

BILL NO. S-23-06-39

SPECIAL ORDINANCE NO. S-_____

AN ORDINANCE fixing amending the salaries of each and every appointed officer, employee, deputy assistant, departmental and institutional head of the Civil City and City Utilities of the City of Fort Wayne, Indiana for the year 2023

WHEREAS, the Mayor and the Common Council of the City of Fort Wayne, Indiana, have according to the powers outlined in IC 36-4-7-3 assigned to each employee of the Civil City of Fort Wayne and of City Utilities of Fort Wayne a job classification under the City Classification System, which job classification should accurately reflect the duties and responsibilities of said employees; and

WHEREAS, the City of Fort Wayne is experiencing employee attraction and retention challenges across the entire enterprise and determined that a comprehensive job description evaluation and compensation analysis was necessary; and

WHEREAS, the City of Fort Wayne engaged an experienced, qualified human resource consultant to complete a comprehensive compensation study to include the re-evaluation of all job descriptions for all positions within the City and to perform a compensation comparison of like-sized cities in order to determine market rate compensation levels for said positions; and

WHEREAS, based on the results of the comprehensive compensation study and based on the City-wide employee hiring and retention issues and pursuant to IC 36-4-7-3(c), the Mayor of the City of Fort Wayne has recommended the implementation of a new grading level system for each job classification that accurately reflect the duties and responsibilities of said employees, as well as establishes a market-based compensation range; and

WHEREAS, the Clerk of the City of Fort Wayne, the Board of Park Commissioners, and the Metropolitan Human Relations Commission have recommended job classification designations for positions within their respective jurisdictions; and

WHEREAS, the Common Council must assure that salaries reflect the duties and responsibilities assigned to each employee, and be certain that such salaries are fair and equitable; and

1 **WHEREAS**, the funds required to implement the new grading level system are
2 currently provided for in the 2023 City Budget and from City Utilities operating funds and
3 other sources as may be specified by Common Council.

4 **NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE**
5 **CITY OF FORT WAYNE, INDIANA:**

6 **SECTION 1.** That all employees of the Civil City of Fort Wayne and of City Utilities
7 shall be classified by the division/department, job classification, and titles as shown on
8 attached Exhibit A.

9 **SECTION 2.** The classifications of COMOT, EXE, LTC, PAT, POLE, and SO be
10 removed and replaced with Grades 0 through 18.

11 **SECTION 3.** That the Grid attached hereto as Exhibit A is hereby fixed and
12 authorized as the compensation scale for all approved job classifications. Further,
13 consistent with our compensation philosophy, it is the City's policy that no employee shall be
14 paid below the minimum and the maximum should not be exceeded, except for approved
15 special occupations, shift differentials, approved longevity pay, approved overtime pay,
16 approved technical skill pay, approved clothing allowance, approved previously accrued
17 vacation payoff, sick time, FLSA earned compensatory time, approved car allowance or
approved productivity bonus, as outlined in the City's approved work rules.

18 **SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF IN ITS**
19 **ENTIRETY**

20 This Grid, as reflected on Exhibit "A", is an attempt to maintain an orderly,
21 consistent and competitive pay policy that includes a "bonus" program for
superior performance and a "Grid System" that represents the actual market
range for positions within the City of Fort Wayne and City Utilities.

22 **SECTION 4.** Pursuant to State Statute economic conditions must be approved
23 by the Common Council. Such economic conditions include, but are not limited to, base
24 pay and monetary fringe benefits, as outlined in the City's approved work rules.

25 **SECTION 5.** In addition to the compensation for positions listed herein the City
26 shall contribute 3% of employees' salary to the Indiana Public Retirement System
27 (INPRS).
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1 **SECTION 6.** That, in addition to the compensation provided for herein: The City
2 of Fort Wayne Law Department shall receive not more than \$6,500 for services
3 performed in connection with the operations of the municipally owned utilities pursuant
4 to I.C. 36-4-74 which additional compensation shall be paid from the revenues of the
5 appropriate utility or function. The City of Fort Wayne Law Department shall also receive
6 an additional sum not to exceed \$13,000 for services provided in connection with the
City Self-Insurance Program involving matters not in litigation.

7 Any and all payments to be made hereunder for extraordinary services shall be
8 subject to the final approval by the City Controller. Nothing in this agreement shall
9 prevent the use of other attorneys or firms to perform extraordinary services, subject,
however, to the provisions of IC 36-4-9-12.

10 **SECTION 7.** From and after the first day of January, 2023 all appointed officers,
11 employees, deputies, assistants, Departmental, and institutional heads of the Civil City
12 and City Utilities will be paid according to this, the above and following provisions of this
13 ordinance, subject to budgetary limitations, future changes or amendments enacted by
14 Common Council.

15 **SECTION 8.** That all Departments subject to this Ordinance will conform to the
16 Official City's Personnel Policies and Procedures relating to hiring, pay, and other
17 related practices, approved by the Mayor and administered by the City's Human
18 Resources Department.

19 **SECTION 9.** If any section, clause, sentence, paragraph or part or provisions of
20 this Ordinance be found invalid or void by a Court of competent jurisdiction, it shall be
21 conclusively presumed that this ordinance would have passed by the Common Council
22 without such invalid section, clauses, paragraph, part or provisions, and the remaining
23 parts of the Ordinance will remain in effect.

24 **SECTION 10.** The Municipal Code of the City of Fort Wayne references, in
25 codification form, salary ordinances previously adopted by the City Council for past
26 years. Such salary ordinances have a duration of one year and thus, with the exception
27 of the 2022 salary ordinances, have expired. Commencing January 1, 2023, any conflict
28 between the terms and conditions hereof and any previous ordinance shall be resolved
29 in favor of the most recently enacted ordinance.
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SECTION 11. Two copies of all attachments and Exhibits referred to in this Ordinance shall be kept on file with the City Clerk of Fort Wayne for the purpose of public inspection.

SECTION 12. This ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Council Member

APPROVED AS TO FORM AND LEGALITY

Malak Heiny, City Attorney