

1 ORDINANCE NO. 2011-543

First Reading Passage Requested
(J. Dodson)

2
3 SPONSOR Mr. Pry and Mr. Schmidt

4 DATE December 12, 2011

COMMITTEE Personnel

5 **An Ordinance amending Section 169.04 of the Codified Ordinances of the County of**
6 **Summit, entitled "Hiring," to provide Council with the ability to extend the deadline to**
7 **approve the annual Report on Staffing and to extend the deadline for Council approval of**
8 **the 2012 Report on Staffing until January 31, 2012, for the Executive and Council, and**
9 **declaring an emergency.**

10 WHEREAS, Section 169.04 of the Codified Ordinances of the County of Summit,
11 entitled "Hiring," provides for a Report on Staffing to be submitted annually by the County
12 Executive to this Council for the following calendar year and for this Council to approve the
13 same prior to December 31st of each year; and

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15 WHEREAS, this Council desires additional time to consider the Report on Staffing for
16 calendar year 2012, and foresees that said circumstances may exist in future years; and

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18 WHEREAS, this Council desires to provide for a mechanism to extend the deadline for
19 its approval of the Report on Staffing; and

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21 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
22 that it is necessary and in the best interest of the County to amend Section 169.04 to allow
23 Council to extend the deadline for its approval of the annual Report on Staffing upon the
24 approval of 2/3 the members of Council and to extend said deadline for the 2012 Report on
25 Staffing;

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27 NOW, THEREFORE, BE IT RESOLVED, by the Council of the County of Summit,
28 State of Ohio, that:

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30 SECTION 1

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32 Section 169.04 of the Codified Ordinances of the County of Summit, entitled "Hiring," is
33 hereby amended as follows:

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35 **"169.04 Hiring**

36 ...

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38 (i) Staffing Report. No later than December 31st of each year, unless such time
39 deadline is extended as set forth herein, Council shall adopt a Report on Staffing
40 (hereinafter "Report"), which shall set each job classification, and within each job
41 classification the number of full-time, part-time and seasonal positions for the upcoming
42 calendar year for each County department, office, agency, authority, board and
43 commission. No County department, office, agency, authority, board or commission may
44 exceed the number of full-time, part-time and seasonal positions set forth in the adopted
45 Report without amendment by County Council.

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47 No person shall be hired in contradiction to the annually adopted Report. The Executive's
48 Department of Human Resources shall verify as part of any personnel action that the

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4 SECTION 1 (cont'd.)

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6 hiring, promotion, transfer or demotion of a person into a position with the Fiscal Officer,
7 Clerk of the Court of Common Pleas, Engineer, Prosecutor, Sheriff, County Council,
8 County Executive, Department of Internal Auditing, Human Resource Commission or
9 Office of Consumer Affairs is consistent with the staffing levels set forth in the Report.
10 For each other County department, office, agency, authority, board and commission, the
11 human resource department overseeing that entity shall verify that the hiring, promotion,
12 transfer or demotion of a person into a position is consistent with the staffing levels set
13 forth in the Report.

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15 Pursuant to Section 183.03, the Report shall be submitted by the Executive to Council on
16 or before November 15th of each year with either the proposed temporary or permanent
17 operating budget for the next fiscal year, and may be amended by Council prior to
18 adoption. The Report shall not be used to subvert the requirements of Section 169.13 of
19 the Codified Ordinances of the County of Summit regarding layoffs and abolishment.
20 Council may extend the deadline for the adoption of the Report on Staffing for a given
21 calendar year, upon approval of 2/3 of the members of Council. In the event the deadline
22 is extended, the Report on Staffing for the preceding year shall remain in effect until the
23 adoption of the Report on Staffing for the new calendar year. ...”

24 SECTION 2

25 Provided this Ordinance is adopted with the approval of two-thirds of the members of
26 Council, the deadline for the Report on Staffing for calendar year 2012 is hereby extended until
27 January 31, 2012. The 2011 Report on Staffing shall remain in effect until the 2012 Report on
28 Staffing is adopted by Council.

29 SECTION 3

30 This Ordinance is hereby declared to be an emergency measure necessary for the health,
31 safety and welfare of the residents of the County and to immediately extend said deadline prior
32 to expiration of the same.

33 SECTION 4

34 Provided this Ordinance receives the affirmative vote of eight members, it shall take
35 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
36 effect and be in force at the earliest time provided by law.

37 SECTION 5

38 It is found and determined that all formal actions of this Council concerning and relating
39 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all
40 deliberations of this Council and of any of its committees that resulted in such formal action,
41 were in meetings open to the public, in compliance with all legal requirements, including Section
42 121.22 of the Ohio Revised Code.
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INTRODUCED December 12, 2011

ADOPTED December 12, 2011


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED December 13, 2011


EXECUTIVE

ENACTED EFFECTIVE December 13, 2011

Voice Vote:8-0: Comunale, Crawford, Feeman, Kurt, Lee, Roemer, Schmidt, Shapiro
ABSENT: Kostandaras, Prentice, Rodgers