

ORDINANCE NO. 37-2023

AN ORDINANCE AUTHORIZING THE MAYOR AND CLERK OF COUNCIL/FINANCE DIRECTOR TO MAKE THE PAYMENT OF EMPLOYEE RETENTION INCENTIVES TO FULL AND PART-TIME EMPLOYEES USING FEDERAL PASS-THROUGH AMERICAN RESCUE PLAN ACT GRANTS RECEIVED FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY AND OHIO OFFICE OF BUDGET AND MANAGEMENT IN RECOGNITION OF THEIR EXTRAORDINARY SERVICE AND CONTINUED RETENTION, AND DECLARING AN EMERGENCY

WHEREAS, in 2021 and 2022, the City of Springdale was awarded funds from the American Rescue Plan Act (“ARPA”) which could be used for a variety of purposes including the payment of salaries and other payments to employees in recognition of the risks they endured serving the City during extraordinary times, and funds to ensure employee retention continues in order to provide necessary and essential services to City residents; and

WHEREAS, the City of Springdale’s Police and Fire Departments applied for and were awarded a grant from the Ohio Emergency Management Agency, ARPA First Responder Retention Incentive Grant (the “State EMA Grant”) which was to be used to make retention payments to all current police officers, police clerks/dispatchers, and firefighters equal to 10% of the employees' 2022 annual base salaries up to a defined maximum, and inclusive of the employers required share of any payroll liabilities; and

WHEREAS, City Council hereby accepts the funds from the State EMA Grant and authorizes the payment of retention bonuses to all eligible police and fire department employees using the State EMA Grant funds consistent with the formula provided for by the State EMA Grant; and

WHEREAS, in order to recognize the efforts and retention of all other eligible City employees who will not receive a payment under the State EMA Grant, the City will use a portion of the ARPA recovery grant funds to pay a commensurate retention incentive to other eligible City employees; and

WHEREAS, the retention payments shall be paid to all eligible City employees within the time limitations established through the State EMA Grant.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Springdale, Ohio, _____ members elected thereto concurring:

Section 1. Council hereby accepts the funds from the Ohio Emergency Management Agency, ARPA First Responder Retention Incentive Grant, and authorizes the payment of retention incentives to all eligible police and fire department employees consistent with the formula provided for by the State EMA Grant.

Section 2. Council further authorizes the payment of retention incentives by the Mayor and Clerk of Council/Finance Director to all other current full-time and part-time employees using a portion of the City’s other ARPA recovery grant funds commensurate with the percentage under the State EMA Grant, exclusive of additional compensation earned for overtime, holidays, and shift differentials, and inclusive of the employers required share of any payroll liabilities, and as further clarified in Section 3 of this Ordinance.

Section 3. The retention incentives shall be paid to eligible City employees who were employed by the City in a full-time or part-time capacity on or before June 17, 2022, and are currently employed with the City.

Section 4. The retention incentive grant funds shall be calculated, accepted, dispersed, and reported in accordance with the grant guidance published August 2, 2023 by the Ohio Department of Public Safety.

Section 5. Elected officials, members of boards, committees and commissions, and seasonal employees of the City are not deemed eligible for retention incentives provided for by this Ordinance.

Section 6. Council hereby finds and determines that all formal actions relative to the passage of this legislation were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 7. This Ordinance shall take effect on the earliest date allowed by law.

Section 8. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II(D)(3)(d) of the Charter, be effective immediately. The reason for the emergency is to execute the agreements with the state of Ohio and make disbursements to employees in accordance with timelines contained in the grant guidelines.

Passed this ____ day of September, 2023.

President of Council

Attest:

Clerk of Council/Finance Director

Approved:

Mayor

Date