

## Shelby City Hall

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STEVEN L. SCHAG, Mayor  
GORDON M. EYSTER, Director of Law  
BRIAN A. CRUM, Director of Finance

June 14, 2023

Dear Council Members,

I hope this message finds you well. As per the Charter of the City of Shelby, Ohio Section 12, I am writing to exercise my veto power by returning to you ORDINANCE NO. 14-2023. While I appreciate the diligent work and thoughtful deliberation of the City Council on this matter, I regretfully find myself unable to support this legislation due to significant issues that I believe it raises for The Shelby Municipal Court and our Community.

Although I have several serious concerns about ORDINANCE NO. 14-2023, the chief reason for my disapproval is that I object to the reduction of the Clerk of Court's Annual Salary Range to a nominal amount of \$1.00. I want to avoid the serious risks of: the disruption of Court operations, potential legal entanglements, and future litigation/expenses posed by the enactment of this piece of legislation. Such a provision undermines the principles of fairness, professionalism, and appropriate compensation for the critical work performed by dedicated individuals. I am sure we all believe in creating an environment where Public Service is recognized and valued appropriately. Reducing an employee's salary to a nominal amount, risks discouraging qualified individuals from pursuing or continuing their commitment to Public Service. This action could also undermine our ability to attract talented and experienced individuals to critical roles within our city,

All parties agree that the goal is to have an efficiency in fiscal management that consistently receives clean Ohio audit reports. There are differences of opinion as to how we get there. According to my conversations with Court Officials and our Finance Department, indications are that we are trending in the right direction. Judge Studer has communicated to me that she is committed to doing whatever is necessary to achieve this mutual goal of excellence.

I am hoping that when you reconsider ORDINANCE NO. 14-2023, you will understand my reasons for disapproval, and I am humbly asking that you sustain my veto.

With kind regards,

A handwritten signature in blue ink that reads "Steven L. Schag".

Mayor Schag

1st Reading  
5/1/2023  
2nd Reading  
5/15/2023

**ORDINANCE NO. 14 -2023**  
**(Sponsor: Councilmember Martin)**

**AMENDING SUBSTITUTE ORDINANCE NO. 1-2020 (ESTABLISHING WAGES FOR DEPARTMENT HEADS AND OTHER NON-CERTIFIED EMPLOYEES).**

WHEREAS, on February 20, 2020, Council passed Substitute Ordinance No. 1-2020 in order to establish wages for department heads and other non-certified employees; and

WHEREAS, it is Council's responsibility to ensure that salaries and wages reflect adequately the value that its employees provide the city; and

WHEREAS, the Council has taken gross exception to the continued non-feasance taking place in the Clerk of Courts office with little oversight and accountability in spite of Council's repeated admonitions. As such, the current wages of that office are simply not justifiable to a Council that boasts good stewardship and a value-added mindset.

WHEREAS, it is in the interest of the public health, safety, morals, and general welfare of the citizens of the City of Shelby that Substitute Ordinance No. 1-2020 be amended to accurately reflect the value provided to the City of Shelby by the current Clerk of Courts.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SHELBY, OHIO, A MAJORITY ELECTED THERETO CONCURRING:**

Section 1: That, effective at the earliest time allowed by law, the salaries, hourly wages, and wage ranges for the positions set forth below shall be as follows:

DEPARTMENT HEADS AND SUPERINTENDENTS HOURLY WAGES

Deputy Director of Public Service	a maximum of \$43.00
Chief of Police	a maximum of \$45.00
Fire Chief	a maximum of \$45.00
Superintendent of Electric Electric Distribution	a maximum of \$40.00
Superintendent of Service Department	a maximum of \$40.00
Superintendent of Water Plant & Distribution	a maximum of \$40.00
Superintendent of Waste Water Treatment Plant & Sewers	a maximum of \$40.00

DEPARTMENT HEADS ANNUAL SALARY RANGE

Health Commissioner	\$10,000.00 - \$72,000.00
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NON-CERTIFIED EMPLOYEE ANNUAL SALARY RANGE

Medical Director	\$5,000.00 - \$25,000.00
Clerk of Courts	\$1

OTHER NON-CERTIFIED EMPLOYEES HOURLY WAGES SALARY RANGES

Deputy Director of Finance	a maximum of \$33.00
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City Project Coordinator	a maximum of \$35.50
Utility Office Supervisor	\$17.00 - \$28.50
Assistant to Deputy Director of Public Service	\$17.00 - \$27.00
Environmental Health Director/Sanitarian	a maximum of \$33.50
Director of Community Health/Nurse	a maximum of \$28.50
Probation Officer	\$15.00 - \$22.50
Secretary to the Mayor & Finance Director	\$15.00 - \$25.00
Income Tax Clerk 1	\$15.00 - \$23.00
Income Tax Clerk 2	\$17.00 - \$25.00
Secretary to the Law Director (part-time)	\$15.00 - \$23.00

Section 2: That wages and salaries shall not exceed the top values as noted in Section 1.

Section 3: That all meetings and hearings concerning the adoption of this Ordinance have been in compliance with Codified Ordinance 220.01, Ohio Revised Code Section 121.22, and the Charter of the City of Shelby, Ohio.

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval by the Mayor, and the earliest period allowed by law.

PASSED: \_\_\_\_\_

\_\_\_\_\_  
Steven McLaughlin  
Vice President of Council

APPROVED:

ATTEST: \_\_\_\_\_  
Brian A. Crum  
Clerk of Council

\_\_\_\_\_  
Steven L. Schag  
Mayor

Prepared by:

  
\_\_\_\_\_  
Gordon M. Eyster  
Director of Law

# Shelby Municipal Court

## Job Description

<u>CLERK OF COURT (COURT ADMINISTRATOR)</u>	
Department:	Shelby Municipal Court
FLSA Status:	Exempt
Salary Range:	
Immediate Supervisor:	Shelby Municipal Court Judge
Work Schedule:	Regular Operational Hours of the Court
Date Revised:	January 17, 2023

The Clerk of Court, appointed by and supervised by the Judge will monitor and adhere to the numerous responsibilities, duties and powers as set out in ORC 1901.31.

The Clerk of Court is responsible for the direction, coordination, and the administration of Court clerical services, financial transactions, and the record keeping activities related to The Shelby Municipal Court.

The Clerk is ultimately responsible for keeping the Court in compliance with any and all Ohio statutory, constitutional and case law applications, both old and newly defined.

Specifically, the Clerk is responsible for the following:

### Overall Administrative Operations:

- ✓ Work closely with the Judge to determine the overall vision and objectives of the Court and then communicating and embedding those objectives in the operations and procedures of the Court.
- ✓ Oversee the implementation of all policies and programs as determined by the Judge.
- ✓ Responsible for the appointment of the activities of all deputy clerks, establishment of office procedures and the supervision of the processing of all paperwork in the Clerk's office. The Clerk or a Deputy Clerk shall be in attendance at all the sessions of the Court, although not necessarily in the Court Room (ORC 1901.31H)
- ✓ Manage either directly or through approved subordinate supervisors programs involving service of Court papers, probation, small claims, Court reporting, data processing and other administrative activities.
- ✓ Recommend to the Judge new or improved administrative policies and procedures and then implementing upon approval.
- ✓ Complete and maintain with not less than annual revisions, written operation or procedural manuals ensuring compliance to the Ohio Supreme Court and the City of Shelby statutes or ordinances (e.g. SMC Employee Handbook, SMC Security Manual). All such revisions shall be provided in written form to each employee and the Judge.

THIS JOB DESCRIPTION IS A GUIDE, NOT CONTRACTUAL IN NATURE AND THE DUTIES AND RESPONSIBILITIES ARE SUBJECT TO CHANGE.

Revised: 1/17/2023

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# Shelby Municipal Court

## Job Description

- ✓ Maintain adequate inventory of forms and supplies relative to the efficient operation of the Clerk's office.

### Personnel Management:

- ✓ The immediate supervisor of the Deputy Clerks Bailiff, Chief Probation Officer and Court Reporter.
- ✓ Monitor the work and function of all departments and personnel within the Shelby Municipal Court.
- ✓ Administer the wage and salary systems of the SMC employees as approved by the Judge.
- ✓ Monitor job performance and evaluations as well as providing recommendations for new or position replacements to the Judge.
- ✓ Develop and provide a procedure for training, developing and evaluating Court employees.

### Fiscal Management:

- ✓ Provide oversight to the Chief Deputy Clerk (Fiscal) to ensure that all costs, fees, fines, bonds, payments and other moneys payable to the Court are accounted for in strict compliance to the Ohio State Auditor's Office.
- ✓ Prepare and monitor Court operating and capital improvement budgets (city and county); administering accounting, purchasing, payroll and financial control functions; and guiding the budget through local government review processes.
- ✓ Plan for physical space needs; purchasing and managing equipment and supplies.
- ✓ Contact vendors for price estimates for goods and services needed by the Court.

### Technology Management:

- ✓ Analyze, evaluate and implement technology to assist the Judge and Court employees in accomplishing their functions in the most advanced means possible.

### Records Management:

- ✓ The first step in processing arrest warrants signed by the Judge.
- ✓ Creation and management of a system of record keeping, file retention systems and reports for the Court, complying with proper audit and Supreme Court regulations.
- ✓ Oversee and maintain the SMC Rules of Court – conducting no less than an annual audit to ensure all rules are up to date and provided to the Ohio Supreme Court and all law enforcement agencies of the Courts jurisdiction.

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