REQUESTED BY: LAW DEPARTMENT
GREATHOUSE DRAFT No. 0883

TITLE

AN ORDINANCE FOR THE PURPOSE OF REPEALING AND REPLACING PORTIONS OF A BALLOT ORDINANCE WHICH WAS CERTIFIED BY THE TRUMBULL COUNTY BOARD OF ELECTIONS ON NOVEMBER 19, 2026, AND AUTHORIZING THE PROPER CITY OFFICIAL TO ESTABLISH THE SALARIES OF THE COUNCILMEMBERS OF THE CITY OF WARREN OHIO, FOR THE TERM BEGINNING JANUARY 1, 2028, AND TO SET THE SALARIES OF ALL OTHER ELECTED OFFICIALS, AND THEIR DEPUTIES, FOR THE TERMS BEGINNING JANUARY 1, 2028, AND JANUARY 1, 2030, RESPECTIVELY, AND DECLARING AN EMERGENCY.
.

ORDINANCE NO. _____

WHEREAS, the salaries of the offices of the Mayor, City Auditor, Director of Law, and members of Council of the City of Warren, Ohio, for the terms of said offices that shall begin January 1, 2028, and the salary of the office of the Treasurer, which term shall begin January 1, 2030, must be determined, established, fixed, and authorized before the next said terms begin if said offices are to receive any compensation adjustments whatsoever for said next term and thereafter; and

WHEREAS, the voters of the City of Warren voted on a Ballot Ordinance on November 3, 2026, and the Trumbull County Board of Elections certified the Ballot Ordinance as passed on November 19, 2026, which sought to set the value of the salaries of City officials, decrease the salaries of Councilmembers, all while in-term, and prohibit future changes to the Ballot Ordinance unless by ballot vote of the people; and

WHEREAS, Section One of the Ballot Ordinance states that, effective upon passage and thereafter, the Mayor of the City of Warren, Ohio's annual wages shall be set to the value at that time and remain unchanged unless by ballot vote of the people; and

WHEREAS, Section Two of the Ballot Ordinance states that, effective upon passage and thereafter, the Director of Public Service and Safety of the City of Warren, Ohio's annual wages shall be set to value at the time of passage; and

WHEREAS, Section Three of the Ballot Ordinance states that, effective upon passage and thereafter, the Auditor of the City of Warren, Ohio's annual wages shall be set to the value at that time and remain unchanged unless by ballot vote of the people; and

WHEREAS, Section Four of the Ballot Ordinance states that, effective upon passage and thereafter, the Deputy Auditor of the City of Warren, Ohio's annual wages shall be set to value at that time; and

WHEREAS, Section Five of the Ballot Ordinance states that, effective upon passage and thereafter, the Director of Law of the City of Warren, Ohio's annual wages shall be set to the value at that time and remain unchanged unless by ballot vote of the people; and

WHEREAS, Section Six of the Ballot Ordinance states that, effective upon passage and thereafter, the Deputy Law Director of the City of Warren, Ohio's annual wages shall be set to value at that time; and

WHEREAS, Section Seven of the Ballot Ordinance states that, effective upon passage and thereafter, the Treasurer of the City of Warren, Ohio's annual wages shall be set to the value at that time and remain unchanged unless by ballot vote of the people; and

WHEREAS, Section Eight of the Ballot Ordinance states that, effective upon passage and thereafter, the President and Members of Council of the City of Warren, Ohio's annual wages shall be fixed from any automatic increases after passage of this ordinance and set to Sixteen Thousand, Five Hundred Dollars ($16,500.00) per year starting January 1st, 2026, and remain unchanged unless by ballot vote of the people; and

WHEREAS, Section Nine of the Ballot Ordinance states that the salaries and other compensation provided for within this Ordinance shall be paid out of the Treasury of the City of Warren, Ohio, in such equal installments as determined by the regular City payroll; and

WHEREAS, Section Ten of the Ballot Ordinance states that benefits or non-monetary salary / annual wages for City of Warren Elected Officials and all others covered in Ordinance No. 13287/2023 shall be set by appropriate ordinance and upon passage of this Ordinance shall receive and shall be entitled to receive, health care insurance coverage, health care insurance benefits, life insurance coverage, and life insurance benefits, in accordance with the benefits established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel"; and

WHEREAS, Section Eleven of the Ballot Ordinance states that immediately upon passage of this Ordinance, Council shall be forbidden from making any changes to the salaries / annual wages of any elected official or the provisions of this Ordinance without the approval of a ballot vote of the residents of the City of Warren, Ohio; and that this provision only applies to the City of Warren Elected Officials; and

WHEREAS, this Council recognizes that passage of a salary decrease of an elected official while in-term violates the Ohio Constitution Article II, Section 20 and Ohio Revised Code 731.07, and approval of any ordinance by a ballot vote of the people is not permitted in municipalities without a charter provision that provides for a ballot vote of the people to approve ordinances; and

WHEREAS, this Council does not have legislative authority to enact an ordinance that requires a ballot vote of the people to amend, and the initiative power of City of Warren citizens is co-extensive with the legislative authority of Council pursuant to Ohio Constitution Article II, Section 1f; and

WHEREAS, said Ballot Ordinance exceeds the home-rule power of a non-chartered municipality by prescribing a procedure for how certain ordinances are enacted; and

WHEREAS, said Ballot Ordinance unlawfully circumvents adoption of a municipal charter under Article XVIII, Section 8 of the Ohio Constitution, which requires an election to establish a 15-member Charter Commission; and

WHEREAS, said Charter Commission was voted down by the municipal electorate, as certified by the Trumbull County Board of Elections on May 19, 2023; and

WHEREAS, while this Council deems it vital to implement the will of the voters of the City of Warren in approving the Ballot Ordinance to the extent permitted by law; this Council must clarify the compensation of City officials now for the commencement of the future term of elected City officials lawfully; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That, effective January 1, 2028, the Mayor of the City of Warren, Ohio's wages before taxes shall be $55.0777 per hour, and the Mayor shall receive and shall be entitled to receive health care insurance coverage, health care insurance benefits, life insurance coverage, and life insurance benefits, in accordance with the benefits established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel."

Section 2: That, effective January 1, 2028, the Director of Public Service and Safety of the City of Warren, Ohio's wages before taxes shall be $53.9762 per hour, and the Director of Public Service and Safety shall receive and shall continue to be entitled to receive health care insurance coverage, health care insurance benefits, life insurance coverage, life insurance benefits, and other employment benefits in accordance with the benefits currently established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel."

Section 3: That, effective January 1, 2028, the Auditor of the City of Warren, Ohio's wages before taxes shall be $54.5269 per hour, and the Auditor shall receive and shall be entitled to receive health care insurance coverage, health care insurance benefits, life insurance coverage, and life insurance benefits, in accordance with the benefits established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel."

Section 4: That, effective January 1, 2028, the Deputy Auditor of the City of Warren, Ohio's wages before taxes shall be $51.8006 per hour, and the Deputy Auditor shall receive and be entitled to receive health care insurance coverage, health care insurance benefits, life insurance coverage, life insurance benefits, and other employment benefits in accordance with the benefits currently established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel."

Section 5: That, effective January 1, 2028, the Director of Law of the City of Warren, Ohio's wages before taxes shall be $54.5269 per hour, and the Director of Law shall receive and be entitled to receive health care insurance coverage, health care insurance benefits, life insurance coverage, and life insurance benefits, in accordance with the benefits established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel."

Section 6: That, effective January 1, 2028, the Deputy Law Director of the City of Warren, Ohio's wages before taxes shall be $51.8006 per hour, and the Assistant Law Directors of the City of Warren, Ohio, shall be $49.0742 per hour. In addition to these respective salaries, the Deputy Director of Law and the Assistant Law Directors shall be covered under the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel" relative to any insurance benefits and other employment benefits accorded to those positions.

Section 7: That, effective January 1, 2030, the Treasurer of the City of Warren, Ohio's wages shall be $881.24 per pay period before taxes, and the Treasurer shall be entitled to receive health care insurance coverage, health care insurance benefits, life insurance coverage, and life insurance benefits, in accordance with the benefits currently established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel."

Section 8: That, effective January 1, 2028, all Councilmembers of the City of Warren, Ohio's annual wages shall be $16,500.00 before taxes, and the President of Council and the Members of Council of the City of Warren, Ohio, shall be entitled to receive health care insurance coverage, health care insurance benefits, life insurance coverage, and life insurance benefits, in accordance with the benefits currently established in the City of Warren, Ohio's "Policies and Procedures for Non-Bargaining Personnel."

Section 9: That the salaries and other compensation provided for within this ordinance shall be paid out of the Treasury of the City of Warren, Ohio, in such equal installments as determined by the regular City payroll.

Section 10: That requiring a ballot vote of the people to make changes to the Ballot Ordinance as certified by the Board of Elections on November 19, 2026, is inoperative in the City of Warren, and conflicts with both the State Constitution of Ohio and the Ohio Revised Code; and, to the extent that it is necessary or proper, any such requirement is rescinded immediately upon passage of this Ordinance.

Section 11: That Ordinance 13287/2023 shall be effective until December 31, 2027 for all offices contained therein except the Treasurer. Ordinance 13287/2023 shall be effective as applied to the Treasurer until December 31, 2029. This Section is effective immediately upon passage of this Ordinance.

Section 12: That if any provision or provisions of this Ordinance are held to be unlawful or invalid by a court of competent jurisdiction, that provision or provisions shall be severable and the remaining provisions shall not be affected thereby.

Section 13: That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of public peace, health, welfare, and safety. A further reason is so that the salaries of the offices of the Mayor, the Director of Public Service and Safety, the Auditor, the Deputy Auditor, the Director of Law, the Deputy Law Director, the Assistant Law Directors, the Treasurer, the President of Council, and the Members of Council may be set to value and better secured, the integrity of the City's budgetary and fiscal processes may be more greatly ensured, and that compensation for these offices for the next terms of said offices, which shall begin January 1, 2028, January 1, 2030, be authorized, determined, established, and fixed without undue delay. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this _____ day of _____, 20_____.

SIGNED: _____ ATTEST: _____
PRESIDENT OF COUNCIL CLERK

FILED WITH THE MAYOR: _____

DATE APPROVED: _____

_____
MAYOR, CITY OF WARREN, OHIO