RECORD OF ORDINANCES

1st Reading: 3-3-14
2nd Reading: 3-17-14
3rd Reading: 4-7-14

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 8319 Passed April 7, 2014

ORDINANCE AUTHORIZING THE SALE OR DISPOSAL OF MISCELLANEOUS TRANSIT SERVICE VEHICLES BY THE MUNICIPAL ADMINISTRATOR AS NO LONGER NECESSARY FOR MUNICIPAL PURPOSES

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, STATE OF OHIO:

SECTION 1: That the Municipal Administrator is hereby authorized to dispose of and/or offer for sale the following transit service vehicles as they are no longer needed for municipal purposes:

- 2006 Chevy Uplander; modified minivan
  VIN#: 1GBDV13LX6D230410; 151,022 miles
- 2006 Chevy Uplander; modified minivan
  VIN#: 1GBDV13L76D231689; 152,770 miles

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: April 7, 2014 — Daniel Gordon
Date — Acting President of Council
Daniel Gordon

Attest: Kay D. Scherreik
Clerk of Council
KAY D. SCHERREIK

Approved: April 8, 2014 — Michael A. Aspacher
Date — Acting Mayor
MICHAEL A. ASPACHER

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8319 passed by the Council of the City of Bowling Green, Ohio.
April 7, 2014
Kay D. Scherreik
Clerk of City Council

1st Reading: 3-3-14
RECORD OF ORDINANCES 2nd Reading: 3-17-14
3rd Reading: 4-7-14

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 8320 Passed April 7, 2014

ORDINANCE ABOLISHING THE CURRENT LANGUAGE IN SECTION 33.26 OF THE CODIFIED ORDINANCES OF THE CITY OF BOWLING GREEN, OHIO, REGARDING INJURED EMPLOYEES AND REPLACING IT WITH A NEW SECTION 33.26 ENTITLED WAGE CONTINUATION/INJURY LEAVE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, COUNTY OF WOOD, AND STATE OF OHIO:

SECTION 1: That existing Section 33.26 of the Codified Ordinances of the City of Bowling Green, Ohio is hereby abolished.

SECTION 2: That Section 33.26 of the Codified Ordinances of the City of Bowling Green, Ohio, is hereby amended and adopted to read as follows:

SECTION 33.26 WAGE CONTINUATION/INJURY LEAVE

The City offers temporary Wage Continuation/Injury Leave to employees who are injured or who contract an occupational disease while in the course of and arising out of employment with the City. A non-bargaining City employee who suffers from a compensable industrial injury or illness can, subject to the following criteria, receive regular wages instead of workers' compensation temporary total lost time benefits. Payment for related medical benefits is governed by the Ohio Workers' Compensation system.

QUALIFICATIONS

1. The injury or illness must be determined to be compensable by the City at the outset of the claim or by the Ohio Industrial Commission. In no event will compensation commence before all initial paperwork is completed and filed with the appropriate agency/agencies.
2. Competent medical proof of temporary disability must be provided via the Ohio Bureau of Workers' Compensation (OBWC) ***MEDCO-14 Physician's Report of Work Ability Form***. The attending physician must complete the form in its entirety and affix his/her original signature to the form. Copies are unacceptable. The injured worker must also complete and submit to the City a C-84 form, Request for Temporary Total Compensation.
3. The employee must complete a FROI – *First Report of Injury* application and sign a wage continuation agreement or OBWC C-55 form, medical release, and a City accident report form.
4. In accordance with the Bureau of Workers' Compensation/Industrial Commission rules, the City reserves the right to have the employee examined by a physician of its choice at the City's expense to confirm the medical diagnosis and/or the period of temporary disability or physical restrictions. Failure to submit to examination will result in termination of the temporary wage continuation benefits.
5. In accordance with the City's Family and Medical Leave (FML) policy when an employee is on approved leave related to an approved work-related injury, or illness, whether in a paid or unpaid status, the leave taken shall be counted concurrently towards both Family and Medical Leave and temporary Wage Continuation/Injury Leave.

6. Temporary wage continuation benefits will be paid only for those periods of lost time that otherwise would qualify the employee for receipt of Workers' Compensation temporary total lost time benefits, subject to the following limitations:

TERMINATION CONDITIONS

Wage continuation payments will cease upon any of the following conditions:

1. Attending physician releases employee to return to work.
2. Employee returns to work for another employer.
3. Employee fails to return to a transitional "limited duty" assignment consistent with his/her temporary medical restrictions, as approved by the injured workers' treating physician.
4. Employee fails to appear for employer-sponsored medical examination.
5. Employee has reached maximum medical improvement and/or the condition has become permanent.
6. The claim is found to be fraudulent or is not approved by the OBWC after payment for Wage Continuation/Injury Leave has commenced.
7. The injured worker attempts to collect both temporary wage continuation from the City and temporary total compensation from the OBWC.
8. Employment termination.
9. Violation of any City policy or guidelines.
10. Regardless of the above conditions of termination, the City may, at its sole discretion, terminate wage continuation benefits at any time, if the disability exceeds three months.

Wage Continuation/Injury Leave

This policy is in effect for injuries sustained on or after January 1, 2014, and/or for Injury Leave taken on or after January 1, 2014 which relates to approved Workers Compensation claim(s) sustained by the employee prior to January 1, 2014. Such claims must be related to injuries sustained while the individual was employed by the City. The City will, for compensable claims, continue to pay regular wages at the same rate of pay the injured worker was making at the time of the injury. This form of paid leave is called Injury Leave. Generally, compensation for Injury Leave will be paid for a period not to exceed twelve (12) weeks. The rate of pay for Injury Leave will be multiplied by the usual number of scheduled hours per week. The payment by the City will take the place of payment by the Ohio Bureau of Workers' Compensation (OBWC). Wage Continuation will be made only during the period of time that workers' compensation benefits would otherwise be paid by the OBWC. In most cases, Temporary wage Continuation payments will immediately commence upon receipt of proof of disability from the preferred medical provider and a completed claim application.

The wage continuation payments made by the City will be taxable income to the employee, and will be subject to the same tax withholding requirements as an employee's regular weekly wage. Workers' compensation benefits payable by the State of Ohio are not taxable income to the employee; however, payment made by the City should be equal to or greater than the payment which would be made by the BWC, and will reduce delay in receiving payment.

Receipt of temporary wage continuation payments will be in lieu of workers' compensation temporary total lost time benefits. The payment of medical benefits will continue to be handled by the City's managed care organization.

If the period of disability exceeds twelve (12) weeks, the City may, solely at its discretion, extend temporary wage continuation payments for additional periods of time. Wage Continuation payments beyond twelve (12) weeks will be calculated at the same rate of pay the injured worker was earning at the time of injury. This rate will be multiplied by the usual number of scheduled work hours per week. Alternatively, the City may halt temporary wage continuation/injury leave after the initial twelve (12) weeks of wage continuation/injury leave. The employee may then be eligible to receive temporary total payments from the Ohio Bureau of Workers' Compensation. The employee would need to submit the required request to the OBWC for such benefit.

In the event the OBWC should deny the claim as not being sustained in the course of or arising out of employment with the City, temporary wage continuation charged to Injury Leave will then be charged to the employee's sick leave or other available unused paid leave.

SECTION 3: This ordinance shall take effect at the earliest time permitted by law.

Passed: April 7, 2014 — Daniel Gordon
Date — Acting President of Council
Daniel Gordon

Attest: Kay D. Scherreik
Clerk of Council
KAY D. SCHERREIK

Approved: April 8, 2014 — Michael A. Aspacher
Date — Acting Mayor
MICHAEL A. ASPACHER

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8320 passed by the Council of the City of Bowling Green, Ohio.
April 7, 2014
Kay D. Scherreik
Clerk of City Council

1st Reading: 4-7-14
RECORD OF ORDINANCES 2nd Reading: 4-7-14
3rd Reading: 4-7-14

Dayton Legal Blank, Inc. Form No. 30043

Ordinance No. 8325 *Passed* April 7, 20 14

ORDINANCE PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF BOWLING GREEN, OHIO, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BOWLING GREEN, STATE OF OHIO:

SECTION 1. That the following sums be appropriated as follows:

Fund	Dept.	Account	Description	Amount
4018	810	87000	Capital Improvement, Capital Improvement, Vehicles	$ 30,000.00

SECTION 2: This ordinance shall take effect at the earliest time permitted by law.

Passed: April 7, 2014 (Date) — Daniel Gordon (Acting President of Council)
Daniel Gordon

Attest: Kay D. Scherreik
Clerk of Council
KAY D. SCHERREIK

Approved: April 8, 2014 (Date) — Michael A. Aspacher (Acting Mayor)
MICHAEL A. ASPACHER

MICHAEL J. MARSH
CITY ATTORNEY
kds

CERTIFICATION
This is to certify that the foregoing is a true copy of Ord No. 8325 passed by the Council of the City of Bowling Green, Ohio, April 7, 2014
Kay D. Scherreik
Clerk of City Council