

CITY OF BURTON
COMMITTEE OF THE WHOLE WORKSHOP MINUTES
AUGUST 15, 2011, 5:30 P.M., COUNCIL CHAMBERS
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Chairwoman Ellenburg called the meeting to order at 5:35 p.m.

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

MEMBERS ABSENT: None.

OTHERS PRESENT: Atty. M. Joliat, J. Johnson, Senior Citizen Director and J. Adams,
City Clerk

**PURPOSE OF THE MEETING: Discussion and review of Ordinance 30.03, formerly
Ordinance 68-C.**

PRESENTATION:

Mrs. Ellenburg said they would be discussing new insurance for next year and sick leave.

COUNCIL DISCUSSION:

Mr. Martinbianco explained insurance information the employees will be faced with in the new year. The options are a 20% minimum contribution by employees, a fixed dollar amount, in which the City does not contribute and a waiver. The effective date would be January 2012.

Mr. Smith said Act 3.12 has been modified to reflect an average of municipalities of the same size. The first priority is the financial state of the City before looking at other statutes.

Mrs. Ellenburg said Section C includes the \$2,500 annual payment.

Mr. Martinbianco said they are talking about dropping the \$2,500.00 down to \$1,500.00. The co-payment would be \$15.00 for generic drugs and \$30 for brand name. Section F brought concern to him in respect to the fact they are not speaking of anyone from a bargaining unit, but of administrative employees. He thought the Police Chief, Fire Chief and Clerk would have to sign off on benefits in order to be excluded from the 6.5% wage reduction. Dental coverage has remained the same. The administrator shall receive 100% of salary and benefits for the first 52 weeks, there after the benefits shall be 2/3 of the administrators regular salary. He said there could have been an option executed by other administrations to alleviate some of this problem, in regards to paying up to 2/3 of the salary and being covered by insurance. Through the new policy, we would be reimbursed for 2/3 of that salary.

Mrs. Ellenburg reiterated the City would pay 100% of the salary and the insurance would pay 2/3 for an employee after 30 days someone were to go on sick leave. The rider is about \$400.00 per year and was implemented in February or March 2011.

Mr. Wells asked if the 2 people off right now are getting 100% of their pay or not.

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Mrs. Ellenburg said they are getting 100% of their pay since they were grand fathered in. Anyone who would go now would be covered under the new policy.

Mr. Wells asked who made the decision to negotiate this insurance policy. He felt this should have come before Council.

Mrs. Ellenburg was certain the Mayor made the decision to sign on to the rider.

Mr. Smith said the Mayor wanted to have coverage as soon as possible.

Mr. Wells would like to see temporary people put in for some of these positions. He doesn't feel administrators should be treated any differently than their subordinates and some of the administrators should go above and beyond the other employees in the City. They should be held more accountable.

Mrs. Ellenburg feels since the situation has been caught and dealt with it will save the City money.

Mr. Wells thinks if the Mayor is going to start changing Ordinances, she needs to bring it before Council. He asked what the procedure is for determining when a person goes on sick leave and how long to be off.

Mr. Martinbianco thought one would need to go back to the City doctor to be released to come back to work.

Mr. Wells asked what the incentive is to come back when one would be getting 100% of their pay.

Mrs. Ellenburg said that is exactly the point of changing this.

Mr. O'Keefe said at what point does the City realize this person might not be coming back and a new person needs to be hired.

Mr. Smith asked how long we legally have to hold a position open.

Attorney Joliat said a person on disability can be replaced and if they return to work, either they have lost their job or the temp is laid off and the employee returns. There is nothing stating the position is held open indefinitely. There needs to be a policy for staffing the administrative service in light of disability. If this is addressed in the union contract then you could not change this Legislatively without the possibility of the 2 people on leave filing an unfair labor practice suit.

Mr. Smith asked who has the final authority to dictate when a person comes back to work.

Mr. Haskins responded that would be their personal doctor. You don't go to the company doctor to go out on sick leave. That is a conflict of interest.

Attorney Joliat said you must have some procedure in order to prevent abuse in these situations.

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Mr. Martinbianco reflected on the Mayor's contribution to MERS. He thought the Mayor and Council should be included in a MERS defined contribution plan with a 15% contribution from the City. This should be capped at 15% and be consistent for all new Administrators hired after July 1, 2006. He said it became a burden when employees retired and were able to cash out their banked days. Maybe there is an interest in requiring a long- term disability bank and looking further into that situation.

Mr. Wells said that Salary employees have abused not having to punch in and out as well as other things. The City cannot afford to be frivolous anymore and this has gone on far too long. He does not agree with employees going on outings on City time with City money and not even taking a personal day for it.

Mr. O'Keefe often experienced this situation in his previous job. This has been very costly to the City when employees go on outings on City time or charge the cost back to the City.

Mr. Haskins said if a boss denies vacation time for an employee, they shouldn't lose those days because they weren't granted the time off.

Mr. Smith said at his previous job, if he didn't take all of his time, he lost it. However, it was seldom that he was able to take all of his time.

Mr. Haskins asked what everyone was questioning.

Mr. Wells said they are questioning the difference between #5 on page 76 where paid sick and personal days can get paid out compared to vacation days not getting paid out.

Mr. Haskins said he needs to know the difference between #5, #9 and subsection A, which includes all 3. He finds it ironic that Council, who does not have benefits are trying to dictate what we are going to do with the employees benefits. He said if he was an employee he would use up all his days if he is not getting paid for them. Either way you look at it, the City is still going to pay the employee.

Mrs. Ellenburg said the next Meeting of the Whole would be September 19, 2011 at 6:00 p.m.

Mr. Martinbianco said they could make evaluations, at least with the Teamsters contract. They can also look at other municipalities to see how their compensation packages mirror or vary from what Burton is attempting.

COUNCIL DISCUSSION:

Meeting adjourned at 6:42 p.m.

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