

TEMPORARY RESOLUTION NO. 25-11

PERMANENT RESOLUTION NO. _____

A RESOLUTION THAT THE CITY OF LANCASTER WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE ATTORNEYS IN THE LAW DIRECTOR'S OFFICE EMPLOYED BY THE CITY OF LANCASTER, OHIO PURSUANT TO IRS SECTION 414(h)(2) FOR THE FRINGE BENEFIT PICK-UP PLAN

WHEREAS, pursuant to federal and Ohio laws, the City of Lancaster may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS) and such individuals will not be required to pay federal and state income taxes on such contributions; and

NOW THEREFORE BE IT RESOLVED BY THE CITY OF LANCASTER OHIO, THAT:

SECTION 1: Attorneys in the Law Director's Office hired before January 1, 2011 will have 6% of the full amount of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the City of Lancaster for each person within any of the classes established in Section 2 herein. The pick up shall be an offset against future salary increases. This "pick up" by the City of Lancaster shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within any of the classes established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it "picked up" by the City of Lancaster or of being excluded from the "pick up". The City of Lancaster shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

SECTION 2: The "pick up" by the City of Lancaster provided by this ordinance shall apply to all persons that are Attorneys in the Law Director's Office Ordinance 25-10 (see attached Lancaster, Ohio City Ordinance 25-10 for detailed positions) that have been employed before January 1, 2011 and who are or become contributing members of OPERS.

SECTION 3: Under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay 6% of the employees' statutorily required contribution to OPERS.

SECTION 4: The Auditor is hereby authorized and directed to implement the provisions of this ordinance to institute the "pick up" of the statutorily required contributions to OPERS for those persons reflected in Section 2 herein so as to enable them to have their employee contributions paid by their employer.

SECTION 5: That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____ after _____ reading. Vote: Yeas _____ Nays _____

Approved: _____

Clerk: _____

President of Council

Offered by: _____

Mayor

Second by: _____

Requested by Finance Committee

TEMPORARY ORDINANCE NO. 24-10*

PERMANENT ORDINANCE NO. 25-10

AN ORDINANCE TO ESTABLISH THE BENEFITS, TITLES, AND COMPENSATION FOR ATTORNEYS IN THE LAW DIRECTOR'S OFFICE EMPLOYED BY THE CITY OF LANCASTER, OHIO, COMMENCING THE FIRST PAY PERIOD OF 2011

BE IT ORDAINED BY COUNCIL OF THE CITY OF LANCASTER, FAIRFIELD COUNTY, STATE OF OHIO

SECTION 1. Assistant Law Director

A. Assistant Law Director. That the bi-weekly and annual compensation for the Assistant Law Director, one full-time position, shall be as follows:

Effective Payroll #1

\$ 32.75 Hourly
\$ 2,620.00 Bi-weekly
\$68,120.00 Annual

B. Senior Attorney. That the bi-weekly and annual compensation for the Senior Attorney, one full-time position, shall be as follows:

Effective Payroll #1

\$ 27.10 Hourly
\$ 2,168.00 Bi-weekly
\$56,368.00 Annual

C. Assistant Prosecutor's. That the bi-weekly and annual compensation for the Assistant Prosecutors, two full-time positions and one part-time position, shall be as follows:

Effective Payroll #1

<u>STARTING</u>	<u>AFTER ONE YEAR</u>	<u>AFTER TWO YEARS</u>	<u>AFTER THREE YEARS</u>
\$ 1,769.23	\$ 1,846.15	\$ 1,923.08	\$ 1,923.08
\$46,000.00	\$48,000.00	\$50,000.00	\$50,000.00

D. Retirement Pick-up. Those full time employees covered in Section A, B, and C, of this Ordinance shall receive 6% Pension Pick-up under the provisions of this Ordinance. Employees hired on or after January 1, 2011 are not eligible to receive this benefit.

E. Longevity Pay. Not available.

F. Pro Pay/Certification Pay. Not available

G. Senior Pay – After three years starting the 37 months of employment, employees covered under this ordinance will receive \$500.00 per twelve months of employment and shall be paid within the year that anniversary falls. Senior pay is a salary item.

H. All other benefits for employees covered in of this ordinance are established by the most recent management ordinance, concerning management employees.

I. The Law Director has the authority in hiring to place employees in the steps at her discretion based on the attorney's previous experience and performance.

SECTION 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: 12/20/2010 after 3rd reading. Vote: Yeas 8 Nays 1

Approved: 12/20/2010

Kenneth J. Cole
President of Council

Clerk: Teresa Lee Sandy

Don H. Smith
Mayor

Offered by: Tom Stutz

Second by: Ralph [Signature]

Requested by Finance Committee

I, Teresa Lee Sandy, Clerk of Council do hereby certify that on _____, 20____
the Lancaster Eagle Gazette published the summary of this ordinance in accordance with Ohio
Revised Code 731.24.

Clerk of Council