

**VILLAGE OF CHAGRIN FALLS
ADMINISTRATION AND COMPENSATION COMMITTEE
January 24, 2011**

Members present: Subel, Williams, Milko
Also present: Himes, Bloom, Evans, Byron

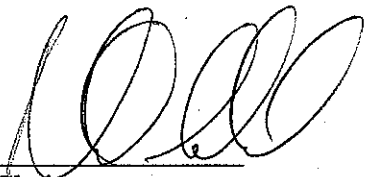
The meeting was called to order at 7:30 p.m. by Chairman Richard Subel.

LAW DIRECTOR'S COMPENSATION

Mr. Subel said one year ago this law firm did not pass on a price increase to us. This year they are asking for a 5% increase. Other than that there is no change to the terms of the agreement. Mr. Subel suggested postponing this because of economic times. Five percent is more than inflation and we are probably headed towards a deficit and it would be best to hold off. Mr. Williams said the value we are getting is pretty exceptional. Mr. Milko said he concurs and that he does not think skimping on our professional services is something we want to do or delay in any way. Five percent over two years is very reasonable.

Moved by Mr. Williams, seconded by Mr. Milko to take the increase request to Council for a vote approving it or denying it. Mr. Milko said we are recommending it to Council and we will have a vote on that. We are recommending that the pay adjustment for the legal services be accepted. Carried. Ayes: Williams, Milko. Nays: Subel.

The meeting adjourned at 7:40 p.m.



Richard Subel, Chairman
lgb

**ORDINANCE NO. 2011-
INTRODUCED BY:**

**AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH SCHOTTENSTEIN, ZOX & DUNN CO.
L.P.A. EFFECTIVE FROM JANUARY 1, 2011, THROUGH
DECEMBER 31, 2011.**

WHEREAS, the Mayor and Council of the Village of Chagrin Falls ("Village") wish to engage the firm of Schottenstein Zox & Dunn Co., L.P.A. to perform general legal services for a twelve (12) month period beginning January 1, 2011, and ending December 31, 2011; and

WHEREAS, the Village wishes to engage Stephen L. Byron as Director of Law as a partner at Schottenstein Zox & Dunn Co., L.P.A.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF
CHAGRIN FALLS, STATE OF OHIO:**

SECTION 1. (a) That the Mayor be and is hereby authorized and directed to enter into an agreement to engage the law firm of Schottenstein Zox & Dunn Co., L.P.A., in substantially the form as attached hereto as Exhibit A, to represent the Village in connection with various routine matters, for a retainer of Five Thousand Seven Hundred Fifty Dollars (\$5,750.00) per month, beginning January 1, 2011 and ending December 31, 2011. Such routine matters shall include:

- (i) Attending all regular and special Council meetings, except as otherwise directed by the Mayor;
- (ii) Attending other board and commission meetings upon the request of the Mayor;
- (iii) Drafting ordinances and resolutions upon request of the Mayor, Council, or Village Directors;
- (iv) Researching and drafting legal memoranda as requested by the Mayor or Council;
- (v) Providing legal advice to Village officials as necessary;
- (vi) Responding to Village inquiries;
- (vii) Attending meetings and discussions with Village, County, State, and Federal officials and other governmental officials; and
- (viii) Reviewing and approving contracts and any other written documents, as requested by the Mayor, Council, or other Directors. This shall not encompass significant revision of such documents.

(b) That for work outside the scope of routine matters, as outlined above, the hourly rate therefor and reimbursement for out-of-pocket expenses, shall be approved by the Village.

(c) That for work outside the scope of routine matters, the firm of Schottenstein Zox and

**ORDINANCE NO. 2011-
INTRODUCED BY:**

2

Dunn Co., L.P.A. shall also be reimbursed for out-of-pocket expenses incurred in connection with complex litigation and additional projects, including but not by way of limitation, long-distance telephone and cellular phone charges, computer-assisted research, copying charges, telegrams, messenger services, and long-distance travel, excluding travel of Schottenstein Zox & Dunn Co., L.P.A. attorneys between Cleveland and Columbus.

(d) That the firm of Schottenstein Zox & Dunn Co., L.P.A. shall, on a monthly basis, provide the Mayor and the Finance Director with a written accounting of all time spent by members of its firm on Village business. Such accounting shall include an itemization of time spent on Village matters, a description of the work performed, and an identification of the person performing the work.

SECTION 2. That this ordinance be and is hereby is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that the legal services provided herein are needed for the current operation of the Village; therefore, this ordinance shall take effect and be in force immediately upon its enactment and approval by the Mayor

PASSED: _____, 2011

Council President

Submitted to the Mayor for
approval on this ____ day of _____, 2011

Approved by the Mayor this
____ day of _____, 2011

ATTEST:

Clerk of Council

Mayor

**AGREEMENT BETWEEN THE VILLAGE OF CHAGRIN FALLS
AND SCHOTTENSTEIN, ZOX & DUNN CO., L.P.A.
FOR LEGAL SERVICES**

This Agreement is for legal services between the Village of Chagrin Falls, an Ohio Municipal Corporation, ("Chagrin Falls") and Schottenstein, Zox & Dunn Co., L.P.A. ("SZD"), effective the 1st day of January, 2011.

WITNESSETH:

WHEREAS, Chagrin Falls wishes to engage Stephen L. Byron, as Law Director, and the firm of SZD to perform general legal services.

NOW, THEREFORE, intending to be bound by this Agreement, the Parties agree as follows:

1. **Routine Services.** Except as otherwise provided herein, SZD agrees to provide and Chagrin Falls agrees to pay for the following Routine Services at the rate of \$5,750.00 per month:

- a. Attending all regular and special Council meetings, except as otherwise directed by the Mayor.
- b. Attending other board and commission meetings upon the request of the Mayor.
- c. Drafting ordinances and resolutions upon request of the Mayor, Council, or Village Directors.
- d. Researching and drafting legal memoranda as requested by the Mayor or Council.
- e. Providing legal advice to Village officials as necessary.
- f. Responding to Village inquiries.
- g. Attending meetings and discussions with Village, County, State and Federal officials and other governmental officials.
- h. Reviewing and approving contracts and any other written documents, as requested by the Mayor, Council, or Directors. This shall not encompass significant revision of such documents.

2. **Litigation.** Litigation is defined as work performed in preparing or conducting pleadings, written or oral discovery or any motion practice, and attendance at hearings or other events before judges, magistrates, arbitration panels, court staff members or juries, and all post judgment activities including all appellate work. "Litigation" includes all work performed in response to Ohio Revised Code Chapter 2506 appeals. "Litigation" shall not include services performed in anticipation of the

initial filing of any eminent domain actions, nor does litigation include routine services regarding worker's compensation matters. All rates for litigation shall be pre-approved by SZD and the Village prior to SZD commencing work on any individual matter. The fee arrangement set forth below in "Additional Projects" shall also apply to "Litigation."

3. **Billing.** SZD shall bill Chagrin Falls monthly for all Routine Services, Litigation and Additional Projects, which billings shall set forth the date the services were rendered, the attorney performing such services, and a brief description of the services provided.

4. **Term.** The rates set forth in this Agreement shall take effect and be in force from January 1, 2011 through December 31, 2011. Either Party may terminate this Agreement, however, upon providing thirty (30) days' notice of its intent to terminate to the other Party.

5. **Miscellaneous Provisions.**

- a. **Additional Projects.** Subject to agreement of both Parties, SZD may undertake Additional Projects on a flat fee or hourly basis which are outside the scope of Routine Services. For projects that are billed hourly, SZD will offer a discounted blended hourly rate of \$240 per hour, unless a different rate is agreed upon by SZD and the Village and is approved by the Village.
- b. **Expenses.** For work outside the scope of routine matters, SZD shall also be reimbursed for out-of-pocket expenses incurred in connection with litigation and additional projects, including but not by way of limitation, long-distance telephone and cellular telephone charges, computer-assisted research, copying charges, telegrams, messenger services, and long-distance travel, excluding travel of SZD lawyers between Cleveland and Columbus.
- c. **Applicable Laws.** SZD shall comply with all applicable foreign, federal, state, and local laws, rules, regulations, orders, ordinances and government requirements in the performance of this Agreement, including all applicable non-discrimination requirements, including without limitation the provisions of Presidential Executive Order 11246 and the rules and regulations issued thereunder, which are incorporated herein by this reference.
- d. **Notices.** All notices and other communications hereunder must be in writing and will be deemed to have been duly given if delivered by hand, or on the next business day if delivered by a recognized overnight courier, or on the third business day if mailed (by certified mail, return receipt requested, first class postage prepaid), to the Parties with written confirmation of receipt at the following addresses:

If to Chagrin Falls:

Mayor Tom Brick
Village of Chagrin Falls
21 West Washington Street
Chagrin Falls OH 44022

If to SZD:

Stephen L. Byron
Schottenstein, Zox & Dunn Co., L.P.A.
4230 State Route 306, Suite 240
Willoughby OH 44094

- e. **Waiver.** No delay or failure on the part of any Party hereto in exercising any right, power, or privilege under this Agreement or under any other instruments given in connection with or pursuant to this Agreement shall impair any such right, power, or privilege or be construed as a waiver of any default or any acquiescence therein. No single or partial exercise of any such right, power, or privilege shall preclude the further exercise of such right, power, or privilege, or the exercise of any other right, power or privilege.
- f. **Severability.** If any provision in this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable to any extent, such provision shall be enforced to the greatest extent permitted by law and the remainder of this Agreement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.
- g. **Parties in Interest.** This Agreement is enforceable only by SZD and Chagrin Falls. The terms of this Agreement are not a contract or assurance regarding compensation, continued employment, or benefit of any kind to any of SZD's personnel assigned to Chagrin Falls's work, or any beneficiary of any such personnel, and no such personnel, or any beneficiary thereof, shall be a third-party beneficiary under or pursuant to the terms of this Agreement.
- h. **Governing Law.** This Agreement will be governed by and construed in accordance with the laws of the State of Ohio without regard to its conflict of law principles.
- i. **Entire Agreement.** This Agreement constitutes the entire understanding of the Parties hereto with respect to the subject matter hereof and supersedes all prior negotiations, discussions, undertakings and agreements between the Parties. This Agreement may be amended or modified only by a writing executed by the duly authorized officers of the Parties hereto.
- j. **Assignment.** This Agreement may not be assigned or transferred in whole or in part by either Party without the written consent of the other. Any purported assignment without the express written consent of the other is void.
- k. **Personal Service Contract.** The Parties agree that this Agreement is, and is intended to be, a "personal service contract" as provided in Section 145.03, Ohio Revised Code and as interpreted in Section 145-1-42 (A) of the Ohio Administrative Code. This Agreement is, and is intended to be, a formal bilateral written contract between the parties as required by Section 145-1-42 (A). The Parties further agree

that since this is a personal service contract, no Public Employee's Retirement System deductions will be made from SZD's compensation nor paid to the Public Employee's Retirement System of Ohio on and in accordance with provisions of Section 145-1-42 (C) of the Ohio Administrative Code.

IN WITNESS WHEREOF, the Parties have executed this Agreement.

SCHOTTENSTEIN, ZOX & DUNN CO., L.P.A.

Stephen L. Byron, SZD

CHAGRIN FALLS

Tom Brick, Mayor

CERTIFICATE OF AVAILABILITY OF FUNDS

I certify that the money required to meet this proposal has hereby been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of this fund, free from an previous obligation or certification as required by Ohio Revised Code §5705.01 to §5705.47.

Date

Finance Director

**VILLAGE OF CHAGRIN FALLS
ADMINISTRATION AND COMPENSATION COMMITTEE
April 25, 2011**

Members present: Subel, Williams
Also present: Himes, Bloom, Brosius, Byron, Evans, Alunni, Snedeker, Rogoff,
Lannon

The meeting was called to order at 7:30 p.m. by Chairman Richard Subel.

OVERTIME ORDINANCE AMENDED

Mr. Himes explained that the change is to allow the police department to allow their dispatchers to work twelve hour shifts rather than eight hour shifts. Currently, our ordinance requires that we pay overtime for any time worked over eight hours and this will change it so that it will fall in line with the Fair Labor Standards Act where they could work over eight hours in a day as long as they don't work over forty hours in a week.

Comments were heard and questions were answered.

Moved by Mr. Williams, seconded by Mr. Subel to recommend the change. The motion carried unanimously.

PENSION PICK-UP

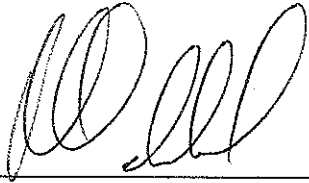
Mayor Brick said Senate Bill 5 prohibits an employer from paying on an employee's behalf the contributions required by OPERS and OPFDPF. Some years ago Chagrin Falls started doing that so we currently pay what is called the pension pick-up. The Village pays the employees portion and we compensate by paying them less. Even though Senate Bill 5 is not official and hasn't come into effect yet, a lot of our employees are worried that they are going to get an 8 ½ % pay reduction. Given the fact that by in large our employees are at about the median in pay for surrounding communities and communities in Cuyahoga County, I would absolutely not want to see our employees penalized in that fashion by virtue of the state law so we thought in the event that it might actually become a law, that is why this recommendation is being made. It does actually increase the cost of the Village but by a very small amount. I think it puts us in a good solid footing going forward and insures that the employees aren't going to suddenly one day get a big pay cut because of some state law.

Mr. Bloom explained the specifics and benefits of the proposed change. After discussion, Mr. Subel said he would like to find out what they can about the medical insurance part of it and maybe a time line. Mr. Williams said the legislation that we are going to leave on readings tonight has a mechanical issue and I would hold off on trying to consolidate a medical with that and deal with

them as separate mechanical issues because they are being treated very differently. Comments were heard and questions were answered.

No action was taken.

The meeting adjourned at 7:57 p.m.

A handwritten signature in black ink, appearing to be 'R Subel', written over a horizontal line.

Richard Subel, Chairman
lgb

**AN ORDINANCE
AMENDING SUBSECTIONS (A) AND (D) OF SECTION 149.06
OF THE CODIFIED ORDINANCES OF THE VILLAGE OF
CHAGRIN FALLS RELATING TO OVERTIME, AND
DECLARING AN EMERGENCY.**

WHEREAS, Section 149.06 of the Codified Ordinances provides for overtime pay; and

WHEREAS, subsection (a) of Section 149.06 provides for different overtime pay calculations for the Finance Department and the Public Service Department; and

WHEREAS, the Village's practice is to calculate overtime pay for employees of the Public Service Department in the same manner as overtime pay for employees of the Finance Department; and

WHEREAS, this Council desires to amend subsection (a) of Section 149.06 to provide for an overtime pay calculation for employees of the Public Service Department that is consistent with practice; and

WHEREAS, the schedule of Police Radio Dispatchers may change to a twelve (12) hour day schedule; and

WHEREAS, this Council desires to amend subsection (a) of Section 149.06 to provide for overtime pay for Police Radio Dispatchers who work more than forty hours in any work week; and

WHEREAS, this Council desires to amend subsection (d) to define hours worked for purposes of calculating overtime for Village employees.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That existing subsection (a) and existing subsection (d) of Section 149.06, Overtime, of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended to read and provide, in its entirety, as follows:

"149.06 OVERTIME.

(a) Full-Time Employees.

(1) Finance Department and Public Service Department. Every regular full-time employee in the Finance Department and every regular full-time employee in the Public Service Department shall be entitled to receive additional compensation at the rate of time-and-one-half for hours worked either:

- A. In excess of eight hours in any single work day; or
- B. In excess of forty hours in any given work week; or
- C. On the employee's Saturday; or

ORDINANCE NO.: 2011-22
INTRODUCED BY: MR. SUBEL

- D. In excess of eight hours in any continuous twenty-four hours beginning at the starting time of the employee's shift.

An employee who works on the employee's regularly scheduled day off shall receive time-and-one-half for hours worked, and the minimum payment under this provision shall be not less than four hours of pay at the employee's straight time rate. A Service Department employee who works on the employee's holiday as authorized by the department head shall receive double time.

(2) Police Radio Dispatchers. Every police radio dispatcher shall be entitled to receive additional compensation for all time worked in excess of forty hours in any one week period at the rate of one and a half times their regular hourly rate.

(d) Work Day/Hours Worked for Overtime Calculation.

(1) Work Day. A work day consists of the twenty-four consecutive hours beginning at the same time each calendar day. Changes in an employee's starting time or work shift may be made at any time to meet the needs of the Village. Generally, however, when such changes are made for a short period of time (generally less than two days) with the expectation that the employee will return to his original starting time of his work shift, his regular starting time of his work shift should not be changed.

(2) Hours Worked for Overtime Calculation. For purposes of calculating all employee overtime in this section 149.06, paid holiday time, paid vacation time, and paid sick leave shall be counted as hours worked. Other paid and unpaid time-off shall not be counted as hours worked.

***"

SECTION 2. That existing subsection (a) and existing subsection (d) of Section 149.06, Overtime, of the Codified Ordinances of the Village of Chagrin Falls, and any other ordinance in conflict herewith, be and the same are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the

ORDINANCE NO.: 2011-22
INTRODUCED BY: MR. SUBEL

further reason that this Ordinance must be immediately effective so that the Village may provide overtime compensation to Police Radio Dispatchers in a manner that reflects the new twelve hour Police Radio Dispatcher schedule; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: _____, 2011

Council President

Submitted to the Mayor for
his approval on this
____ day of _____, 2011

Approved by the Mayor

_____, 2011

Mayor

I hereby certify that Ordinance No. 2011-____ was duly enacted on the ____ day of _____, 2011, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

Clerk of Council

**AN ORDINANCE
AMENDING SECTION 149.20 OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF CHAGRIN FALLS
RELATING TO OPERS PICKUP AND REPEALING SECTION
149.21 OF THE CODIFIED ORDINANCES OF THE VILLAGE
OF CHAGRIN FALLS RELATING TO OPFDPF PICKUP, AND
DECLARING AN EMERGENCY.**

WHEREAS, Section 149.20 of the Codified Ordinances requires the Village to pay employee contributions to the Ohio Public Employees Retirement System ("OPERS") as a "fringe benefit;" and

WHEREAS, Section 149.21 of the Codified Ordinances requires the Village to pay employee contributions to the Ohio Police and Fireman's Disability and Pension Fund ("OPFDPF") as a "fringe benefit;" and

WHEREAS, Senate Bill 5 prohibits an employer from paying on an employee's behalf the contributions required by OPERS and OPFDPF; and

WHEREAS, Senate Bill 5 authorizes the required OPERS and OPFDPF contributions to be treated as employer contributions for purposes of state and federal income tax deferred income provisions; and

WHEREAS, this Council desires to amend Section 149.20 of the Codified Ordinances in a manner that complies with Senate Bill 5; and

WHEREAS, such amendment requires Council to repeal existing Section 149.20 and 149.21 and enact new Section 149.20; and

WHEREAS, this Council also desires to amend Section 149.20 to reference the Ohio Police and Fire Pension Fund, the legal name of the fund established by Ohio law for the purpose of providing disability benefits and pensions to members of the fund and their surviving spouses, children, and dependent parents.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That existing Section 149.20, OPERS Pickup, of the Codified Ordinances of the Village of Chagrin Falls be, and the same is hereby amended to read and provide, in its entirety, as follows:

"149.20 EMPLOYEE CONTRIBUTIONS TO OPERS AND OP&F.

Effective May 1, 2011, the Village hereby adopts the following policies and procedures, in accordance with Ohio law, to perform the "employer pick-up" of employee contributions to the Ohio Public Employee Retirement System ("OPERS") and the Police and the Ohio Police and Fire Pension ("OP&F"):

ORDINANCE NO.: 2011-26
INTRODUCED BY: MR. SUBEL

(a) For the categories of Village employees listed in subsection (b) hereof, the contributions required to be made by each such employee to the OPERS or OP&F, whichever is applicable, as an employee contribution under Ohio R.C. Chapters 145 and 742 shall be paid, pursuant to subsection (c) hereof, by the Village on behalf of the employee in lieu of contribution by the employees and in accordance with the provisions of this section.

(b) This section shall apply to all Village officials and/or employees in the following categories: Police Department personnel, Fire Department Personnel, Public Service Department personnel, support personnel, elected officials, appointed officials, and all other employees who are not members of the above groups. An official or employee who wishes to have contributions made on a pre-tax basis shall sign a form requesting same; this option shall be irrevocable. This section shall not apply to non Village employees who are hired temporarily in order to provide traffic control at private construction projects.

(c) The Village's method of payment of salary to employees who are participants in OPERS and OP&F shall be as follows, in order to provide for a salary reduction pick up of employee contributions to OPERS or OP&F:

(1) The total salary for each eligible employee shall be the salary otherwise payable under the Village policies. Such total salary of each employee shall be payable by the Village in two parts:

- A. Deferred salary; and
- B. Cash salary.

(2) An eligible employee's deferred salary shall be equal to that percentage of that employee's total salary which is required from time to time by OPERS or OP&F to be paid as an employee contribution by that employee, and shall be paid by the Village to OPERS or OP&F on behalf of that employee as a pick up and in lieu of OPERS or OP&F employee contribution otherwise payable by that employee. Employees shall not have the option of receiving the statutorily required contribution directly instead of it being paid by the Village to OPERS or OP&F.

(d) Such employee's cash salary shall be equal to that employee's total salary less the amount of the pick up for that employee, and shall be payable, subject to applicable payroll deductions to that employee.

(1) The Village shall compute and remit its employer contributions to OPERS or OP&F based upon an employee's total salary. The total combined expenditures of the Village for such employee's total salaries payable under applicable Village policies and the pick up provisions of this section shall not be greater than the amounts the employee would have been paid for those items had this provision not been in effect.

(2) A person electing this pick up deduction shall not have the option of choosing to receive the payroll deduction directly instead of having this deduction picked up by the Village. Members who have elected to participate in this plan cannot increase, decrease or terminate the amount of the pick up deduction.

(e) All full-time Village employees identified in subsection (b) hereof and who are contributing members of OPERS or OP&F may purchase additional service credit, tax deferred, and the Village shall withhold the required service credit deduction from the gross pay of each person who elects to do so and shall pick up (assume and pay) such deduction to OPERS or OP&F in accordance with subsection (c) hereof.

(f) The Director of Finance is hereby authorized to perform all acts necessary and

ORDINANCE NO.: 2011-26
INTRODUCED BY: MR. SUBEL

appropriate to facilitate the implementation of the provisions of this section, including, but not limited to, making applications to the Internal Revenue Service for private letter rulings concerning Federal tax treatment of the provisions of this plan and making applications to the appropriate State retirement boards.”

SECTION 2. That existing Section 149.20, PERS Pickup, and existing Section 149.21, PFDFP Pickup, of the Codified Ordinances of the Village of Chagrin Falls, and any other ordinance in conflict herewith, be and the same are hereby repealed.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the further reason that this Ordinance must be immediately effective so that the Village may timely comply with the mandates of Senate Bill 5; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: _____, 2011

Council President

Submitted to the Mayor for
his approval on this
_____ day of _____, 2011

Approved by the Mayor
_____, 2011

Mayor

I hereby certify that Ordinance No. 2011-____ was duly enacted on the ____ day of

ORDINANCE NO.: 2011-26
INTRODUCED BY: MR. SUBEL

_____, 2011, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

Clerk of Council

**VILLAGE OF CHAGRIN FALLS
ADMINISTRATION AND COMPENSATION COMMITTEE
May 23, 2011**

Members present: Subel, Milko, Williams
Also present: Mayor Brick, Himes, Bloom, Zugan, Patton, Jacobs, Lannon

The meeting was called to order at 7:35 p.m. by Chairman Richard Subel.

DELTA DENTAL RENEWAL

Mr. Bloom explained that this is a two-year renewal with the same company that we have had for at least 12 to 14 years. It is a 4.25% increase over the full two-year period. In terms of a dollar amount, it is approximately an increase of \$150 per month.

Moved by Mr. Williams, seconded by Mr. Milko to recommend this renewal to Council. The motion carried unanimously.

PENSION PICK-UP REVERSAL

Mr. Subel said this is in anticipation of the State requiring employees to contribute to the pension reserve. The Village contributes 18.5 out of 20 points and this will require the employees to split it with the Village. In previous meetings they talked about the fact that this is going to cost the Village money and some had said we should try to make this revenue neutral. This legislation does not make it revenue neutral so it will cost the Village about \$25,000 a year. As an alternative, Mr. Subel said his thought is not to increase employees' salaries 8.5% but something less than that, 7.6%, to make it revenue neutral.

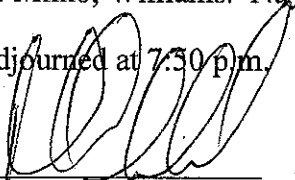
Mr. Williams said I want to be careful about our objective of achieving revenue neutral with the Village versus the perspective of the employee where there are some numbers that see negative compensation.

Mayor Brick said my suggestion is let's make any correction needed. It is going to minuscule when we do our next budget. We want to show our employees that we are concerned about them and we want to make sure that they don't have to worry.

Mr. Jacobs said we want it revenue neutral.

Moved by Mr. Williams, seconded by Mr. Milko to recommend to Council the legislation as written. Carried. Ayes: Milko, Williams. Nays: Subel.

The meeting adjourned at 7:50 p.m.


Richard Subel, Chairman
lgb

**VILLAGE OF CHAGRIN FALLS
ADMINISTRATION AND COMPENSATION COMMITTEE
June 27, 2011**

Members present: Subel, Williams

Also present: Mayor Brick, Bloom, Himes, Byron, Rogoff, Evans, Lutz, Edwards

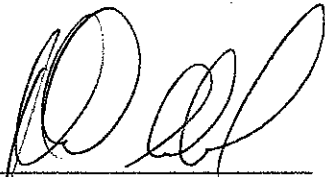
The meeting was called to order at 7:45 p.m. by Chairman Richard Subel.

PENSION PICK-UP LEGISLATION

The Committee reviewed and discussed Ordinance No. 2011-35, Resolution No. 2011-36, and Ordinance No. 2011-37.

Moved by Mr. Williams to approve the amended version of the two ordinances and the one resolution. Mr. Subel said I am going to vote against this for the same reasons I did last time, but, I will vote to bring it to Council. I will second the motion. The motion carried unanimously.

The meeting adjourned at 7:58 p.m.



Richard Subel, Chairman
lgb