

BEREA CITY COUNCIL

City of Berea, Ohio

ORDINANCE NO. 2023- __

By: _____

Sponsor: Council President Jim Maxwell
Councilman Rick Skoczen

AN ORDINANCE

AMENDING SECTION 181.02, ELECTED OFFICIALS, OF CHAPTER 181, COMPENSATION AND CLASSIFICATION FOR SPECIFIC POSITIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF BEREAS TO PROVIDE FOR COMPENSATION FOR ELECTED OFFICIALS FOR TERMS OF OFFICE COMMENCING IN JANUARY 2024, AN DECLARING AN EMERGENCY.

WHEREAS, the maintenance of honest, effective and efficient government is best served by the establishment of an appropriate compensation structure for the holders of elective public office; and

WHEREAS, the Charter of the City imposes upon Council the duty to establish the compensation for elected offices and requires that the same be established prior to the filing deadline for persons seeking such elective offices and commencing after the election for such offices; and

WHEREAS, persons elected by the electors of the City to serve as members of City Council, Council President and Mayor are called upon to give extensively of their time, talents and efforts in carrying out their respective duties; and

WHEREAS, upon study and review, the salary for the position of Mayor has increased just six percent (6%) since 2008, while the top range for the Directors of Finance and Public Service have increased thirty-five percent (35%) since 2008, and wages for members of our collective bargaining units have increased approximately thirty-seven (37%) since 2008, and thus the compensation for the position of Mayor was, in 2022, only the seventh highest base wage in the City; and

WHEREAS, the duties and demands of the position of Mayor have dramatically changed over the past two decades, and even more so within the past few years, due to a variety of factors including, but not limited to, the increased intricacy of laws regarding economic development, complex legal and regulatory responsibilities, enhanced public health and safety concerns, the relevance of social media platforms and the need for technological proficiency; and

WHEREAS, the current compensations for the positions of Mayor, Council Member and President of Council do not accurately reflect the knowledge and skill required to productively and successfully fulfill these roles, as is evident when compared to similar compensations for those serving these elected positions in surrounding communities, particularly those with comparable populations and similar budgets; and

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WHEREAS, the executive and administrative powers of the City are vested in the Mayor, the legislative powers are vested in the Council, and the judicial powers are vested in the Judge of the Berea Municipal Court, and these positions, along with the Clerk of Court, are the only elected offices within the City; and

WHEREAS, the Municipal Court Judge's salary is established by the Ohio Legislature pursuant to Ohio Revised Code Section 141.04; and

WHEREAS, it is the opinion of this Council that compensation for the position of Mayor of the City should be equal to approximately 90% that of the established salary of the Judge, as determined pursuant to O.R.C. 141.04; and

WHEREAS, it is the opinion of this Council that compensation for the position of Member of Council should be equal to approximately 10% that of the established salary of the Judge; and

WHEREAS, it is the opinion of this Council that, due to the increased responsibilities of the position of President of Council, including presiding at each meeting, handling all sound and technical issues, performing all duties imposed by the Charter and managing the Council budget, the compensation for the position should be \$2,000.00 more than that of a Member of Council; and

WHEREAS, it is right and proper to compensate such elected public servants in a manner commensurate with the responsibilities and demands attendant with such offices and the expected level of services required to be performed and, in particular, to provide a continued incentive that will encourage and attract highly-qualified residents of the community to seek and hold these important high public offices in order to maintain an effective, efficient and honest representative government in the City of Berea.

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

SECTION 1. That current Section 181.02 of the Codified Ordinances of the City of Berea, which currently reads as follows:

181.02 ELECTED OFFICIALS

(a) Mayor

For the four-year term of Office of Mayor of the City of Berea, Ohio, as a result of election to such Office in the November 2019 Election, said office commencing in January, 2020, the annual salary of the Mayor shall be:

<u>YEAR</u>	<u>SALARY</u>
2020	\$104,040 (One-Hundred and Four Thousand Forty Dollars)

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2021	\$106,120 (One-Hundred and Six Thousand One Hundred and Twenty Dollars)
2022	\$108,243 (One-Hundred and Eight Thousand Two Hundred and Forty-Three Dollars)
2023	\$110,408 (One-Hundred and Ten Thousand Four Hundred and Eight Dollars)

In addition to the annual salary provided herein, the Mayor, at the Mayor's option, shall receive the unlimited use of a City-owned or City-leased vehicle having a monthly cost not to exceed Six Hundred Dollars (\$600.00) per month (and insured by the City) or in lieu thereof, the Mayor shall receive a monthly car allowance directly in the amount of Six Hundred Fifty Dollars (\$650.00) per month.

In addition to the above, the Mayor shall be entitled to all other employee benefits established in Chapter 183 of the Codified Ordinances of the City of Berea, all effective upon taking office, and any modifications of such benefits, at any time, shall not constitute either an increase or decrease of salary during a term of office; and further the Mayor shall be entitled to a minimum of (4) four weeks-vacation each year for the first four years in office, and a minimum of (6) six weeks - vacation each year in any second or subsequent term of office, all administered in accordance with Section 183.09 of the Codified Ordinances.

(b) President of Council and Members of Council.

For the two-year terms of office of Council President and Members of Council, as a result of election to such offices in the November 2019 and November 2021 Elections, respectively, said offices commencing in January 2020 and January 2022, respectively, the annual salaries for such offices shall be:

<u>OFFICE</u>	<u>YEAR</u>	<u>SALARY</u>
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President of Council	2020	\$12,240 (Twelve Thousand Two Hundred and Forty Dollars)
	2021	\$12,240 (Twelve Thousand Two Hundred and Forty Dollars)
	2022	\$12,484 (Twelve Thousand Four Hundred and Eighty-Four Dollars)
	2023	\$12,484 (Twelve Thousand Four Hundred and Eighty-Four Dollars)
Member of Council	2020	\$11,220 (Eleven Thousand Two Hundred and Twenty Dollars)
	2021	\$11,220 (Eleven Thousand Two Hundred and Twenty Dollars)
	2022	\$11,444 (Eleven Thousand Four Hundred and Forty-Four Dollars)
	2023	\$11,444 (Eleven Thousand Four Hundred and Forty-Four Dollars)

is hereby amended to read as follows:

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181.02 ELECTED OFFICIALS

(a) Mayor.

For the four-year term of Office of Mayor of the City of Berea, Ohio, as a result of election to such Office in the November 2023 Election, said office commencing in January, 2024, the annual salary of the Mayor shall be:

<u>YEAR</u>	<u>SALARY</u>
2024	\$136,240 (One-Hundred and Thirty-Six Thousand Two Hundred and Forty Dollars)
2025	\$138,624 (One-Hundred and Thirty-Eight Thousand Six Hundred and Twenty-Four Dollars)
2026	\$141,050 (One-Hundred and Forty-One Thousand and Fifty Dollars)
2027	\$143,518 (One-Hundred and Forty-Three Thousand Five Hundred and Eighteen Dollars)

In addition to the annual salary provided herein, the Mayor, at the Mayor's option, shall receive the unlimited use of a City-owned or City-leased vehicle having a monthly cost not to exceed Six Hundred Dollars (\$600.00) per month (and insured by the City) or in lieu thereof, the Mayor shall receive a monthly car allowance directly in the amount of Six Hundred Fifty Dollars (\$650.00) per month.

In addition to the above, the Mayor shall be entitled to all other employee benefits established in Chapter 183 of the Codified Ordinances of the City of Berea, all effective upon taking office, and any modifications of such benefits, at any time, shall not constitute either an increase or decrease of salary during a term of office; and further the Mayor shall be entitled to a minimum of (4) four weeks-vacation each year for the first four years in office, and a minimum of (6) six weeks - vacation each year in any second or subsequent term of office, all administered in accordance with Section 183.09 of the Codified Ordinances.

(b) President of Council and Members of Council.

For the two-year terms of office of Council President and Members of Council, as a result of election to such offices in the November 2023 and November 2025 Elections, respectively, said offices commencing in January 2024 and January 2026, respectively, the annual salaries for such offices shall be:

<u>OFFICE</u>	<u>YEAR</u>	<u>SALARY</u>
President of Council	2024	\$17,138 (Seventeen Thousand One Hundred and Thirty-Eight Dollars)
	2025	\$17,403 (Seventeen Thousand Four Hundred and Three Dollars)
	2026	\$17,672 (Seventeen Thousand Six Hundred and Seventy-Two Dollars)
	2027	\$17,947 (Seventeen Thousand Nine Hundred and Forty-Seven Dollars)

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Member of Council	2024	\$15,138 (Fifteen Thousand One Hundred and Thirty-Eight Dollars)
	2025	\$15,403 (Fifteen Thousand Four Hundred and Three Dollars)
	2026	\$15,672 (Fifteen Thousand Six Hundred and Seventy-Two Dollars)
	2027	\$15,947 (Fifteen Thousand Nine Hundred and Forty-Seven Dollars)

SECTION 2. That former Section 181.02, previously amended and adopted in 2018, is hereby expressly repealed and is hereby replaced by said new Section 181.02, but subject to the operational and full force and effect provisions contained in Section 3 hereinafter.

SECTION 3. That the provisions of this Ordinance shall become operational and have application of full force and effect, and shall be applicable to the person holding the office of Mayor as a result of the election, certification, qualification and installation, as a result of the November 2023 election, with said term of office commencing in January 2024, and to the persons holding the offices of Council President and Members of City Council, respectively, as a result of their election, certification, qualification and installation to their respective offices following the November 2023 Election, and terms of office commencing in January, 2024 and those subsequently elected, certified, qualified and installed to their respective offices as a result of the November 2025 Election, and term of office commencing in January 2026, up to and until such time, the provisions of Section 181.02, as amended and adopted in 2018, shall remain in full force and effect.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that the compensation for elected officials must be established prior to the filing deadline for the November 2023 election, and it is both necessary and proper that those in the City seeking elected office are properly informed of the compensation for such positions at the earliest date possible. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and by in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

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PASSED:

President of Council

ATTEST: _____
Clerk of Council

APPROVED:

Mayor

APPROVED AS TO FORM:

Director of Law