

TEMPORARY RESOLUTION NO. 24-11\*

PERMANENT RESOLUTION NO. 19-11

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

WHEREAS, pursuant to federal and Ohio laws, the federal and state income taxes on a portion of the wages or salaries of the employees of the City of Lancaster will be deferred if City of Lancaster "picks up" (assumes and pays) the contributions statutorily required by such elected officials and covered employees to Ohio Public Employees Retirement System (OPERS); and

WHEREAS, the City of Lancaster will not incur any additional costs in the picking up of such contributions.

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

**SECTION 1:** Attorneys in the Law Director's Office employed before January 1, 2011 shall have 4% of the statutorily required employee contributions to OPERS shall be withheld from the gross pay of each person within any of the classes established in Section 2 herein and shall be "picked up" (assumed and paid to OPERS) by the City of Lancaster. 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 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 employees hired before January 1, 2011 of the Attorneys in the Law Director's Office Ordinance (see attached Lancaster, Ohio City Ordinance 25-10 for detailed positions) who are or become contributing members of OPERS.

**SECTION 3:** The City of Lancaster's method of payment of salary to employees who are participants in OPERS in hereby modified as follows, in order to provide for a salary reduction pick up of employee contributions to OPERS.

**SECTION 4:** The total salary for each employee shall be the salary otherwise payable under the City of Lancaster policies. Such total salary of each employee shall be payable by the City of Lancaster

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

Passed: 1/10/2011 after 1st reading. Vote: Yeas 9 Nays 0

Approved: 1/10/2011

Clerk: Teresa Lee Sandy

[Signature]  
President of Council

Offered by: Tom Stuby

Second by: Randy Quinn

Requested by Finance Committee

Don White  
Mayor

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 3<sup>rd</sup> reading. Vote: Yeas 8 Nays 1

Approved: 12/20/2010

Kenneth J. Cole  
President of Council

Clerk: Teresa Lee Sandy

D. H. Hitt  
Mayor

Offered by: Tom St...

Second by: Ralph...

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