Finance & Judiciary Committee Meeting
MINUTES
June 8, 2010
6:10 p.m.

Members: Ben Kessler, Chair, Richard Sharp, Rick Weber

Roll Call: All members present.

Others Present: Mayor Brennan, Lou Chodosh, Beecher Hale, Bill Harvey, Bruce Langner, Mark Masser, President McClelland, Jed Morison, Chief Rinehart, Gary Qualmann. Mr. Lampke – previously excused.

Review of Minutes: May 25th, 2010- **Approved**

Presentation and/or Special Guests: Mr. Hart addressed Council regarding the upcoming levy for the City. Mr. Hart distributed information regarding a .65 mil levy. Upon an informal review, we would hit the same revenue a renewal collects. Mr. Hart said the benefit of a "reduction mil" versus the "renewal" of a 3.4 mil which is based on the 1975 property evaluations. The current levy is based on 1975 property evaluations.

Mr. Kessler explained that a "replacement" would be using the current value. This is usually communicated using the actual effective rate. Mayor Brennan expressed concern regarding the use of the exact same numbers as the school levy. Residents might see the .65 and read it as 6.5 which would be the same numbers as the school levy. He said even with a zero in front, it could easily be misinterpreted by the voters. Mr. Kessler said based on the wording used, it could have a good effect for the election but a detrimental effect in 2015 if the City needs to go back to the ballot. Mr. Sharp said he was in favor to reset the evaluations in order to be more accurate.

Mr. Kessler said there is one Resolution currently on the Table. The distributed copy is the new one being introduced tonight. The Clerk needs to request the Auditor of Franklin County for certification. He received a letter stating there was a code change on the due date. The deadline has been changed.

Mr. Hart said the Franklin County Auditor certifies the number. The Board of Elections has to approve the language. Mr. Kessler said both of these Resolutions will need to be passed this evening. Once they are passed and certified, the Administration and Council can decide from the two which one to place on the ballot.

Ordinances & Resolutions

Third Readings.
None.

Second Readings.

Ordinance 27-10 to appropriate $3,323.50 from Unencumbered General Fund (01), $835.81 from the Street Maintenance Fund (03), $2,794.93 from the Recreation Fund (05), $247.61 from the Water Fund (09) and $866.56 from the Sewer Fund (10) for the purpose of paying past overtime to certain non-union employees – Total Appropriation $8,068.43, introduced by Mr. Kessler, (Introduced on May 25, 2010)

Mr. Hale explained this Ordinance pertains to appropriations to pay overtime to employees. Some employees were not properly paid their overtime. This affects 10 or 12 employees. Mr. Qualmann said the person handling payroll didn't understand the "Fair Labor Act" issue. Mr. Sharp asked if any precedent was being set by approving this Ordinance. Mr. Kessler said it is more appropriate to describe the action as an act of goodwill. Beecher said they did a review of the Fair Labor Act pertaining to the shift differential and acting pay. The wellness payments do not qualify. He had spoken with the Mayor and Mr. Harvey concerning this issue and had suggested that a Human Resources consultant look at the different rates currently being used.

Mr. Sharp asked if this is considered "supplemental", for example are we paying something extra for an extra job they are performing. Mr. Hale said basically yes. There is differential pay when an employee is filling in for a supervisor position. Mr. Hale was asked how the issue was brought to light. Mr. Hale said some of the employees were comparing deductions and caught the error.

Mr. Kessler suggested that the City consider using a third party payroll provider. Mr. Harvey said they have a meeting scheduled this week with a third party payroll provider regarding charges, rules and fees, etc. Mr. Qualmann said even if we had been using ADP, we still would have been using the incorrect amount because we would have provided them with the incorrect number. Mr. Qualmann said no Human Resource support is provided by third party payroll providers for that type of mentoring. Mr. Sharp said that it would have been less apt to occur had we been using an outside payroll source.

Mr. Weber asked why the audit did not catch this error. Mr. Qualmann said it was a very small error and unique in type. Mr. Harvey said he would like to have the next reading suspended. The employees have already waited for the money due to them. Mr. Weber said he certainly would hope this problem does not occur again. If we owe employees money, then they need to be paid as soon as possible and would be in agreement to waive the three reading process.

Mayor Brennan asked if Ms. Bowen would be able to write the checks this week before she leaves on vacation. Mr. Hale said he would make sure the checks were issued this week. Mr. Kessler said in regards to payroll, if anything additional errors are occurring, we need to get some evaluation on our process.

Resolution 10-10 adopting the recommendations of the Bexley Tax Incentive Review Council regarding tax-abated properties on East Main Street, introduced by Mr. Kessler, (Introduced on May 25, 2010)

Mr. Langner said the Tax Incentive Review Council agreed to continue to all existing tax-abated properties. The one major change was to reduce the commitment of payroll employees for the Gateway project to 2.2 mil. He said the unoccupied space at Aladin's has potential to be leased fairly soon. Mr. Sharp asked if Council would be able to receive a quarterly letter for updates. Mr. Langner said he could provide that information to them on a quarterly basis.
Recommended for passage.

First Readings.

Ordinance 28-10 to appropriate $6,685.55 from the unencumbered General Fund for the purpose of sharing payroll tax revenue from 2009, derived from the Bexley gateway project, with the Bexley City School District in accordance with Section 57-09.82 of the Ohio Revised Code, introduced by Mr. Kessler (Introduced on June 8, 2010) **No Action**

Mr. Langner said based on payroll taxes from Gateway, they had collected $6,685.55.

Ordinance 29-10 to appropriate $23,372.19 from the Tax Increment Financing Fund (36-170-51320) for the purpose of paying for expenses related to right-of-way improvements in the Main Street TIF District, introduced by Mr. Kessler (Introduced on June 8, 2010) **No Action**

Mr. Langner said the Tax Increment Financing Fund has an obligation each year to One Dawson for up to half of the monies owed. The amount of $24,750 is the total reimbursement.

Ordinance 30-10 to increase the annual salary for the Recreation Supervisor of the City as listed in the body of this Ordinance, introduced by Mr. Kessler (Introduced on June 8, 2010) **No Action**

Ordinance 31-10 to increase the annual salary for the Code Enforcement Officer of the City as listed in the body of this Ordinance, introduced by Mr. Kessler (Introduced on June 8, 2010) **No Action**

Resolution 11-10 must be adopted on or before July 15, 2010 and submitted to the Franklin County Auditor on or before July 20, 2010, introduced by Mr. Kessler (Introduced on June 8, 2010) **No Action**

New Business: None.

Old Business: None

Adjourned 6:55 p.m.