

CITY OF BURTON
SPECIAL COUNCIL MEETING MINUTES
NOVEMBER 17, 2011 AT 6:00 P.M., COUNCIL CHAMBERS
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The Special Council Meeting was called to order by President Steven Heffner at 6:10 p.m.

MEMBERS PRESENT: Heffner, Haskins, Ellenburg, O'Keefe, Smith and Martinbianco.

MEMBERS ABSENT: Wells.

OTHERS PRESENT: Mayor P. Zelenko, Attorney R. Austin and J. Adams, City Clerk.

PURPOSE OF THE MEETING: Discussion and possible action regarding Ordinance 30.03, formerly Ordinance 68-C.

PRESENTATION:

Mr. Martinbianco noted 3 different components including 30.03, which was the original document being worked off of, a memorandum from Attorney Austin dated October 31st that outlined draft changes and eliminations and changes and additions in relation to identification and clarification of components contained within the document. Additions were made at the suggestion of Mrs. Ellenburg with reconstruction. He suggested if we choose to take action, we adopt the Amended Ordinance at the first meeting in December. It must be effective by January 1, 2012.

Mr. Austin said the actual dollars and cents could be amended by resolution through the Council. They are encouraging employment agreements with contract employees and administrators such as the Police and Fire Chief. It would be subject to negotiation between the City and the employee, subject to approval by the Council. The Council has control over what is included in the employment agreement, but it doesn't belong in the Ordinance book. We are trying to go to resolutions rather than Ordinances and employment agreements rather than Ordinances.

Mr. Smith said hospitalization is used in the paragraph and then is changed to health care coverage.

Mr. Martinbianco explained you have to make the distinction of people who are qualified, meaning anyone who has 90 days seniority or more within the City.

Mr. Austin said #2 covers hospitalization and health insurance benefits generically. The change to health care coverage is a better umbrella.

Mr. Haskins inquired regarding PA152.

Mr. Martinbianco replied it is House Bill 152 of 2011, State Act also known as SB7, which requires we adopt one of 3 options, which applies to employees, not elected officials. Other options are the 80/20 rule and hard cap.

Mayor Zelenko said we need this effective by January 1, 2012.

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Mr. O'Keefe asked if hospitalization should be changed to health care.

Mr. Martinbianco said the term health care coverage is more universal than hospitalization and not to view hospitalization as a separate coverage.

Mr. Austin changed hospitalization coverage to health care even regarding dental. When a vacancy occurs we will deal with it on a case-to-case basis and it will come before Council for consideration at that time. The final modification was doing away with the term "pension benefits". He spoke on contributions to retirement benefits.

Mr. Martinbianco said they are focused on potential contract and/or interim employees. This would allow the Mayor from time to time to appoint interim or other contract employees for specified duties and specified periods of time subject to the execution of the employment agreement.

Mr. Smith said if we hire from within and you are an assistant to the department head and you have retirement benefits, if you take the top level job you must give up the retirement health insurance.

Mr. O'Keefe said the City must make sure all bases are covered and be consistent from one to the other.

Mr. Austin agreed to omit subparagraph G2C. We will have the first reading at the first meeting in December and the second reading at the second meeting in December, making this effective before January.

Mrs. Ellenburg asked for clarification on the retirement 401k benefits and the 15%.

Mr. Martinbianco explained all new administrators hired after July 1, 2006 shall be enrolled in a MERS defined contribution plan with a 15% contribution from the City.

Mr. Haskins asked how this would affect the Council since we were hired in 2007.

Mr. Martinbianco said this only deals with administrators. They will figure out what the contribution level will be done on a basis of 33%. That is what the City's contribution will be.

Mr. Smith referenced Section 3-2b regarding opting out.

Mr. Martinbianco spoke regarding employees opting out and getting compensation for doing so.

AUDIENCE PARTICIPATION: None.

COUNCIL RECOMMENDATION AND/OR ACTION:

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Council scheduled a Special Council Meeting for Monday, November 28, 2011 at 5:00 p.m.

Meeting adjourned at 7:30 p.m.

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