

BUDGET, FINANCE AND PERSONNEL COMMITTEE
DECEMBER 14, 2010
3:50 P.M.

Councilwoman Berz, Chairwoman, called the meeting of the Budget, Finance, and Personnel Committee to order with Councilmen Murphy, Rico, Scott, Ladd, Benson, Robinson, Gilbert and McGary present. City Attorney Michael McMahan and Shirley Crownover, Assistant Clerk to the Council, were also present.

Others present included Dan Johnson, Chip O'Dell, Daisy Madison, Paul Page, Richard Beeland, Alice Cannelli, Chief Parker, Gary Hilbert, Mike Patrick, Chief Maffett, Larry Zehnder, Lee Norris, Bill Payne, Rusty Rymer, Jeff Eldridge, Dickie Hutsell, Steve Leach, Dennis Malone, and Crystal Freiberg. Susan DuBose and Donna Kelley joined the meeting later.

FIRE DEPARTMENT FSLA ISSUE

On motion of Councilman McGary, seconded by Councilwoman Scott, the minutes of the previous meeting were approved as published.

Chairwoman Berz explained that this issue had been put off for several weeks because of a number of questions about the Fire Department and FSLA matters; that we have talked with the people involved in a number of individual situations; that Rusty Rymer and Jeff Eldridge were present representing the Union, and she asked them to come to the table. She noted that there was a great deal of information and wished a very simple presentation without a lot of explanation.

Mr. Eldridge stated that they were for the Ordinance like it is now but would like for the Kelley Days to be looked at again during budget time. Mr. Rymer also expressed being in favor of this Ordinance with a couple of changes. Chief Parker mentioned the date of January 4th and only two meetings, stating that there was not enough time to give days, and they would like a section to roll days over into the next year. Mr. Rymer again expressed his support of this Ordinance, stating that some used their Kelley Days for 2010 by July 1st, and they would like a one-time opportunity to carry additional days into 2011.

Councilman Benson asked the Chief if this could be done. He stated that there would be a minimal cost to absorb this in the budget—that there would be a cost associated with it for the extra days. Mr. Rymer added that they would have to address additional staff for the Kelley Days in 2011.

Councilwoman Scott asked if they understood there would be no guarantee of this next year or maybe not even a discussion? Mr. Rymer stated that Kelley Days will require staffing and adding 21 people.

Chairwoman Berz stated that the Council had received copies of this Ordinance way back, and the decision was to leave it like it is. Mr. Rymer added "like it is with the additional carry-over".

Ms. Freiberg noted that there would be a date as to how long they could use these days.

Mr. Rymer noted that it would take twelve months to absorb.

Chief Parker added that we had done this once before—carrying over more than ten; that if they did have ten days, they could roll them over.

Chairwoman Berz thanked them for the compromise, stating that this had taken a lot of work. She asked Mr. O'Dell if his position was different?

Mr. O'Dell thanked the Councilmembers who had met with him, stating that his position was the 216 hours a pay period and only being allowed to work 204 hours, taking 12 hours from their personal leave, which he did not feel should be taken away. He asked to stop this practice—that they were scheduled for 216 hours and each firefighter only worked 204 hours, which was taking 12 hours away—coming out of their bank, and he wished this to stop. He stated that this was a scheduling problem and not a staffing problem; that all he was asking was to discontinue this practice because it was taking time out of their bank when they were forced to go home.

Chairwoman Berz asked him if he disagreed on amending this Ordinance in any way or if he thought it made any difference? Mr. O'Dell stated that the Ordinance states they would lose their Kelley Days. Chairwoman Berz confirmed that he was in disagreement. He stated that they had to take 12 hours off anyway and were only working 204 hours and asked that this not be taken out of their personal time when they have to go home—that this is only on paper.

Councilman Gilbert asked if they could negotiate for Kelley Days in 2011? Mr. O'Dell stated that if it is 13 Kelley Days, so be it, but don't take away the 204.

Councilman McGary asked Mr. O'Dell who he was representing—if it was a group of people. He asked him if he was at the table when this was negotiated? Mr. Rymer responded that there was no negotiation. Chief Parker added that they sent copies of the proposal and in Mr. O'Dell's defense, he stated that he was speaking for more than just himself. Councilman McGary asked Mr. O'Dell if he did not think this was worthwhile? Mr. O'Dell stated that he thought they were giving up something; that the City was giving them five days and taking away four Kelley Days, making them end up with only one extra day. Councilman McGary stated that he did not think Kelley Days and Personal Leave Days worked the same way. Mr. O'Dell still maintained that 12 hours were being taken away from them; that they don't use Kelley Days for vacation—that vacation is personal leave, and they were off duty—that this was being taken

away and asked for help in saving days, stating that this was like their disability insurance; that if they have to go home, they have to burn two days.

Councilwoman Scott asked Daisy Madison to summarize the concept that floated around in their meeting with Mr. O'Dell. Ms. Madison responded that she thought there were options in having the Kelley Days—216 versus 204; that she was not sure what Councilwoman Scott was asking.

Mr. O'Dell stated that if there was a manpower shortage, then don't send firefighters 30 days to school; that they could build 100 days cap and most don't have this; that it was hard to build up the maximum cap.

Ms. Madison summarized that it was Kelley Days and a concern of scheduling to work and being forced to be off; that they could be scheduled and would not get the time either—that this was sort of artificial; that it impacts the amount of leave days; that an extra five days does make a difference in time off; that firefighters are different from office workers. She stated that it sounded like the solution was doable.

Councilman Benson stated that maybe Mr. O'Dell was right; that employees worked 365 days a year and Christmas day was not counted against them; that other employees are working four or five days but getting them anyway. Ms. Kelley explained that personal leave is charged when anyone is away from the job; that when City Hall is closed, people do not work, but they are charged; that there are nine recognized holidays. Councilman Benson stated that if we approve this proposal, he would like to add that in March, we also look at the Drop Plan. Ms. Kelley stated that both plans are cost-neutral. Councilman Benson stated that he thought Fire and Police had a cap—that it was revenue neutral in 1999, and it cost us additional money.

Councilman Murphy mentioned 13 ½ cycles per year and FSLA can't shorten the cycle.

Chief Parker stated that they could not work anyone over a set amount of time without paying overtime.

Chairwoman Berz noted that this came about to cut overtime; that when we go to 204 and are not fully staffed, it increases overtime. She stated that this would come up in January either the first or second meeting; that the purpose of today's meeting is to have questions answered so that everyone will be prepared to vote.

The meeting adjourned at 4:20 P.M.