

**ORDINANCE NO. 2024-O-06**

**AN ORDINANCE CREATING NEW SECTION 250.23 IN ORDER TO REQUIRE  
COUNCIL TO APPROVE ALL RE-EMPLOYMENT OF  
RETIRED CITY EMPLOYEES AND DECLARING AN EMERGENCY**

**WHEREAS**, the Ohio laws permit the re-employment of employees who have retired from the City and then wish to be rehired by the City while they are collecting a pension from the Ohio Public Employee Retirement System ("OPERS"); and

**WHEREAS**, while the reemployment is not prohibited by Ohio laws, including laws that regulate OPERS, there are still financial considerations that impact the City with any such reemployment decision and because of those financial impacts, this Council believes that it is necessary to require any reemployment decision of a retired City employee, who is collecting an OPERS pension from his or her service with the City, to have the approval of the administration and also the approval of Council in order to rehire such an employee.

**NOW THEREFORE, BE IT ORDAINED by the Council of the City of Mentor on the Lake, County of Lake and State of Ohio, as follows:**

Section 1. That Codified Ordinance 250.23 is hereby enacted and as enacted reads as follows:

**250.23 REEMPLOYMENT OF A RETIRED CITY EMPLOYEE**

(a) As used in this Ordinance, a "Reemployed Retired City Employee" is an employee who (i) has worked for the City on a full-time basis for more than five years and (ii) has been paying in to the OPERS retirement system and (iii) such an employee has retired from the City and (iv) has begun to collect their retirement benefits from OPERS within zero to 180 days after retiring from the City and (v) where such an employee wishes to be rehired by the City within one day to one year after they have retired from the City.

(b) No person who meets the definition of a Reemployed Retired City Employee shall be hired as a City employee unless the Mayor and/or the Administrative Director approve the hiring of such a person and unless Council by way of either a passed Motion or Resolution authorizes the hiring of a Reemployed

Retired City Employee.


(c) The conditions under which a Reemployed Retired City Employee may be re-employed shall be dictated by the applicable provisions of the Ohio Revised Code and Ohio Administrative Code and by any applicable provision of the City Ordinances.


(d) The City administration and the City Council reserve the right to make re-employment determinations on a case-by-case basis. No approval or denial for re-employment shall be considered precedent setting or binding on the City.

Section 2. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and that all deliberations of this Council, or any of its Committees, which resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Mentor on the Lake for the reason that it is necessary to have a formal policy that regulates the retire-rehire process for the City. Said Ordinance is necessary for the immediate preservation of the public health, safety and welfare of the inhabitants of the City of Mentor-on the-Lake, Ohio.

WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

  
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ROBERT JOHNSON  
PRESIDENT OF COUNCIL

  
\_\_\_\_\_  
DAVID R. EVA  
MAYOR  
Dated: 6-25-2024

ADOPTED: \_\_\_\_\_

ATTEST: Wigwagong  
Acting Clerk of Council