather without notifying their supervisor, or Department Head, may be subject to discipline for being absent without leave.

In cases when weather conditions are severe enough to cause the Sheriff of the County of the employee's residence to issue a Level III emergency, or for the Mayor to officially close the City and/or non-continuous operating City facilities, the following apply:

- A. Employees who were scheduled to work, but are unable to do so due to the closure, shall suffer no loss of pay;
- B. If the office or facility is closed due to a Level III emergency and the employee is required to leave early, the employee shall suffer no loss of pay for the remainder of their regularly scheduled shift;
- C. If the Level III emergency is lifted during the shift, after the employee has already been notified not to report, the employee will suffer no loss of pay for the entire shift.

Employees working in facilities that operate 24-hours per day on a continuous basis shall make every reasonable effort to report to work, even during Level III emergencies, so long as the employee can report in a safe manner. The following procedures apply to employees employed in continuous operating facilities and to other employees that may be required to report, such as building and grounds personnel:

- A. An employee reporting to work shall be paid their regular hourly rate for all hours worked, plus receive, hour-for-hour, an additional hour of pay or compensatory time for each non-overtime hours worked on their regular shift (double-time);

- B. Employees scheduled to work, but unable to report for their regular shift, shall suffer no loss of pay for their regularly scheduled shift;

The City may offer to transport essential employees during a weather emergency to adequately staff continuous and essential operations facilities. Such employees shall be required to accept the offer of transportation. An employee refusing transportation will be deemed to be absent without leave.

Employees attempting to arrive at work during inclement weather, or a weather emergency, will be given reasonable consideration in the event that they arrive late for work.

Employees already on approved leave during the day of inclement weather, or weather emergency, shall remain on leave and not be eligible for any benefits provided by this policy.

EDUCATIONAL ASSISTANCE INCENTIVE PROGRAM

All full-time employees are eligible to participate in the Educational Assistance Incentive Program of the City. Participation is voluntary and available to those who elect job-related self-development activities during non-working hours. All coursework must be taken in accordance with a Planned Program of Professional Improvement approved by the appointing authority in advance.

An employee who has received educational assistance must remain an employee for one (1) year following completion of the courses for which assistance was received. Should an employee separate from service with the City within the one (1) year period, except in the event of a disability retirement, that employee must repay any assistance received in the one (1) year period.

SICK LEAVE

Accumulation

Each employee shall be entitled for each completed eighty (80) hours of service to sick leave of four and six-tenths (4.6) hours of pay, and unused sick leave may be accumulated without limit. Previous accumulated sick leave of an employee who has separated from public service shall be re-credited if reemployment in public service takes place within ten (10) years of the last termination from public service and the employee provides proof of the prior leave balance. An employee who transfers from one public agency to another shall be credited with their balance of unused sick leave upon the showing of proof of sick leave from the employee's prior agency. Sick leave shall be at the employee's current rate of pay.

Use

Sick leave may be used by employees and upon approval of the City for absences due to the following:

1. Illness, injury, or pregnancy-related medical condition of the employee.

2. Exposure of an employee to a contagious disease which could be communicated to and jeopardize the health of other employees.
3. Examination of the employee, including medical, psychological, dental, or optical examination, by an appropriate licensed medical practitioner.
4. Death of a member of the employee's immediate family. Such usage shall be limited to reasonably necessary time, not to exceed three (3) days. The City may grant additional time off on a case-by-case basis.
5. Illness, injury, or pregnancy-related medical condition of a member of the employee's immediate family where the employee's presence is reasonably necessary for the health and welfare of the employee or affected family member.
6. Medical, dental or optical examinations or treatments of an employee or of a member of an employee's immediate family where the employee's care and attendance is reasonably required.

Elective cosmetic surgeries that are not medically necessary do not constitute an appropriate usage of sick leave. Other appropriate leaves of absence, such as vacation, may be requested for such purposes.

For purposes of sick leave, immediate family is defined as the following individuals that either live in your home or you are the primary person responsible for their care: grandparent; great-grandparents; brother; sister; brother-in-law; sister-in-law; daughter-in-law; son-in-law; father; mother; father-in-law; mother-in-law; spouse; child; step-child; step-parent; grandchild; legal guardian; or other person who stands in place of a parent.

Grandparent-in-law, aunts and uncles shall also be considered immediate family for bereavement leave purposes. Such usage shall be limited to reasonably required time, not to exceed one (1) day. The City may grant additional time off on a case-by-case basis not to exceed three (3) days.

Employee Notification

When an employee is unable to report to work due to illness or other acceptable sick leave reason, he shall notify his supervisor. An employee must continue such notification each succeeding day of absence except in cases of prolonged illness or absence where the employee has been granted a set period of leave. Failure of an employee to make proper notification may result in denial of sick leave and/or appropriate disciplinary action. The City reserves the right to investigate any employee request for sick leave.

Written Statement

The City may require the employee to furnish a satisfactory signed statement to justify the use of sick leave. Proof of illness, such as a doctor's excuse, may be required when the City believes absence to be excessive, chronic, patterned, or abusive. A satisfactory licensed medical practitioner's certificate may be required at any time, but will generally be required in each case when an employee has been absent more than three (3) consecutive days. When a licensed medical practitioner's certificate is required, it must be submitted to the Human Resources Director before an employee will be permitted to return to work from leave. The licensed medical practitioner's certificate must be signed personally by the treating practitioner, and must verify that the employee was unable to work during the period in question, not simply that the employee was "under the doctor's care." For absences where a licensed medical practitioner's certificate is not required, the employee must submit a written statement to the Human Resources Director explaining the nature of the illness.

Sick Leave Abuse

Application by an employee for sick leave through fraud or dishonesty will result in denial of such leave together with disciplinary action up to and including dismissal. Patterns of sick leave usage immediately prior or subsequent to holidays, vacation, days off and/or weekends or excessive sick leave usage may result in sick leave denial and appropriate disciplinary action. The City reserves the right to investigate allegations of sick leave abuse. The City reserves the right to question employees concerning their sick leave use. Whenever an employee is on sick leave, he/she must be at home during his/her scheduled work hours or obtaining treatment or medication.

Uses of Other Leave

Other accumulated unused leaves may be used for sick leave purposes, at the discretion of the City. An employee who becomes sick while on vacation may apply to use sick leave time instead of vacation days for the illness.

Sick Leave Conversion

An employee with at least ten (10) years of service to the City, upon actual retirement or resignation from the City, with at least two (2) weeks prior notice to the City or upon death, shall be paid for his or her accumulated but unused sick leave as follows:

- a. Employees who have completed at least ten (10) years of service to the City shall be entitled to 25% of their accumulated but unused sick leave, not to exceed 320 hours.
- b. Employees who have completed at least 15 years of service to the City shall be entitled to 30% of their accumulated but unused sick leave, not to exceed 540 hours.

- c. Employees who have completed at least 20 or more years of service to the City shall be entitled to 40% of their accumulated but unused sick leave, not to exceed 760 hours.
- d. Employees who have completed at least 25 years of service to the City shall be entitled to 50% of their accumulated but unused sick leave, not to exceed 880 hours.

Employees hired after January 1, 1998, shall not have sick leave earned with another entity other than the City counted for purposes of sick leave conversion. Moreover, sick leave used by an employee of the City will be charged first against any sick leave earned as an employee of City, so that an employee may not first use up sick leave brought from another entity in order to save up the sick leave earned with City for cash-in.

In the case of an employee's death, the employee's spouse, or, secondarily, his or her estate, shall receive this payment.

If an employee is killed in the line of duty, the employee's spouse, or, secondarily, his or her estate, will be paid an amount equal to 100% of the deceased employee's accumulated but unused sick leave.

All payments under this section shall be based on the employee's rate of pay at the time of retirement or death, or other separation, and the documented hours of unused sick leave reflected in the records maintained by the City.

Payment under this policy shall be considered to eliminate all sick leave credit accrued by the employee at the time of payment.

Medical Information.

The City will maintain employees' medical information in a separate medical file and will treat the information in a confidential manner. Employees who are concerned that their medical information is not being treated in a confidential manner should report such concerns to the Human Resources Director.

FAMILY MEDICAL LEAVE ACT ("FMLA")

Statement of Policy.

Eligible employees may request time off for family and/or medical leave of absence with job protection and no loss of accumulated service provided the employee meets the conditions outlined in this policy and returns to work in accordance with the Family and Medical Leave Act of 1993.

Definitions.

As used in this policy, the following terms and phrases shall be defined as follows:

1. “Family and/or medical leave of absence”: An approved absence available to eligible employees for up to twelve (12) weeks of unpaid leave per year under particular circumstances. Such leave may be taken only for the following qualifying events:
 - a. Upon the birth of an employee’s child and in order to care for the child.
 - b. Upon the placement of a child with an employee for adoption or foster care.
 - c. When an employee is needed to care for a family member who has a serious health condition.
 - d. When an employee is unable to perform the functions of his position because of the employee’s own serious health condition.
 - e. Qualifying service member leave.
2. Service Member Leave: The spouse, parent or child of a member of the U.S. military service is entitled to twelve (12) weeks of FMLA leave due to qualifying exigencies of the service member being on “covered active duty” or receiving a “call to covered active duty” In addition, a spouse, child, parent or next of kin (nearest blood relative) of a service member is entitled to up to twenty-six (26) weeks of leave within a “single twelve (12)-month period” to care for a service member with a “serious injury or illness” sustained or aggravated while in the line of duty on active duty. The “single twelve (12)-month period” for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends twelve (12) months later, regardless of the twelve (12) month period established for other types of FMLA leave.
3. “Per year”: A rolling twelve (12) month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, the employer will compute the amount of leave the employee has taken under this policy, and subtract it from the twelve (12) weeks of available leave. The balance remaining is the amount the employee is entitled to take at the time of the request. For example, if an employee used four (4) weeks of FMLA leave beginning February 4, 2009, four weeks beginning June 1, 2009, and four weeks beginning December 1, 2009, the employee would not be entitled to any additional leave until February 4, 2010.
4. “Serious health condition”: Any illness, injury, impairment, or physical or mental condition that involves:
 - a. Inpatient care.

- b. Any period of incapacity of more than three consecutive calendar days that also involves:
 - i. Two or more treatments by a health care provider, the first of which must occur within seven (7) days of the first day of incapacity and both visits must be completed within thirty (30) days; or
 - ii. Treatment by a health care provider on one occasion that result in a regimen of continuing treatment under the supervision of a health care provider.
 - c. Any period of incapacity due to pregnancy or for prenatal care.
 - d. A chronic serious health condition which requires at least two “periodic” visits for treatment to a health care provider per year and continues over an extended period. The condition may be periodic rather than continuing.
 - e. Any period of incapacity which is permanent or long term and for which treatment may not be effective (i.e. terminal stages of a disease, Alzheimer’s disease, etc.).
 - f. Absence for restorative surgery after an accident/injury or for a condition that would likely result in an absence of more than three days absent medical intervention. (i.e. chemotherapy, dialysis for kidney disease, etc.).
- 5. “Licensed health care provider”: A doctor of medicine, a doctor of osteopathy, podiatrists, dentists, optometrists, psychiatrists, clinical psychologists, and others as specified by law.
 - 6. “Family member”: Spouse, child, parent or a person who stands “*in loco parentis*” to the employee.
 - 7. “Covered Service Member”: Means either:
 - a. A current member of the Armed Forces, including a National Guard or Reserve Member, who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness; or
 - b. A covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including

a National Guard or Reserves Member, at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran.

- i. Note: An individual who was a member of the Armed Forces (including National Guard or Reserves) and who was discharged or released under conditions other than dishonorable prior to March 8, 2013, the period of October 28, 2009 and March 8, 2013, shall not count toward the determination of the five-year period for covered veteran status.
8. “Outpatient Status”: The status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or to a unit established for the purpose of providing command and control of members of the Armed Forces receiving outpatient medical care.
9. “Next Of Kin”: The term “next of kin” used with respect to a service member means the nearest blood relative of that individual.
10. A “serious injury or illness”, for purposes for the 26 week military caregiver leave means either:
 - a. In the case of a current member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness that was incurred by the covered service member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces, and that may render the member medically unfit to perform the duties of the member's office, grade, rank or rating; and,
 - b. In the case of a covered veteran, means an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and manifested itself before or after the member became a veteran, and is:
 - i. a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member's office, grade, rank, or rating; or
 - ii. a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service–Related Disability Rating (VASRD) of 50 percent or greater, and such VASRD rating is based, in

whole or in part, on the condition precipitating the need for military caregiver leave; or

- iii. a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
- iv. an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.

11. "Covered Active Duty" or "call to covered active duty":

- a. In the case of a member of a Regular Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country. (Active duty orders of a member of the Regular components of the Armed Forces generally specify if the member is deployed to a foreign country.)
 - b. In the case of a member of the Reserve components of the Armed Forces means duty during the deployment of the member with the Armed Forces to a foreign country under a Federal call or order to active duty in support of a contingency operation pursuant to specific sections of the U.S. Code, as outlined in 29 CFR § 825.126.
12. "Deployment to a foreign country" means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the U.S., including international waters.
13. "Qualifying Exigency": (For purposes of the twelve (12)-week qualifying exigency leave) includes any of the following:
- a. Up to seven days of leave to deal with issues arising from a covered military member's short notice deployment, which is a deployment on seven (7) or fewer days notice.
 - b. Military events and related activities, such as official ceremonies, programs, or events sponsored by the military, or family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to the active duty or call to active duty status of a covered military member.

- c. Qualifying childcare and school activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis; enrolling or transferring a child to a new school; and attending certain school and daycare meetings if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member.
- d. Making or updating financial and legal arrangements to address a covered military member's absence, such as preparing powers of attorney, transferring bank account signature authority, or preparing a will or living trust.
- e. Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or a child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member.
- f. Rest and recuperation leave of up to fifteen (15) days to spend time with a military member who is on short-term, temporary, rest and recuperation leave during the period of deployment. This leave may be used for a period of 15 calendar days from the date the military member commences each instance of Rest and Recuperation leave.
- g. Attending certain post-deployment activities within ninety (90) days of the termination of the covered military member's duty, such as arrival ceremonies, reintegration briefings, and any other official ceremony or program sponsored by the military, as well as addressing issues arising from the death of a covered military member.
- h. Qualifying parental care for military member's biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the military member when the member was under 18 years of age, when the parent requires active assistance or supervision to provide daily self-care in three or more of the activities of daily living, as described in 29 C.F.R. § 825.126, and the need arises out of the military member's covered active duty or call to covered active duty status.
- i. Any qualifying exigency which arose out of the covered military member's covered active duty or call to covered active duty status.

A. Leave Entitlement.

To be eligible for leave under this policy, an employee must meet all of the following conditions:

1. Worked for the agency for at least twelve (12) non-consecutive months, or fifty-two (52) weeks.
2. Actually worked at least one thousand two hundred fifty (1,250) hours during the twelve (12) month period immediately prior to the date when the FMLA leave is scheduled to begin.
3. Work at a location where the Employer employs fifty (50) or more employees within a seventy-five (75) mile radius.
 - a. The entitlement to FMLA leave for the birth or placement for adoption or foster care expires at the end of the twelve (12) month period following such birth or placement.
 - b. Spouses who are both employed by the agency are jointly entitled to a combined leave total of twelve (12) weeks (rather than twelve (12) weeks each) for the birth of a child, upon the placement of a child with the employees for adoption or foster care, and for the care of certain family members with serious health conditions.

Use of Leave

The provisions of this policy shall apply to all family and medical leaves of absence as follows:

1. Generally: An employee is only entitled to take off a total of twelve (12) weeks of leave per year under the FMLA. As such, employees will be required to utilize their accumulated unused paid leave (sick, vacation, etc.) in conjunction with their accumulated unused unpaid Family Medical Leave. Employees will be required to use the type of accumulated paid leave that best fits the reason for taking leave and must comply with all procedures for requesting that type of leave as stated in the relevant policy. Any time off that may legally be counted against an employee's twelve (12) week FMLA entitlement will be counted against such time.
2. Birth of An Employee's Child: An employee who takes leave for the birth of his or her child must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period. However, if the employee requests leave for the employee's own serious health condition as a result of the pregnancy or post-partum recovery period, the employee will be required to exhaust all of her sick leave prior to using unpaid leave for the remainder of the

twelve (12) week period. *(Note: See section E below for information on disability leaves.)*

3. **Placement of a Child for Adoption or Foster Care:** An employee who takes leave for the placement of a child for adoption or foster care must first use all available accrued paid vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.
4. **Employee's Serious Health Condition or Family Member's Serious Health Condition:** An employee who takes leave because of his serious health condition or the serious health condition of his family member must use all available accrued paid sick and vacation leave prior to using unpaid leave for the remainder of the twelve (12) week period.

FMLA and Disability/Workers' Compensation

An employee who is eligible for FMLA leave because of his own serious health condition may also be eligible for workers' compensation if the condition is the result of workplace accident or injury. Regardless of whether the employee is using worker's compensation benefits, the Employer may designate the absence as FMLA leave, and count it against the employee's twelve (12) week FMLA entitlement if the injury or illness constitutes a serious health condition under the FMLA. In addition, as these may be compensated absences, if the employee participates in the worker's compensation program, the employee is not eligible to use paid leave of any type (except as supplemental benefits, if applicable and requested by the employee), nor can the employer require him to do so, while the employee is receiving compensation from such a program.

Procedures For Requesting FMLA Leave

Requests for FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave or as soon as practicable prior to the commencement of the leave. If the employee fails to provide thirty (30) days notice for foreseeable leave with no reasonable excuse for the delay, the leave may be denied until at least thirty (30) days from the date the employer receives notice. The employee must follow the regular reporting procedures for each absence.

FMLA requests must be submitted on a standard leave form prescribed by the Employer. The Employer will determine whether the leave qualifies as FMLA leave, designate any leave that counts against the employee's twelve (12) week entitlement, and notify the employee that the leave has been so designated.

When an employee needs foreseeable FMLA leave, the employee shall make a reasonable effort to schedule the treatment so as not to unreasonably interfere with the Employer's operations.

Certification of Need for FMLA Leave for Serious Health Condition

An employee requesting FMLA leave due to his family member's serious health condition must provide a doctor's certification of the serious health condition, which must designate that the employee's presence is reasonably necessary. Such certification shall be submitted at the time

FMLA leave is requested, or if the need for leave is not foreseeable, as soon as practicable. An employee requesting FMLA leave due to the birth or placement of a child must submit appropriate documentation at the time FMLA leave is requested.

The Employer, at its discretion, may require the employee to sign a release of information so that a representative other than the employee's immediate supervisor can contact the medical provider. If the medical certification is incomplete or insufficient, the employee will be notified of the deficiency and will have seven (7) calendar days to cure the deficiency.

The Employer may require a second medical opinion prior to granting FMLA leave. Such opinion shall be rendered by a health care provider designated or approved by the Employer. If a second medical opinion is requested, the cost of obtaining such opinion shall be paid for by the Employer. If the first and second opinions differ, the Employer, at its own expense, may require the binding opinion of a third health care provider approved jointly by the Employer and the employee. Failure or refusal of the employee to submit to or cooperate in obtaining either the second or third opinions, if requested, shall result in the denial of the FMLA leave request.

Employees who request and are granted FMLA leave due to serious health conditions may be required to provide the Employer periodic written reports assessing the continued qualification for FMLA leave. Further, the Employer may request additional reports if the circumstances described in the previous certification have changed significantly (duration or frequency of absences, the severity of the condition, complications, etc.), or if the employer receives information that casts doubt on the employee's stated reason for the absence. The employee must provide the requested additional reports to the Employer within fifteen (15) days.

Certification for leave taken because of a qualifying exigency

The Employer may request that an employee provide a copy of the military member's active duty orders to support the request for qualifying exigency leave. Such certification for qualifying exigency leave must be supported by a certification containing the following information: statement or description of appropriate facts regarding the qualifying exigency for which leave is needed; approximate date on which the qualifying exigency commenced or will commence; beginning and end dates for leave to be taken for a single continuous period of time; an estimate of the frequency and duration of the qualifying exigency if leave is needed on a reduced scheduled basis or intermittently; appropriate contact information for the third party if the qualifying exigency requires meeting with a third party and a description of the meeting; and, if the qualifying exigency involves Rest and Recuperation leave, a copy of the military member's Rest and Recuperation orders, or other documentation issued by the military which indicates the military member has been granted Rest and Recuperation leave, and the dates of the military member's Rest and Recuperation leave.

Intermittent/Reduced Schedule Leave

When medically necessary, an employee may take FMLA leave on an intermittent or reduced work schedule basis for a serious health condition. An employee may not take leave on an intermittent or reduced schedule basis for either the birth of the employee's child or upon the placement of a child for adoption or foster care with the employee unless specifically authorized in writing by the

Appointing Authority. Requests for intermittent or reduced schedule FMLA leave must be submitted in writing at least thirty (30) days prior to taking leave, or, as soon as practicable.

To be entitled to intermittent leave, the employee must, at the time such leave is requested, submit additional certification as prescribed by the Employer establishing the medical necessity for such leave. This shall be in addition to the documentation certifying the condition as FMLA qualifying. The additional certification shall include the dates and the duration of treatment, if any, the expected duration of the intermittent or reduced schedule leave, and a statement from the health care provider describing the facts supporting the medical necessity for taking FMLA leave on an intermittent or reduced schedule basis. In addition, an employee requesting foreseeable intermittent or reduced schedule FMLA leave may be required to meet with the Appointing Authority or designee to discuss the intermittent or reduced schedule leave.

An employee who requests and is granted FMLA leave on an intermittent or reduced schedule basis may be temporarily transferred to an available alternative position with equivalent class, pay, and benefits if the alternative position would better accommodate the intermittent or reduced schedule. An employee who requests intermittent or reduced schedule leave due to foreseeable medical treatment shall make a reasonable effort to schedule the treatment so as not to unduly disrupt the Employer's operations.

Employee Benefits

Except as provided below, while an employee is on FMLA leave, the Employer will continue to pay its portion of premiums for any life, medical, and dental insurance benefits under the same terms and conditions as if the employee had continued to work throughout the leave. The employee continues to be responsible for the payment of any contribution amounts he would have been required to pay had he not taken the leave, regardless of whether the employee is using paid or unpaid FMLA leave. Employee contributions are subject to any change in rates that occurs while the employee is on leave.

The Employer will not continue to pay the Employer portion of premiums for any life, medical, and dental insurance benefits if, while the employee is on FMLA leave, the employee fails to pay the employee's portion of such premiums or if the employee's payment for his portion of the premium is late by more than thirty (30) days. If the employee chooses not to continue health care coverage during FMLA leave, the employee will be entitled to reinstatement into the benefit plan upon return to work.

If the employee chooses not to return to work for reasons other than a continued serious health condition or circumstances beyond the employee's control, the Employer may seek reimbursement from the employee for any amounts paid by the Employer for insurance benefits the employee received through the Employer during any period of unpaid FMLA leave. Leave balances accrued by an employee prior to taking FMLA leave and not used by the employee as outlined in the section entitled "Use of Leave" will be retained by the employee.

FMLA leave, whether paid or unpaid, will not constitute a break in service. Upon the completion of unpaid FMLA leave and return to service, the employee will return to the same level of service

credit as the employee held immediately prior to the commencement of FMLA leave. In addition, FMLA leave will be treated as continuous service for the purpose of calculating benefits, which are based on length of service. However, specific leaves times (i.e. sick, vacation, and personal leave and holidays) will not accrue during any period of unpaid FMLA leave.

Reinstatement

An employee on FMLA leave must give the Employer at least two-business days notice of his intent to return to work, regardless of the employee's anticipated date of return. Employees who take leave under this policy will be reinstated to the same or a similar position upon return from leave except that if the position that the employee occupied prior to taking FMLA leave is not available, the employee will be placed in a position which entails substantially equivalent levels of skill, effort, responsibility, and authority and which carries equivalent status, pay, benefits, and other terms and conditions of employment as the position the employee occupied prior to taking FMLA leave. The determination as to whether a position is an "equivalent position" will be made by the Employer.

An employee will not be laid off as a result of exercising her right to FMLA leave. However, the Employer will not reinstate an employee who has taken FMLA leave if, as a result of a layoff within the agency, the employee would not otherwise be employed at the time reinstatement is requested. An employee on FMLA leave has no greater or lesser right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during her FMLA leave.

Prior to reinstatement, employees who take FMLA leave based on their own serious health condition shall provide certification from the employee's health care provider that the employee is able to perform the essential functions of his position, with or without reasonable accommodation.

Records

All records relative to FMLA leave will be maintained by the Employer as required by law. Any medical records accompanying FMLA leave requests will be kept separate from an employee's regular personnel file. To the extent permitted by law, medical records related to FMLA leave shall be kept confidential. Records and documents created for purposes of FMLA containing family medical history or genetic information as defined by the Genetic Information Nondiscrimination Act of 2008 (GINA) shall be maintained in accordance with the confidentiality requirements of Title II of GINA, which permit such information to be disclosed consistent with the requirements of FMLA.

INJURY LEAVE

Injury leave shall be paid, if authorized by the Appointing Authority, or designee, to any full-time employee, who suffers an incapacitating injury while on-the-job in service to the City.

Such injury may include exposure of the employee to a contagious disease which could be communicated to and jeopardize the health of other employees, if such exposure and jeopardy is certified by a physician.

Injury leave shall be paid at the employee's current rate of pay, and be limited to a total of not more than 1040 hours per occurrence. Injury leave compensation paid to an employee from other sources will be deducted from injury leave compensation paid by the City to the employee. Compensation from other sources includes, but is not limited to Workers' Compensation.

To qualify for injury leave, it must be established conclusively, that the injury was sustained in the line of duty, and did not result from misconduct on the part of the employee or self-infliction nor was proximately caused by the use of alcohol, a non-prescribed controlled substance, or a prescribed controlled substance that had not been approved by the City. It shall be the obligation of the employee to report said injury immediately to his/her supervisor and to receive necessary medical treatment.

The Employee shall present to the Appointing Authority, or designee, a certificate from the attending medical practitioner stating the nature of the injury and the prognosis and return to work status at the earliest time permitted by his/her attending physician.

After the employee has been given permission to return to work, any subsequent absence shall be considered sick leave consistent with this manual, unless it is established conclusively that the injury qualifies for injury leave.

The Appointing Authority, or designee, may obtain an additional opinion from a licensed physician in order to substantiate the nature of the injury, and/or to establish conclusively that the injury qualifies for injury leave. Should this additional opinion be necessary, it shall be paid for by the City.

Upon expiration of injury leave, an employee may use sick leave.

LEAVE DONATION

Full-Time Permanent, and Part-time Permanent non-union employees of the City may donate paid leave to a fellow Full-Time Permanent, or Part-time Permanent non-union City employee in order to assist the co-worker in critical need of leave due to the employee's serious illness or injury.

A serious illness or injury for the purposes of this policy is defined as a serious illness or injury that is expected to incapacitate the City employee for an extended period of time, exhaust the employee's leave balances, and that qualifies as a disability under the City's Disability Program or Workers' Compensation. Leave donation also requires that the employee will be taking an extended time off from work which will create a financial hardship for the employee because they have exhausted all leave balance.

To donate leave

Qualifying employees may donate leave if the donating employee:

- a. voluntarily elects to donate leave and does so with the understanding that donated leave will not be returned (leave donated but unused will be returned on a prorated basis to all employees who donated leave);
- b. donates a minimum of eight (8) hours;
- c. retains a combined leave balance of at least 120 hours for full-time permanent and 60 hours for part-time permanent employees (leave shall be donated in the same manner in which it would otherwise be used, except that compensatory time is not eligible for donation under Fair Labor Standards Act restrictions); and
- d. does not donate more than 200 hours in one (1) year.

Qualifying employees who wish to donate leave must agree to the above conditions and complete the Donor Application Form. The Donor Application Form can be obtained in the Human Resources Department and must be returned there.

The donation of leave shall occur on a strictly volunteer basis. The City shall respect an employee's right to privacy, however, with the permission of the employee who is in need of leave, the Human Resources Director may inform co-workers of the employee's critical need for leave.

To Receive Donated Leave

An employee may receive donated leave, up to the number of hours the employee is scheduled to work each pay period, if the employee who is to receive donated leave:

- a. has a serious illness or injury as previously defined, and provides written documentation from his or her physician certifying the serious illness or injury;
- b. has no accrued leave; and
- c. has applied for any paid leave, workers' compensation, or disability benefits program for which the employee is eligible (an employee who has applied for these programs may use donated leave to satisfy the waiting period for such benefits).
- d. After the waiting period, qualified employees may donate leave to supplement up to 40% of the employee's normal pay, if the employee is on disability. There would be no waiting period for qualified part-time permanent employees who do not receive disability. The employee may NOT receive more than he or she would have earned in a normal pay period from disability and leave donation or based on the normal hours scheduled to work less applicable deductions.
- e. The Request for Leave Donation Form can be obtained in the Human Resources Department and must be returned there.
- f. The employee may only receive donated leave for a maximum of one year.

The leave donation program shall be administered on a pay-period-by-pay-period basis. Employees using donated leave shall be considered on active pay status, and shall accrue leave and be entitled to any benefits to which they would otherwise be entitled.

Leave accrued by an employee while using donated leave shall be used, if necessary, in the following pay period before additional donated leave may be received.

Donated leave shall not count toward the probationary period of an employee if received during his or her probationary period.

Donated leave shall be considered sick leave, but shall NEVER be converted into a cash benefit.

Eligibility to receive donated leave under this policy shall cease upon:

- a. certification from the employee's physician that he or she is capable of engaging in sustained regular employment; or
- b. an employee's application for retirement is approved;
- c. death of the employee, whichever should first occur; or
- d. exhaustion of available leave in the leave bank.

CIVIC DUTY LEAVE

Jury Duty

Employees will be excused from regularly scheduled work for jury duty. If an employee's jury duty is concluded prior to the completion of the employee's regularly scheduled workday, he must return to work for the remainder of the workday. The City will compensate an employee who is called to, and reports for, panel and/or jury duty, at the employee's straight-time hourly rate for the hours he was scheduled on that day. The employee must give the City prior notice of jury duty.

Work-Related Proceedings

Employees who are required by the City to appear in court or other proceeding on behalf of the City, will be paid at their appropriate rate of pay for hours actually worked. Employees must obtain prior approval from their supervisor before appearing in court or administrative proceedings on behalf of the City. Employees who receive a subpoena for work-related matters and have a concern regarding that subpoena should seek assistance from their supervisor, who may then contact the Prosecuting Attorney's Office.

Personal Matters

Employees who are required to appear in court on personal matters, or on matters unrelated to their employment with the City, must seek an approved vacation leave or unpaid leave of absence.

VACATION LEAVE

Vacation Leave Accrual

Effective July 1, 2018 Full-time City employees shall be entitled to use vacation after completion of six months of public employment with the City. Vacation time is credited each bi-weekly pay period at rates as established below. An employee who is not in active pay status for part of a bi-weekly pay period shall earn a pro-rated amount of vacation leave for that period.

Each full-time employee will accrue vacation leave with full pay in accordance with the following schedule:

<u>Length of Service</u>	<u>Hours Earned Each Biweekly Pay</u>
0 – 5 years	3.08 hours
5 – 11 years	4.62 hours
11 – 15 years	6.16 hours
15 plus years	7.70 hours

Permanent part-time employees are entitled to a reduced amounts of vacation accruals based the hours assigned to work.

Vacation leave will accrue during periods of authorized paid leaves of absence but will not accrue while an employees is on unpaid leave status.

In accordance with O.R.C. § 9.44, employees may be entitled to prior service credit for time spent with the State of Ohio or any political subdivision of the State. It is the employee's responsibility to provide necessary documentation of prior service.

Vacation Leave Use

Vacation may only be used with the prior approval of the Appointing Authority, or designee.

An employee may only accumulate vacation leave up to a maximum of two hundred and forty (240) hours. When this balance of 240 hours is reached, the employee shall accrue no further vacation.

The City may revoke vacation leave that has been approved if required by operational reasons.

In the case of the death of an employee, the unused vacation leave credited to the employee shall be paid to the surviving spouse, or secondarily, the employee's estate.

FUNERAL LEAVE

Each full-time employee shall be granted a paid leave not to exceed three (3) working days upon a death in the employee's immediate family. Immediate family is for the purpose of Funeral Leave is defined as: grandparent; great-grandparents; brother; sister; brother-in-law; sister-in-law; daughter-in-law; son-in-law; father; mother; father-in-law; mother-in-law; spouse; child; step-child; step-parent; grandchild; grandparent-in-law, aunts and uncles; legal guardian; or other person who stands in place of a parent.

It is recognized that situations may develop where a death other than in the employee's immediate family warrants the City granting paid leave. The Appointing Authority may grant such paid leave based upon the circumstances peculiar to each case.

Funeral leave may be used to attend the funeral, make funeral arrangements, or attend to other matters directly related to the funeral.

Permanent Part-Time Employees

Employee would be paid the hours the employee was scheduled to work during the leave; if the employee was not scheduled to work during the leave, then payment would not be paid. Such time shall not exceed three (3) days.

MILITARY LEAVE

Military leave is governed by O.R.C. Chapters 5903, 5906 and 5923 and the Uniformed Services Employment and Reemployment Rights Act (USERRA).

Paid Military Leave

City employees who are members of the Ohio organized militia or members of other reserve components of the armed forces, including the Ohio National Guard, are entitled to military leave. Employees requesting military leave must submit a written request to the City as soon as they become aware of such orders. Employees must provide the published order or a written statement from the appropriate military authority with the request for leave.

Pursuant to O.R.C. § 5923.05, employees are authorized up to twenty-two (22) eight (8)-hour working days or one hundred seventy-six (176) hours within a year. During this period, employees are entitled to receive their regular pay in addition to compensation from military pay. Any employee required to be serving military duty in excess of twenty-two (22) days or 176 hours in a year due to an executive order issued by the President of the United States or an act of Congress or by the Governor in accordance with law shall be entitled to a leave of absence. During this leave of absence, employees are entitled to be paid a monthly amount equal to the lesser of (1) the difference between the employee's gross monthly wage and his/her gross monthly uniformed pay and allowances received for the month, or (2) five hundred dollars (\$500). No employee is entitled to receive this benefit if the amount of gross military pay and benefits exceed the employee's gross wages from the City for that period.

Employees who are on military leave in excess of twenty-two (22) days or one hundred seventy-six (176) hours in a year, may use their accrued vacation leave, personal leave or compensatory time while on military leave. Employees who elect this option shall accrue vacation leave and sick leave while on such paid leave.

For military leave up to twenty-two (22) days or one hundred seventy-six (176) hours in a calendar year, employees shall continue to be entitled to health insurance benefits as if they are working. These benefits shall continue beyond this period if the employee is on military leave and elects to utilize paid leave. Employees who exceed the twenty-two (22) days or one hundred seventy-six (176) hours and do not elect to utilize paid leave are not entitled to the health insurance benefits on the same basis as if they are working. In these circumstances, employees will be provided notice of their rights to continue this coverage at their cost in accordance with applicable law.

Also see Family and Medical Leave Act Policy

UNPAID LEAVE

Employees may request an unpaid leave of absence for professional, educational, or other personal reasons. The Appointing Authority, or designee, has sole discretion to grant or deny the leave. A personal leave of absence may be granted for one day to six months for any reason the Appointing Authority, or designee, deems appropriate. Upon completion of approved unpaid leave, the employee will be returned to his former position or to a similar position within the same classification.

While on leave without pay status, an employee shall not accumulate paid leave or holiday pay. An employee on a non-FMLA unpaid leave of absence will be given COBRA notification regarding his health insurance benefits.

The Appointing Authority, or designee, may revoke an unpaid leave of absence for business reasons upon one week's written notice to the employee that he must return to work. An employee on an unpaid leave of absence who is determined to be using the leave for purposes other than for which the leave was granted may be ordered to return to work immediately.

HOLIDAYS

The following days shall be considered legal holidays for which full-time, non-union employees shall receive their regular compensation:

- a. New Year's Day (January 1)
- b. Martin Luther King, Jr. Day (third Monday in January)
- c. Presidents Day (third Monday in February)
- d. Memorial Day (last Monday in May)

- e. Independence Day (July 4)
- f. Labor Day (first Monday in September)
- g. Veterans Day (November 11)
- h. Thanksgiving Day (fourth Thursday in November)
- i. Day after Thanksgiving
- j. Day before Christmas Day
- k. Christmas Day (December 25)
- l. Day before New Year's Day
- m. Personal day
- n. Any day or part of any day as proclaimed by the Mayor

Employees may use personal days only with prior approval of the Appointing Authority or appropriate designee. All bargaining unit employees should refer to their applicable collective bargaining agreement for holiday scheduling.

If any day designated in this section as a legal holiday falls on Saturday or Sunday, then either the Friday preceding or the Monday succeeding either day will be designated by the Mayor as a legal holiday.

If an employee is on unpaid leave, the employee is not entitled to holiday pay.

All full-time employees are entitled to eight (8) hours' of pay at their current rate of pay, or ten (10) hours of pay if assigned to a ten (10) hour shift.

Employees shall not be required to work on holidays unless failure to work would impair City service.

Any employee required to work on a holiday listed in this section shall be paid at the applicable overtime hourly rate for all hours worked on the holiday, in addition to either eight (8) hours' holiday pay at the straight-time rate if the employee is regularly assigned to an eight (8) hour shift, or ten (10) hours holiday pay at the straight time rate if the employee is regularly assigned to a ten (10) hour shift.

Employees called in on a holiday because of an emergency, will be compensated at the rate describe under Emergency Holiday Call-in Pay

If a holiday falls on an employee's scheduled day off, the employee shall be entitled to an additional eight (8) hours' pay at the straight-time rate if the employee is regularly assigned to an eight (8) hour shift, or ten (10) hours' holiday pay at the straight-time rate if the employee is regularly assigned to a ten (10) hour shift.

If a holiday occurs when an employee is on paid leave, the employee will be entitled to eight (8) hours holiday pay at the straight-time rate if the employee is regularly assigned to an eight (8) hour shift, or ten (10) hours' holiday pay at the straight-time rate if the employee is regularly assigned to a ten (10) hour shift. No charge will be made against the leave accumulation

WORKERS' COMPENSATION

State law provides that all employees are covered by Workers' Compensation for injuries that arise out of or in the course of employment.

Should an employee be injured during the course of employment with the City, he or she shall report to his or her supervisor within 24 hours or as soon as possible thereafter, and his or her supervisor shall notify his or department/division head and shall complete an Injury Report Form. This report shall be completed, regardless of the apparent seriousness of the injury, and regardless whether medical attention is required. Such report shall be forwarded to the department/division head (or designee) no later than 48 hours after the accident. An employee injured in a work-related accident may be required by the department/division head to see a physician. This completed report should be forwarded to the Ohio Bureau of Workers' Compensation through the Director of Human Resources.

Should the department/division head require it, or should an employee's injury require medical attention, the supervisor shall provide the injured employee with a Workers' Compensation claim form, which shall be completed by the attending physician.

In the event of serious injury, the injured employee's supervisor shall notify the department/division head and Appointing Authority immediately so that, if necessary, an investigation may be initiated.

The department/division head must be advised and continually updated if an employee continues to be absent due to a work-related injury. Employees are responsible for providing their expected date of return to work (if known).

Any documents received from the injured employee, his or her physician, hospital, or the state, regarding a Workers' Compensation claim must be immediately forwarded to the Human Resources Department.

Employees who are injured in the line of duty and must leave work before completing their workday period shall be paid at their regular compensation rate for the balance of time left in their scheduled workday.

An injured employee may elect to use accrued injury leave, sick leave, and vacation leave prior to receiving payments from Workers' Compensation. Employees are prohibited, however, from receiving payment for sick leave while simultaneously receiving payment from Workers' Compensation.

Further information on Workers' Compensation can be obtained through the Human Resources Department.

TRANSITIONAL WORK PROGRAM

It is the policy of the City to have a program that will allow employees who have temporary work limitations due to an accident, injury, or illness to return to work while they complete their recovery. The program will provide a suitable, temporary work assignment during the period of time that the employee completes the recovery process.

Full-time, non-union employees who are expected to have a temporary period of job performance limitation (defined as a limitation that is anticipated to last no more than 90 days) will be considered for participation in the program. Employees must also meet all of the following criteria:

- a. have an injury, accident, or illness, or a reoccurrence or exacerbation of a preexisting condition, occurring on or after the effective date of this policy;
- b. have been released for participation in the program by their doctor; and
- c. have the potential of returning to their original job and performing the essential job functions through recovery or job modification.

All full-time employees will have a maximum duration of 90 days. Continuation of individual programs will require ongoing documentation of medical necessity. All participants will have their cases reviewed by the Human Resources Director on an as-needed basis.

The employee will be:

- a. paid at his or her regular hourly rate of pay while participating in a transitional work program; and
- b. considered to be in active pay status for the purpose of legislative pay increases.

Employees who are required to attend occupational or physical therapy or doctor appointments should schedule those appointments on non-working hours or take sick leave.

Gradual Return to Work

Employees who are capable of working 20 hours per week or more will be granted participation in a gradual return to work program. The City will pay the regular rate of pay for hours worked by the employee. The remaining time will be paid through either Workers' Compensation, disability claim, or available leave balances.

Temporary Work Assignment

Work assignments may include the following:

- a. original work assignment and shift with duty modification;
- b. same work activity at different location and/or shift;
- c. different work activity, same shift; and
- d. different work activity and shift.

All participants in the transitional work program will comply with all personnel policies, procedures, and safe work practices. Employees are required to follow all injury report policies and procedures.

The TWP may be terminated due to a lack of medical necessity, lack of progress, or change in the employee's medical/psychological condition.

CREDIT CARD FLEET POLICY

Generally: Credit/fleet cards are not intended to avoid or bypass the competitive bid requirements, appropriation of funds, approval process, or payment process. The City Auditor will assign a Compliance Officer from his/her staff. Expenditures may not exceed appropriations under any circumstances. Credit cards can be used for in-store purchases as well as mail, email, internet, telephone and fax orders. Fleet cards are to be used for gas purchases only. Credit/fleet cards are not an ATM card or a debit card. It cannot be used for cash withdrawals nor personal or non-work related purchases. If there are points for purchase related to the card, the points are the property of the City and should not be used for any personal redemption.

- a. Credit/Fleet card issued to Department heads and other employees with prior approval from the City Auditor.
- b. This policy is for any credit and or fleet card issued to conduct business on behalf of the City.
- c. All credit cards issued for City business must have "City of Reynoldsburg" on the card.

Cardholder Responsibilities:

- a. Is an individual who has been approved to pay for certain work-related expenses with a credit card. The cardholder is responsible for the security and physical custody of the card and is accountable for all transactions made with the card. If a card is lost or stolen, it must be reported to the Auditor's office and Department head immediately.
- b. Every purchase must have a detailed itemized receipt.
- c. All receipts and documentation must be submitted with the purchase order for payment of the credit/fleet card statement.
- d. Employees knowingly misusing a City credit card will be liable both civilly and criminally for any unauthorized use of the City credit cards and/or failure to follow established policy.

- e. Unauthorized use or personal use must be reimbursed to the city within 24 hours of the charge. Continued misuse of card will result in loss of credit card privileges and disciplinary action.
- f. Upon separation from the City, credit/fleet cards in the possession of an employee must be returned to the Auditor's Department prior to receiving final paycheck.
- g. Each employee issued a credit/fleet card will be required to sign an acknowledgment of the policy at the time of receipt of the card.

TRAVEL POLICY AND REIMBURSEMENT

Effect August 1, 2018 Employees of the City are to receive reimbursement for expenses incurred if required to travel on official City business. Employees are eligible for expense reimbursement only when travel has been authorized in writing by the Employer. Expenses shall be reimbursed in the following manner:

A. Mileage, Parking and Tolls

- 1. Employees shall attempt to secure a City vehicle to attend authorized training or to conduct City business. If a City vehicle is not available, employees shall be reimbursed for actual miles, while on official City business, at the standard rate of allowance permitted by the Internal Revenue Service when using a personal vehicle. Such payment is considered to be total reimbursement for all vehicle-related expenses (e.g., gas, oil, depreciation, etc.). Mileage reimbursement is payable to only the individual whose personal vehicle is used when two or more employees travel on the same trip, in the same vehicle.
- 2. Charges incurred for parking at the destination, and any highway tolls are reimbursable at the actual amount. Receipts for parking costs and highway tolls are required.
- 3. No expense reimbursements are paid for travel between home and office, unless travel between home and the official destination is less than between the office and official destination. In that case, expense reimbursements are paid between the home and the official destination.

B. Overnight Travel

When able, employees shall attempt to put travel expenses (lodging, transportation, meals, etc.) on a City credit card. In instances where this is not possible, the following policy shall apply:

- 1. Meals

- a. An employee shall be entitled to receive reimbursement for meals when traveling overnight on City business. The amount will be paid for meals that are not already included in the registration and/or lodging accommodations regardless if the employee chooses to attend the meal. Agendas and Hotel Registration must accompany the request for travel.
- b. Employees will be reimbursed for expenses using per diem amounts in accordance with the Federal Continental United States (CONUS) which identify per diem rates by geographic location. If the employee's destination is not specifically listed, the standard CONUS rate applies. Under no circumstances will reimbursement be given for alcohol purchases. No receipts are required when receiving reimbursement under the per diem method.

2. Lodging

- a. Expenses covering the actual cost of overnight lodging will be reimbursed in full when an employee travels out of the three (3) counties that Reynoldsburg is located in, on official City business and such travel requires an overnight stay (75 miles or greater from City offices). Employees shall ensure a government rate is secured when available and state sales tax is not included.
- b. Lodging expenses will be reimbursed only with the prior written authorization of the Employer. In obtaining prior authorization, employees shall provide the name of the hotel and expected cost.

3. Transportation

- a. Employees traveling within a drivable distance on official City business shall be reimbursed at IRS rate for mileage reimbursement.
- b. When travel by air or other carrier is necessary, employees shall secure the best available rate. Employees shall not use personal reward programs, frequent flyer memberships, hotel points/rewards, etc. to earn rewards when traveling on official City business.
- c. In instances where a rental car is necessary, reimbursement will be granted for a car type that is reasonable for the location, number of travelers, etc. Reimbursement will not be granted for luxury vehicles or rentals deemed unnecessary at the discretion of the Employer. Any tickets, parking or moving violations will not be paid by the City.

4. Incidental Expenses

- a. Employees will be reimbursed for reasonable incidental expenses defined as fees and tips (not to exceed 20%) given to porters, baggage carriers, hotel staff and staff on ships.

C. Daily Travel

For travel that does not require an overnight stay, reasonable expenses incurred for parking (with receipt) and IRS mileage rate on official City business will be reimbursed with the approval of the Employer.

COMPUTER USE POLICY

Email

Policy Overview

Electronic mail (“Email”) is pervasively used in almost all industry verticals and is often the primary communication and awareness method within an organization. At the same time, misuse of Email can post many legal, privacy and security risks, thus it is important for users to understand the appropriate use of electronic communications.

The purpose of this Email policy is to ensure the proper use of the City of Reynoldsburg Email system and make users aware of what City of Reynoldsburg deems as acceptable and unacceptable use of its Email system. This policy outlines the minimum requirements for use of Email within the City of Reynoldsburg Network. Limited exceptions to the policy may occur. Any exception must be approved by management and these exceptions must be clearly documented.

This policy covers appropriate use of any Email sent from a City of Reynoldsburg Email address or a City of Reynoldsburg owned device and applies to all employees, vendors, and agents operating on behalf of the City of Reynoldsburg.

Acceptable Use

All use of Email must be consistent with the City of Reynoldsburg policies and procedures of ethical conduct, safety, compliance with applicable laws and proper business practices.

The City of Reynoldsburg Email account should be used primarily for City of Reynoldsburg business related purposes; personal communication is permitted on a limited basis, but non-City of Reynoldsburg related commercial use is prohibited.

Email should be retained only if it qualifies as a City of Reynoldsburg business record. Email is a City of Reynoldsburg business record if there exists a legitimate and ongoing business reason to preserve the information contained in the Email.

Email that is identified as a City of Reynoldsburg business record shall be retained according to City of Reynoldsburg Record Retention Schedule.

The City of Reynoldsburg Email system shall not to be used for the creation or distribution of any disruptive or offensive messages, including offensive comments about race, gender, hair color, disabilities, age, sexual orientation, pornography, religious beliefs and practice, political beliefs, or national origin. Employees who receive any Emails with this content from any City of Reynoldsburg employee should report the matter to their supervisor immediately.

Users are prohibited from automatically forwarding City of Reynoldsburg Email to a third-party Email system. Individual messages which are forwarded by the user must not contain City of Reynoldsburg confidential or above information.

Users are prohibited from using third-party Email systems and storage servers such as Google, Yahoo, MSN Hotmail, etc. to conduct City of Reynoldsburg business, to create or memorialize any binding transactions, or to store or retain Email on behalf of City of Reynoldsburg. Such communications and transactions should be conducted through proper channels using the City of Reynoldsburg-approved documentation.

Expectation of Privacy

City of Reynoldsburg employees shall have no expectation of privacy in anything they store, send or receive on the Email system.

The City of Reynoldsburg may monitor messages without prior notice. The City of Reynoldsburg is not obliged to monitor Email messages.

Compliance

The Information Technology team will verify compliance to this policy through various methods, including but not limited to, periodic walk-thru, video monitoring, business tool reports, internal and external audits, and feedback to the policy owner.

Any exception to the policy must be approved by the Information Technology team in advance.

An employee found to have violated this policy may be subject to disciplinary action, up to and including termination of employment.

Mobile Device Policy

Policy Overview

The City of Reynoldsburg grants its employees the privilege of using personal smartphones or tablets of their choosing at to connect to their corporate Email. The City of Reynoldsburg reserves the right to revoke this privilege if users do not abide by the policies and procedures outlined below.

This policy is intended to protect the security and integrity of the City of Reynoldsburg's data and technology infrastructure. Limited exceptions to the policy may occur. Any exception must be approved by management and these exceptions must be clearly documented.

City of Reynoldsburg employees must agree to the terms and conditions set forth in this policy in order to be able to connect their devices to the company network. The City of Reynoldsburg Information Technology team reserves the right to make changes to this policy at any time.

Acceptable Use

The company defines acceptable business use as activities that directly or indirectly support the business of the City of Reynoldsburg.

Employees may use their mobile device to access the following company-owned resources: corporate email, calendar, and contacts.

The City of Reynoldsburg has a zero-tolerance policy for texting or Emailing while driving and only hands-free talking while driving is permitted.

Devices and Support

Smartphones including iPhone (iOS), Android, Blackberry, and Windows phones running the latest operating system version are allowed.

Tablet devices such as iPads, Chrome Books, and Nooks running the latest operating system version are allowed.

Although some connectivity issues are supported by IT; employees should contact the device manufacturer or their carrier for operating system or hardware-related issues.

Devices must be presented to IT for proper job provisioning and configuration.

Prior to trading in, upgrading or selling their mobile device the employee must provide the IT department with the device to properly remove corporate connected resources.

Prior to an employee's departure, the employee must provide their mobile device to the IT department to properly remove corporate connected resources.

Reimbursement

The company will not reimburse the employee for a percentage of the cost of the device.

The company will not reimburse the employee for the following charges: roaming, plan overages, etc.

The employee will not be compensated should they choose to access corporate resources during non-work hours.

Security

In order to prevent unauthorized access, devices must be password protected using the features of the device. The password must be a minimum of six characters. Four-digit passwords are not acceptable. Other biometric features (such as facial recognition and fingerprint) are acceptable means to secure your device, but only if approved by IT.

The device must lock itself with a password if it is idle for five minutes. Setting the lock time to less than five minutes is also acceptable.

After 10 failed login attempts, the device must be configured to lock. Setting the attempts to less than 10 is also acceptable.

Rooted (Android) or jailbroken (iOS) devices are strictly forbidden from accessing the network or any City of Reynoldsburg related equipment. This includes use of the Employee Wi-Fi network.

Smartphones and tablets that are not on the company's list of supported devices are not allowed to connect to the network.

Employees' access to company data is limited based on user profiles defined by IT and are automatically enforced.

The employee's device will be remotely wiped if 1) the device is lost, 2) the employee terminates his or her employment, 3) IT detects a data or policy breach, a virus or similar threat to the security of the company's data and technology infrastructure.

Risks/Liabilities/Disclaimers

While IT will take every precaution to prevent the employee's personal data from being lost in the event it must remotely wipe a device, it is the employee's responsibility to take additional precautions, such as backing up Email, contacts, etc.

The company reserves the right to disconnect devices or disable services without notification.

The employee will not transfer, store or retain corporate data outside of the approved applications.

Lost or stolen devices must be reported to the company immediately. Employees are responsible for notifying their mobile carrier immediately upon loss of a device.

The employee is expected to use his or her devices in an ethical manner at all times and adhere to the company's acceptable use policy as outlined above.

The employee is personally liable for all costs associated with his or her device.

The employee assumes full liability for risks including, but not limited to, the partial or complete personal data due to an operating system crash, errors, bugs, viruses, malware, and/or other software or hardware failures, or programming errors that render the device unusable.

The City of Reynoldsburg reserves the right to take appropriate disciplinary action up to and including termination for noncompliance with this policy.

Computer, Internet, and Network Policy

Policy Overview

The City of Reynoldsburg strives to protect all data stored on any computer. By using a computer owned by The City of Reynoldsburg, or accessing the Internet on any device, or connecting to The City of Reynoldsburg Network, employees must understand the means by which these items can be used.

Acceptable Use and Right to Search

City computers and information systems are property of the City of Reynoldsburg. They may be used only for explicitly authorized purposes. The City reserves the right to examine all data stored in or transmitted by their computers and systems. Without notice, the City and authorized City supervisors may enter, search, monitor, track, copy, and retrieve any type of electronic file of any employee or contractor. These actions may be taken for business-purpose inquiries including but not limited to theft investigation, unauthorized disclosure of confidential business or proprietary information, excessive personal use of the system, or monitoring work flow and employee productivity.

Employees have no right to privacy with regard to the Internet and email on City systems. Authorized designees (as referenced above) may access any files stored on, accessed via, or deleted from computers and information systems. When necessary, Internet, Email, and any other electronic messaging usage patterns may be examined for work-related purposes, including situations where there is a need to investigate possible misconduct and to assure that these resources are devoted to maintaining the highest levels of productivity. All software installed on any City computer must be licensed to the City. No City employee may install, uninstall, or reconfigure any software or hardware owned by the city without prior authorization from their Supervisor. The use of privately owned or contractor-owned devices (i.e., PDAs, smart phones, and laptops) for official city business must be authorized in advance by the City.

Prohibited Use

The list below describes Prohibited Uses of Computers and Information Systems, including but not limited to Email and the Internet.

1. Violating local, state, and/or federal law.
2. Harassing or disparaging others based on age, race, color, national origin, sex, sexual orientation, disability, religion, military status or political beliefs. Harassment and disparagement include but are not limited to slurs, obscene messages, or sexually explicit images, cartoons, or messages.
3. Threatening others.
4. Soliciting or recruiting others for commercial ventures, religious or political causes, outside organizations, or other matters that are not job related.

5. Using computers or information systems in association with the operation of any for-profit business activities or for personal gain.
6. Sabotage, e.g. intentionally disrupting network traffic or crashing the network and connecting systems or intentionally introducing a computer virus.
7. Vandalizing the data of another user.
8. Forging electronic mail and instant messenger messages.
9. Sending chain letters.
10. Sending rude or obscene messages (anything that would embarrass or discredit the City).
11. Disseminating unauthorized confidential or proprietary City documents, information, or data restricted by government laws or regulations.
12. Browsing or inquiring upon confidential records maintained by the City without substantial business purpose.
13. Disseminating (including printing) copyrighted materials, articles, or software in violation of copyright laws.
14. Accessing the Internet in any manner that may be disruptive, offensive to others, or harmful to morale.
15. Transmitting materials (visual, textual, or auditory) containing ethnic slurs, racial epithets, or anything that may be construed as harassment or disparagement of others based on age, race, color, national origin, gender, sexual orientation, disability, religious or political beliefs.
16. Sending or soliciting sexually oriented messages or images.
17. Using the Internet or instant messenger for political activity.
18. Using the Internet to sell goods or services not job-related or specifically authorized in writing by an approving authority.
19. Downloading and viewing non-work-related streaming audio or video (i.e. listening to radio stations, etc.) due to the limited bandwidth of the system.
20. Intentionally using Internet facilities to disable impair, or overload performance of any computer system or network or to circumvent any system intended to protect the privacy or security of another user.
21. Speaking to the media or to the public within any news group or chat room on behalf of the City if not expressly authorized to represent the City.
22. Uploading or downloading games, viruses, copyrighted material, inappropriate graphics or picture files, illegal software, and unauthorized access attempts into any system.

NOTE: Whether on working time or not, these prohibitions apply at all times to city-owned computers and information systems. Personnel cannot expect that the information they convey, create, file, or store in City computers and information systems will be confidential or private regardless of the employee's intent. Please remember that there is no expectation of privacy for anything sent by Email or other electronic communication means, and that others can view this information at any time.

Securing Equipment and Proper Disposal

City employees who are responsible for or are assigned portable computer equipment and electronic media (i.e., laptops, flash memory devices, external hard drives, DVDs, CDs, etc.) shall

secure those items when not in the office as these items may contain confidential and/or HIPAA information, which could be compromised if lost or stolen. If an employee loses a piece of equipment or it is stolen, they are required to immediately notify their supervisor. Failure to properly secure portable computer equipment and electronic data is subject to disciplinary action.

Portable computer equipment must also be properly inventoried and tracked. Routine inventories of electronic equipment should be conducted on a regular basis to confirm it is still available and that the data is still accessible, should this apply.

Equipment that is at a higher risk for being lost or stolen should be reviewed by IT. In some cases, the equipment will need to be encrypted to add an additional layer of security to the contents. IT should be aware of all equipment and each employee is responsible to make sure IT has approved and protected the device in use.

Should equipment become old, outdated, or simply not be used anymore, it must be destroyed properly. This equipment is to be given to IT, documented of removal from use, and disposed of properly according to the policy for removing or destroying property of the City of Reynoldsburg.

SOCIAL MEDIA LIMITATIONS

The City supports the free exchange of information and camaraderie among employees on the internet. However, when internet blogging, chat room discussions, email, text messages or other forms of electronic communication extend to employees revealing confidential information about the City or its employees, or engaging in posting inappropriate material about the City or its employees, the employee who posts such information or assists in posting such material may be subject to disciplinary action.

Employees are reminded to be careful of the information they disclose on the internet, including social media sites. The following uses of social media are strictly prohibited, whether on or off duty:

1. Comments or displays about coworkers, supervisors or the City that are vulgar, obscene, threatening, intimidating, harassing, or a violation of the City's workplace policies against discrimination, harassment or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, military status or other protected class, status, or characteristic.
2. Statements or uses of the City's logo which are slanderous or detrimental, including evidence of the misuse of the City's authority, information, insignia or equipment.
3. Unprofessional communication which, if left unaddressed, could potentially result in a civil or criminal cause of action against the City. Unprofessional communication also includes that which the City could demonstrate has a substantial risk of negatively affecting the City's reputation, mission or operations, such as slander, defamation or other legal cause of action.

4. Disclosure of confidential and/or proprietary information acquired in the course of employment. Confidential information includes not only information that would not be available pursuant to a public records request, but also includes any information which does not relate to an issue of public concern.
5. Comments or displays which impact employees' abilities to perform their job duties or the City's ability to maintain an efficient workplace.

Social media sites may be inspected by the City for cause to determine potential policy violations. If an employee believes that an online communication violates a City policy, the employee should immediately report the communication to a supervisor. The City may investigate the matter, determine whether such communication violates policy, and take appropriate action. This policy does not apply to communications protected by the U.S. or Ohio Constitutions.

CITY PROPERTY

General

Employees are prohibited from using City materials, tools, facilities, equipment and labor for personal or private use regardless of whether the use is during working or non-working time. Employees may not perform private work for themselves, co-workers, friends or family members during working time or while using City materials, tools, facilities, or equipment. All City tools and equipment must be used and operated within the laws of the State of Ohio and/or rules and regulations of the City. Employees who separate from service with the City are responsible for return of reusable City property in her possession.

Employees have no reasonable expectation of privacy in the use of City property and facilities. In order to safeguard employees and the workplace, and in order to maximize efficiency, safety and productivity, the City reserves the right, in its sole discretion and without notice to employees, to inspect, monitor or otherwise search City property and facilities or any other enclosed or open area within City property or facilities and to monitor or inspect any items found within such facilities. Employees are required to cooperate in any work place inspection. The City also reserves the right to inspect any packages, mail, parcels, handbags, briefcases, or any other possessions or articles carried to and from City facilities and job sites where permitted by law.

Employees required to answer the telephone as part of their assigned duties shall do so in a polite and courteous manner. No employee shall use foul or abusive language over the telephone or in any dealings with the public. The City reserves the right to monitor any phone at any time. Personal phone calls must be kept to an "on emergency basis" only. Toll calls and/or long distance for personal reasons shall not be charged to the City.

The City may issue cellular phones to its employees. Cellular phones are not only capable of making and receiving phone calls, they may also be capable of email, text messaging, internet browsing, running third party applications, GPS, and entertainment. Regardless of the capability of a particular cellular phone, City-issued cellular phones are considered City property and are for

business use only. Features other than phone use must not be used or activated without direct authorization from a supervisor. Use of City cellular phones while operating a motor vehicle (City-owned or personal) is prohibited.

Vehicles

Employees operating a City motor vehicle are required to have a proper and valid motor vehicle operator's license. An employee who operates a motor vehicle for work and who has his license suspended, but who has acceptable court-ordered driving privileges, may nevertheless have his driving privileges temporarily suspended by the City. When the City suspends driving privileges, the employee will be temporarily reassigned. The City need not reassign an employee who drives for work and has his license suspended by a court with no work-related driving privileges. Employees that are required to drive as a part of their job are required to remain insurable on the City's fleet liability policy. Employees must notify their supervisor of any traffic offense which may impair their ability to remain insurable or their ability to perform an essential function of their job, such as driving.

Any City employee who operates a City-owned motor vehicle, or a privately owned motor vehicle in the discharge of official City business, shall at all times during the course of operation, fully utilize the front seat occupant restraint systems provided in the vehicles and require like use of said systems by any passengers in the vehicle. Employees who operate City vehicles must have appropriate insurance coverage as designated by the Appointing Authority or Agency Head.

Use of a City-owned vehicle must be pre-approved by the employee's supervisor. Employees shall not use, or permit the use of City automobiles for any purpose other than official City business. Passengers not on official City Business (i.e. children, spouses, friends, etc.) are not permitted in City-owned vehicles. Employees, as representatives of the City, are expected to be courteous to the public and to obey all traffic laws. City employees should drive and conduct themselves as to enhance the reputation of the City and Department.

Employees who drive City vehicles or who drive their personal vehicles for City business are subject to periodic (at least annual) record checks at the Bureau of Motor Vehicles. Employees who utilize City vehicles are responsible for reporting to their supervisor any moving traffic violations obtained while on, or off, duty as an employee's personal driving record may impact his ability to be covered on the City's liability policy. Employees who drive on behalf of the City are subject to reassignment and/or discipline in the event of a license revocation, suspension or traffic offense conviction

Concerns regarding repairs or vehicle maintenance must be reported to the employee's immediate supervisor.

TOBACCO USE POLICY

In order to promote a healthy and comfortable work environment, City employees are prohibited from using tobacco while on City property, while performing duties related to City employment

whether on or off site, while traveling for City business, and in any other circumstances or locations where an employee is representing the interests of the City, except as authorized by the Mayor. City property includes, but is not limited to: buildings, offices, restrooms, hallways, common work areas, parking lots, garages, City vehicles, conference rooms, sidewalks, green space, stairs, cafeterias/break rooms, and storage areas.

For the purpose of this policy, tobacco is defined as all tobacco, tobacco derived and/or substances mimicking tobacco containing products, including but not limited to: cigarettes, electronic cigarettes, vapor cigarettes, any artificial/faux cigarette, cigars, cigarillos, pipes, oral tobacco, or any other manner of using or consuming tobacco, tobacco derived substances and/or substances mimicking tobacco. The definition is intended to include all products that deliver nicotine for purposes other than cessation.

DRUG AND ALCOHOL POLICY

Drug-Free Workplace

Alcoholism and drug addiction are treatable diseases. Therefore, employees who believe that they may have an alcohol or drug addiction problem are encouraged to seek professional treatment and assistance. No employee who seeks such treatment or assistance prior to detection will have his job security, promotional opportunities, or other job conditions jeopardized by a request for treatment. The individual's right to confidentiality and privacy will be recognized in such cases. The City may take disciplinary action for any violations of work rules, regardless of the effect of alcohol or drug abuse. Nothing in this policy shall be construed to condone or exonerate employees from their misconduct or poor performance resulting from a drug or alcohol problem.

The City maintains a drug and alcohol free workplace. Employees are hereby notified that the manufacture, distribution, dispensing, possession, use or being under the influence of alcohol, drugs or other controlled substance is strictly prohibited during working hours at any location where employees are conducting City business. Also prohibited is the illegal use of legal substances.

In order to further the City's objective of maintaining a safe, healthful, and drug-free workplace, the City may require an employee to submit to a urine and/or blood test if there is reasonable suspicion to believe that an employee is under the influence of a controlled substance or alcohol. Refusal to submit to a drug or alcohol test and/or to release the results of the same shall be considered insubordination and will be construed as a positive test result.

Employees are put on notice that an employee who is under the influence of drugs or alcohol may forfeit their right to obtain workers compensation benefits. The law establishes a rebuttable presumption that if an injured worker tests positive for the use of drugs or alcohol, the worker will have to prove the use of drugs or alcohol did not cause the accident. A refusal to test for the use of drugs or alcohol will also establish the presumption. Employees who are involved with a workplace accident may be required to undergo drug and/or alcohol testing in accordance with this policy.

Drug Policy

Controlled Substance: Means any controlled substance contained in Schedules 1 through V of Section 202 of the Controlled Substance Act (21 U.S.C. § 812; or as defined in § 3719.01 O.R.C.).

Conviction: Means any finding of guilt, including a plea of *nolo contendere* (no contest) or the imposition of a sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

Criminal Drug Statute: Means a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance. For purposes of this policy all definitions will be consonant with O.R.C. § 3719.01 *et seq.*

The unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance by any employee which takes place in whole or in part in the employer's work place is strictly prohibited and will result in criminal prosecution and employee discipline

Any employee arrested or convicted of any Federal or State criminal drug statute must notify the employer of that fact immediately, but in no event longer than five (5) calendar days, of the arrest or conviction.

Any employee who reports for duty in an altered or impaired condition which is the result of the illegal use of controlled substances and/or alcohol will be subject to disciplinary action up to and including removal. Any decision to take disciplinary action may be held in abeyance pending the completion by the employee of a drug rehabilitation program.

Any employee arrested or convicted of a drug or alcohol offense, who fails to timely report the arrest or conviction, may be terminated from employment and/or held civilly liable for any damage caused, including a loss of state or federal funds, resulting from the misconduct.

The City has a zero tolerance policy for employees who are under the influence of drugs or alcohol while at work. Employees who are using medical marijuana as authorized by Ohio law are not exempt from this policy in any way. The use of marijuana in any form for any purpose, authorized for medicinal purposes or unauthorized, will be treated the same as the use of all other Schedule 1 controlled substances, illegal drugs, or the abuse of legal drugs. Employees using Schedule 1 controlled substances or illegal drugs, including medical marijuana authorized by and in accordance with Ohio law, are still subject to all provisions of this policy and may be subject to discipline including termination for such use.

Drug and Alcohol Testing Policy

In order to maintain a safe and healthful work environment, the City reserves the right to set standards for employment and to require employees to submit to physical examinations including blood or urine tests for alcohol, illegal drugs, or the misuse of legal drugs where there is reasonable suspicion that an employee's work performance is, or could be, affected by the condition.

Where the City has a reasonable suspicion to believe that the employee is in violation of this policy, it may require the employee to go to a medical clinic, at the City's expense, to provide blood and/or urine specimens. Reasonable suspicion shall generally mean suspicion based on personal observation by a City representative, including descriptions of appearance, behavior, speech, breath, or inexplicable behavior.

If requested, the employee shall sign a consent form authorizing the clinic to withdraw a specimen of blood or urine and release the test results to the City. Refusal to sign a consent form or to provide a specimen will constitute insubordination and a presumption of impairment and may result in discharge.

Any employee who tests positive may request retesting of the original specimen at their own expense.

Employees who return to work after the successful rehabilitation will be subject to random drug tests for a period of two years from the date of their return.

Employees subject to random drug tests who refuse to participate in the drug/alcohol testing and/or rehabilitation program or who continue to test positive for substance abuse will face additional disciplinary actions, up to and including removal.

Any employee involved in an accident may be subject to post accident alcohol and drug/alcohol testing.

Employees who are required to hold a commercial driver's license (CDL) will be required to participate in the City's drug and alcohol testing program as required by federal law which includes pre-employment testing, post-accident testing, random testing, reasonable suspicion testing, and return-to-work testing. Policies and procedures for these programs will be consistent with federal law and will be made available to employees required to hold CDL's and their supervisors.

Employee that hold a Commercial Driver's License (CDL) or Commercial Learner's permit (CLP) will be required to register the Federal Motor Carriers S – A (FMCSA) Clearinghouse and enter their personal information and the City of Reynoldsburg or their designee will have the requirement that the following personal information collected and maintained under this part shall be reported to the Clearing House

- A verified positive, adulterated, or substituted drug test result;
- An alcohol confirmation test with a concentration of 0.04 or higher;
- A refusal to submit to any test required by subpart C of this part;
- An employer's report of actual knowledge, as defined at § 382.107:
 - On duty alcohol use pursuant to § 382.205;
 - Pre-duty alcohol use pursuant to § 382.207;
 - Alcohol use following an accident pursuant to § 382.209; and
 - Controlled substance use pursuant to § 382.213;

- A substance abuse professional (SAP as defined in § 40.3 of this title) report of the successful completion of the return-to-duty process;
 - A negative return-to-duty test; and
 - An employer's report of completion of follow-up testing.

Discipline

The City may discipline an employee, for any violation of this policy. Nothing herein shall be construed as a guarantee that the City will offer an opportunity for rehabilitation. Failure to successfully complete or participate in a prescribed rehabilitation program, if offered, shall result in the employee's discharge [including a refusal to test or a positive test result on a return to duty or follow-up test].

Refusal to Test

Employees who refuse to submit to the required testing shall be subject to disciplinary action up to and including discharge. A refusal to test for purposes of this policy shall include:

- Failure to provide a sufficient sample provided there does not exist a valid medical explanation as to why the employee was unable to do so;
- Any conduct that attempts to obstruct the testing process such as unavailability, leaving the scene of an accident without proper authorization, delay in providing a sample, adulterating, substituting or attempting to adulterate or substitute a specimen during the testing process, regardless of whether such attempt results in a negative or positive diluted sample;
- Failure to execute or release forms required as part of the testing process.

Prescriptions/OTC Medications

Employees must inform the City if they are taking any medication that may impair their ability to perform their job. Employees on such medications must provide a written release from their treating licensed medical practitioner indicating that they are capable of performing their essential job functions, with or without reasonable accommodation. Employees are prohibited from performing any City function or duty while taking legal drugs that adversely affect their ability to safely perform any such function or duty.

WORKPLACE VIOLENCE

Zero Tolerance

The City is committed to providing a work environment that is safe, secure and free of harassment, threats, intimidation and violence. In furtherance of this commitment, the City enforces a zero tolerance policy for workplace violence. Consistent with this policy, threats or acts of physical violence, including intimidation, harassment, and/or coercion which involve or affect employees, or which occur on City property or at a worksite, will not be tolerated. Employees who are found

to have committed acts of workplace violence will receive discipline and possible criminal prosecution, depending on the nature of the offense.

Prohibited Acts of Violence.

Prohibited acts of workplace violence include, but are not limited to, the following: (1) hitting or shoving; (2) threatening harm to an employee or his family, friends, associates, or property; (3) intentional destruction of property; (4) harassing or threatening telephone calls, letters or other forms of written or electronic communications, including email and website postings; (5) intimidating or attempting to coerce an employee to do wrongful acts, as defined by applicable law, administrative rule, policy, or work rule; (6) willful, malicious and repeated following of another person, also known as “stalking” and/or making threats with the intent to place another person in reasonable fear for his safety (7) suggesting or otherwise intimating that an act to injure persons or property is “appropriate”, without regard to the location where the suggestion or intimation occurs; and (8) unauthorized possession or inappropriate use of firearms, weapons, or any other dangerous devices on City property.

Warning Signs and Risk Factors.

The following are examples of warning signs, symptoms and risk factors that may indicate an employee’s potential for violence. In all situations, if violence appears imminent, employees should take the precautions necessary to assure their own safety and the safety of others. An employee should immediately notify management if they witness any violent behavior, including, but not limited to, the following: (1) hinting or bragging about a knowledge of firearms; (2) making intimidating statements such as: “You know what happened in Oklahoma City,” “I’ll get even,” or “You haven’t heard the last from me.”; (3) keeping records of other employees the individual believes to have violated departmental policy; (4) physical signs of anger, such as hard breathing, reddening of complexion, menacing stares, loudness, and profane speech; (5) acting out violently either verbally or physically; (6) excessive bitterness by a disgruntled employee or an ex-employee; (7) being a “loner,” avoiding all social contact with co-workers; (8) having a romantic obsession with a co-worker who does not share that interest; (9) history of interpersonal conflict; (10) domestic problems, unstable/dysfunctional family; and (11) brooding, depressed, strange behavior.

PERSONAL APPEARANCE

The Appointing Authority reserves the right to prescribe appropriate attire and grooming and to set standards which are deemed to be in the best interest of the City and ensure an appropriate image for the City.

The Appointing Authority requires that an employee's clothing, grooming, and overall appearance be appropriate, in good taste, present a favorable public image, and be in conformity with regulations established by the City due to the specialized nature of service provided or the employment position maintained.

Clothing shall be conducive to the safe and effective performance of required job duties.

Certain employees may be required to wear regulation uniforms while on duty. The applicable departments may establish policies and procedures governing uniforms. When employees are required to wear a regulation uniform, the City shall provide the uniforms and/or provide a uniform allowance as prescribed by the City ordinance or applicable collective bargaining agreement.

Employees are required to keep uniforms neat, clean, and in good repair. City-issued uniforms may only be worn by employees while conducting official City business.

The City shall provide standard work clothing and safety equipment for all maintenance employees of the Parks and Recreation, Service, Street, Vehicle Maintenance, Water/Waste Water, Storm Water Utility and the Building Department employees. Each item of work clothing shall be suitably and permanently identified as belonging to the City. Any item unaccounted for shall be charged to the employee. Employees that are provided work wear will be required to wear it.

Non-Uniform Clothing

Employees not required to wear uniforms daily, may be provided shirts, sweaters, and jackets with the City of Reynoldsburg logo. The clothing may be worn for work at any time but are primarily to be worn for special events where it is desired the City of Reynoldsburg employees can be identified.

All clothing purchased must be approved colors and be branded with City of Reynoldsburg logo/name. Department directors are responsible approving clothing options with the City of Reynoldsburg logo.

While wearing city branded clothing, employees are to conduct themselves in a professional manner. This portion of the policy does negate the ability of the City of Reynoldsburg from providing protective clothing, boots, vests, gloves, aprons or other items deemed protective in nature and intended for specific purposes.

Uniforms or clothing purchased by the city and distributed to employees will be treated as a fringe benefit, included as wages to the employee and subject to withholding tax purposes unless not permit by law.

INVESTIGATIONS AND DISCIPLINE

The City has the right to investigate all alleged disciplinary violations. Employees are required to cooperate fully during investigations. Employees who are the subject of a formal investigation have the right to be accompanied, represented, and advised by an attorney. For all employees, the failure to respond, to respond truthfully, or to otherwise cooperate in an investigation, shall be

considered insubordination and may result in termination. Employees involved in an investigation shall not discuss the facts of the investigation during the pendency of the investigation.

Classified employees may be placed on a paid “administrative” leave of absence with pay pending an investigation. A classified employee who has been charged with a violation of law that is punishable as a felony may be placed on unpaid “administrative” leave, for a period not to exceed two months, pending an investigation. However, a classified employee who is placed on unpaid leave and is later exonerated of a felony must be reimbursed for lost pay, plus interest, and lost benefits. Unclassified employees may be placed on paid or unpaid leave pending an investigation.

Employees who have completed their probationary period and who are in the classified civil services may only be disciplined for just cause. Disciplinary action will be commensurate with the offense. Discipline for minor infractions will normally be imposed in a progressive manner with consideration given to the nature of the offense, prior disciplinary action, length of service, the employee’s position, the employee’s record of performance and conduct along with all other relevant considerations. Nothing in the policy shall be construed to limit the City’s discretion to impose a higher level of discipline under appropriate circumstances.

The following forms of misconduct constitute grounds for disciplinary action: incompetency, inefficiency, dishonesty, drunkenness, immoral conduct, insubordination, discourteous treatment of the public, neglect of duty, policy or work rule violations, conviction of a crime, failure of good behavior including a violation of ethics of public employment, failure to maintain licensing requirements, and any other acts of misfeasance, malfeasance, nonfeasance or any other reason set forth in O.R.C. § 124.34.

The property and image of the City is to be respected at all times; as such, an employee’s off duty conduct that could reasonably negatively impact the City may form the basis for discipline. Any comments or questions concerning the standard of conduct expected should be directed toward the employee’s immediate supervisor.

Employees have an obligation to immediately inform the City of any on-duty or off-duty arrests or convictions. An arrest or conviction may, or may not, result in discipline depending on the nature of the incident, the job performed, and other relevant considerations. Employees will not be granted vacation leave in order to serve jail time.

The filing or prosecution of criminal charges or other civil administrative investigations against an employee for alleged misconduct or criminal activity shall not be determinative as to appropriate disciplinary action, if any, under this policy. The City may investigate the employee’s alleged misconduct or activities and determine the appropriate discipline, if any, without regard to pending administrative or criminal charges. The disposition of such administrative or charge is independent of a disciplinary investigation. Although the City may utilize information obtained during other investigations, the City’s decision to take appropriate disciplinary action may or may not correspond with the filing, or non-filing, of criminal charges or civil actions. A felony conviction while employed with the City is just cause for termination.

Staff is responsible for reporting any incident or conduct they believe is inappropriate and/or in violation of City Policies and Procedures. This duty includes incidents actually observed, reported by residents, reported by staff, or suspected due to other facts.

When the City believes that discipline of a classified employee in the form of a paid or unpaid suspension, reduction or elimination of longevity pay, demotion or termination is possible, a pre-disciplinary conference shall be scheduled. Prior to the pre-disciplinary meeting, the employee will be provided with written notice of the charges against him. At the pre-disciplinary conference, the employee may respond to the charges or have his chosen representative respond. Failure to attend the pre-disciplinary conference shall be deemed a waiver of the conference.

Unclassified employees are not entitled to a pre-disciplinary conference.

Classified employees may appeal suspensions of more than three (3) days, reductions in pay or position, or removals to the Civil Service Commission consistent with the City's civil service rules.

COMPLAINT PROCEDURE

Employees may have questions or concerns caused by misunderstandings in the application of policies, procedures and work rules. The City believes these questions and concerns heard promptly, and action taken to resolve or clarify a particular situation. Complaints regarding unlawful discrimination or harassment should be brought according to the unlawful discrimination and harassment policy contained in this manual.

All employees shall have the right to file a complaint without fear of retaliation. No employee shall be disciplined, harassed or treated unfairly in any manner as a result of filing a complaint. A complaint is defined as a disagreement between an employee and City as to the interpretation or application of official policies, departmental rules and regulations, or other disagreements perceived to be unfair or inequitable relating to treatment or other conditions of employment. The following is the procedure to be followed when an employee has a complaint as defined above:

Step 1: Immediate Supervisor

An employee having a complaint shall file it in writing with his Immediate Supervisor, as outlined in the procedure for his work unit. The employee's Immediate Supervisor will review the complaint and attempt to resolve the complaint within a reasonable time and will provide the employee with a written response. Step 1 may be bypassed by either the employee or Immediate Supervisor if the Immediate Supervisor lacks the authority to make a change and/or the Immediate Supervisor is the subject of the complaint.

Step 2: Department Head

Where the employee is not satisfied with Step 1 response of the Immediate Supervisor, the employee may submit the original complaint to the Department Head within seven (7) calendar days of the supervisor's written response. The Department Head will review all material provided and provide the employee with a written response in a timely manner.

Step 3: Mayor (or Designee)

Where the employee is not satisfied with the Step 2 response, the employee may submit the original complaint to the Mayor, or Designee, within seven (7) calendar days. The Mayor, or Designee, will review all material provided and will provide the employee with a written response in a timely manner.

Step 4: Civil Service Commission

1. If the complaint is not resolved, the aggrieved may file an appeal with the Appointing Authority within five (5) working days after receiving a reply from the Director as noted in Step 3. All decisions of the Appointing Authority are final, except those under the jurisdiction of the Reynoldsburg Civil Service Commission.
2. This grievance procedure will not apply to matters of reduction in pay, involuntary discharge, demotion, or suspension. There is a separate appeal process for classified employees under the Civil Service Commission to handle these problems.

Time limits as set forth in the procedure may be extended by mutual agreement of the parties in writing.

DURATION OF RECORDS

All actions of record will be maintained in each employee's personnel file throughout his period of employment, with the exception that any records of documented warnings will be removed from the file, upon the written request of the employee, one (1) year after such action was taken, provided no further corrective action of the same or similar nature has occurred. Written reprimands will be removed from the file upon the request of the employee, two (2) years after such action was taken, provided no further corrective action of the same or similar nature has occurred. Suspensions shall be removed from the file, upon the employee's request, four (4) years after such action was taken, provided that no further corrective action of the same or similar nature has occurred and further provided that the City can show no compelling need to retain such records beyond this time limit. All actions of record including warnings, written reprimands, and suspensions removed from an employee's personnel file shall be maintained in a separate sealed file. Reductions in pay or position shall be removed from a personnel file and shall be maintained in a sealed file upon the employee's request, four (4) years after such action was taken provided that the City can show no compelling need to retain such records beyond this time limit. Removed records, maintained in a sealed file, may only be accessed by the City in response to and defense of allegations filed against the City or its officials by the employee or by a third party, but shall not be utilized for any other purpose including discipline, promotions, or assignments, or pursuant to applicable law.

Removed records shall be destroyed in accordance with the City Records Commission.

LACTATION BREAKS

Employees who have recently given birth will be allowed a reasonable break time in order to nurse or express breast milk, for up to one year after the child's birth. The employee will be provided appropriate space, other than a bathroom, that is shielded from view and free from intrusion from workers and members of the public. Lactation breaks under this policy should, to the extent possible, run concurrently with any other break time available to the employee.

CONCEALED CARRY

Consistent with the Ohio Revised Code, no employee, contractor, client or other individual may carry, possess, convey or attempt to convey a deadly weapon or ordnance onto the property of the City. A valid concealed carry license does not authorize an individual to carry such a weapon onto these premises. Law enforcement officers specifically authorized to carry a firearm are exempted from this provision and may be permitted to carry a concealed weapon.

City employees are prohibited from carrying firearms any time they are working for the City or acting within the course and scope of employment. These situations include, but are not limited to attending training sessions or seminars, wearing a City identification badge, uniform, or other City issued paraphernalia that an employee is required to wear relative to their employment and working in resident's homes or other sites off City premises. Except for law enforcement officers, no employee or member of the public may carry, transport, or store a concealed weapon, firearm, or ammunition in a City owned vehicle.

This policy does not prohibit employees, possessing a valid license to carry a concealed handgun, from transporting and/or storing a firearm or ammunition in their personal vehicle at work locations where their personal vehicle is otherwise permitted to be (e.g. City Parking Lot). However, the employee must leave the firearm and ammunition in their personal vehicle. Employees are neither permitted to remove their firearm or ammunition from their personal vehicles while at work locations nor are they permitted to bring a concealed firearm or ammunition into a City owned building. The employee's firearm and ammunition must be stored in their personal vehicle in accordance with the storage provisions of the Concealed Carry statute. The firearm and ammunition must be in a locked vehicle either in the glove compartment, a lock box or the trunk.

Employees shall immediately contact a supervisor if they suspect an employee or member of the public is carrying a concealed weapon, firearm, or ammunition on City premises. Employees are required to immediately contact a supervisor if they suspect an employee to be carrying a concealed weapon or firearm in violation of this policy at any time while they are working for the City, acting within the course and scope of employment, or acting as a representative of the City.

AUDITOR OF STATE FRAUD REPORTING SYSTEM

The Ohio Auditor of State's Office maintains a system for reporting fraud, including the misuse of public money by any official or office. The system allows all Ohio citizens, including public employees, the opportunity to make anonymous complaints through a toll free number, the Auditor of State's website, or the United States mail. Contact information is as follows:

Telephone: 1-866-FRAUD OH (1-866-372-8364)

US Mail: Ohio Auditor of State's Office

Special Investigations Unit

88 East Broad Street

P.O. Box 1140

Columbus, OH 43215

Web: www.ohioauditor.gov

CONTACT WITH NEWS MEDIA/RESIDENTS

Any employee contacted by the news media or a citizen on a matter related to City operations should direct the caller to contact the Appointing Authority or designee. This policy is designed to avoid duplication, assure accuracy, and protect employees and the City from the dissemination of misstatements and misinformation.

This policy does not prohibit employees from making a public statement, in their off duty hours, on matters of public concern. However, this policy does prohibit employees from making unauthorized public statements during their working hours and from making public statements about matters of private concern that negatively impact the City.

EMPLOYEE INFORMATION AND RECORDS

Employee Information

The appropriate Appointing Authority shall establish and maintain a personnel file for each employee. The employee is responsible for providing the employer with the following information: the employee's legal name, address, telephone number, social security number, tax exemptions, affiliation with any branch of the armed services, the name and phone number of a person to contact in case of an emergency, loss of licensure or insurability, if applicable, and, any other requested information. In addition to providing this information, the employee is also responsible for promptly reporting any change in the information.

In the event the employer must send correspondence or other documentation to an employee who is on leave, the employer will mail the document to the last known address listed in the employee's personnel file. An employee will be considered to have constructive notice of any correspondence or documentation mailed to his last known address.

RELEASE OF RECORDS:

With the exception of certain law enforcement entities, the City, as well as, its employees is subject to the mandates of Chapter 1347 of the Ohio Revised Code regarding personal information systems. The City maintains records that are manually stored and records that are stored using electronic data processing equipment. Records maintained by the City include personal information (i.e. employee information required above).

The Human Resources Director is appointed to be directly responsible for the City's personal information systems. The City understands that it creates, receives, and maintains sensitive and private information, and will ensure that it collects, maintains, and uses only personal information that is necessary and relevant to the functions of the City. Personal information maintained by the City shall not be modified, destroyed, or disclosed without the approval of the Records Commission. The City will continually monitor the personal information system, and make necessary adjustments to ensure the system's accuracy. Employees will be trained on the use of personal information, including review of this policy. Employees who use personal information in an unauthorized manner shall be subject to the City's disciplinary policy.

Records maintained by the City that are not defined as "public records" in §149.43 of the Ohio Revised Code or other applicable provisions of law, shall not be released from an employee's personnel file unless specifically authorized by such employee in writing. Pursuant to applicable law, medical records are not public records and are maintained in a separate file. Records maintained by the City that are defined as public records shall be released in accordance with law. The City will attempt to give employees at least twenty-four hours notice before releasing their personal information in response to a public records request.

REVIEW OF FILE:

Each employee shall have the right, with reasonable notice, to examine his personnel file. Such examination shall be made on non-work time or at some other mutually agreeable time. If an employee disputes the accuracy, timeliness, relevance, or completeness of documents in her file, he may submit a written request that the appointing authority investigate the current status of the information. The appointing authority will make a reasonable investigation to determine the accuracy, timeliness, relevance, and completeness of the file, and will notify the employee of the results of the investigation and any plans the appointing authority has to take action with respect to the disputed information.

Employees are not permitted to alter, add or remove documents or other information contained in their personnel files absent express authorization from the appropriate appointing authority. An employee who alters, adds or removes documents or information from his personnel file without prior approval may be subject to discipline. Employees may submit a statement to be attached to any disputed document.

PERSONNEL POLICY MANUAL ACKNOWLEDGEMENT

I acknowledge receipt of this manual and understand and agree that I am responsible for knowing its contents and for keeping updated. I also understand that this manual is City property that must be returned to the appointing authority when I separate from employment with the City.

I further acknowledge and understand that this manual **does not create a contract of employment with the City for any purpose**. I agree and understand that any and all provisions of this manual may be modified or eliminated, without advance notice to me, at any time.

Issued To: _____

Signed: _____

Date Received: _____

Development Department

Andrew Bowsher
7232 E. Main Street
Reynoldsburg OHIO 43068
614-322-6831 Phone

ORDINANCE REQUEST

DATE: **May 26, 2020**

TO: **Development, Parks and Recreation Committee**

RE: **Transfer of Funds within the Economic Development Department**

Approval:

Completed Joe Begeny	Completed Chris Shook	Completed Stephen Cicak
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This ordinance is to request a transfer of existing funds in the Economic Development to allow for the hiring of a summer intern from MORPC and for additional compensation for the Planning and Zoning Administrator as she is taking on increased job responsibilities.

AN ORDINANCE TO TRANSFER FUNDS AMONG VARIOUS GENERAL FUND ACCOUNTS WITHIN THE ECONOMIC DEVELOPMENT DEPARTMENT

WHEREAS, the City of Reynoldsburg is always working to make Reynoldsburg an attractive location for as a location for business development; and

WHEREAS, as part of the interest, the City works in collaboration with the Mid-Ohio Regional Planning Commission (MORPC) to take advantage of their expertise and resources; and

WHEREAS, in order to fund an intern in the Economic Development department during the summer of 2020; and

WHEREAS, the Economic Development Director has also increased the duties and responsibilities of the Planning and Zoning Administrator thereby resulting in an increase in compensation; and

Development Department

Andrew Bowsher
7232 E. Main Street
Reynoldsburg OHIO 43068
614-322-6831 Phone

WHEREAS; the total transfer of funds in the Development Department should be appropriated as follows:

Appropriate	110.580.5102 Wages Staff	\$3226.00
	110.580.5151 PERS Contribution	\$ 452.00
	110.580.5161 Group Insurance	\$ 150.00
	110.580.5166 Medicare	\$ 47.00

WHEREAS, an amount not to exceed \$5,000.00 should be unappropriated from 110.580.5339 Miscellaneous Contract Services.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That an amount not to exceed \$5,000.00 be unappropriated from 110.580.5339 and be and is hereby appropriated to 110.580.5102 Wages Staff (\$3226.00), 110.580.5151 PERS Contribution (\$452.00), 110.580.5161 Group Insurance (\$150.00), and 110.580.5166 Medicare (\$47.00) for the hiring of a MORPC intern for the summer of 2020 and compensation for in increase in duties for the Planning and Zoning Administrator.

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.

ORDINANCE NO.**AN ORDINANCE TO TRANSFER FUNDS AMONG VARIOUS GENERAL FUND ACCOUNTS WITHIN THE ECONOMIC DEVELOPMENT DEPARTMENT**

WHEREAS, the City of Reynoldsburg is always working to make Reynoldsburg an attractive location for as a location for business development; and

WHEREAS, as part of the interest, the City works in collaboration with the Mid-Ohio Regional Planning Commission (MORPC) to take advantage of their expertise and resources; and

WHEREAS, in order to fund an intern in the Economic Development department during the summer of 2020; and

WHEREAS, the Economic Development Director has also increased the duties and responsibilities of the Planning and Zoning Administrator thereby resulting in an increase in compensation; and

WHEREAS; the total transfer of funds in the Development Department should be appropriated as follows:

Appropriate	110.580.5102 Wages Staff	\$3226.00
	110.580.5151 PERS Contribution	\$ 452.00
	110.580.5161 Group Insurance	\$ 150.00
	110.580.5166 Medicare	\$ 47.00

WHEREAS, an amount not to exceed \$5,000.00 should be unappropriated from 110.580.5339 Miscellaneous Contract Services.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF REYNOLDSBURG, OHIO:

SECTION 1. That an amount not to exceed \$5,000.00 be unappropriated from 110.580.5339 and be and is hereby appropriated to 110.580.5102 Wages Staff (\$3226.00), 110.580.5151 PERS Contribution (\$452.00), 110.580.5161 Group Insurance (\$150.00), and 110.580.5166 Medicare (\$47.00) for the hiring of a MORPC intern for the summer of 2020 and compensation for in increase in duties for the Planning and Zoning Administrator.

SECTION 2. That upon adoption by Council, this Ordinance shall be in effect thirty days following the signature of the Mayor.

Passed this 26th day of May, 2020.

Leanora Jenkins, Council President

ATTEST: _____
Mollie Prasher, Clerk of Council

APPROVED: _____ DATE _____
Joseph Begeny, Mayor

Attachment: Fund Transfer for Economic Development (Transfer of Funds Within Economic Development Department)