

ORDINANCE NO. 2024-O-18

**AN ORDINANCE AMENDING ORDINANCE 2024-O-06 IN ORDER TO UPDATE THE
RETIRE - REHIRE REGULATIONS FOR CITY EMPLOYEES
AND DECLARING AN EMERGENCY**

WHEREAS, Council on June 25, 2024 passed Ordinance 2024-O-06 that required Council approval for the re-employment of retired City Employees; and

WHEREAS, during the process of passing that Ordinance, the Administration developed a policy for this type of situation and Council has decided that the proposed policy should be codified, and it should replace the terms and conditions set forth in Ordinance 2024-O-06; and

WHEREAS, Ordinance 2024-O-06 incorrectly designated the Ordinance Section for the newly enacted Ordinance as 250.23. There is already an existing Ordinance No. 250.23 so existing Ordinance 250.23 - Pick-up of Police and Firemen's Disability and Pension Fund contributions remains and has not been replaced and the ordinance number for this retire - rehire policy shall be 250.24.

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 Ordinance 2024-O-06 is hereby amended and as amended reads as follows:

250.24 REEMPLOYMENT OF A RETIRED CITY EMPLOYEE

(a) It is the policy of the City of Mentor on the Lake (the "City") for the Administrative Director or his/her designee and then the Mayor, to review all recommendations for the re-employment of retired City employees within the parameters of this policy and as defined by applicable law.

(b) As used in this Policy, 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.

(c) No person who meets the definition of a Reemployed Retired City Employee shall be hired as a City employee unless the Mayor approves the hiring of such a person.

(d) 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.

(e) The conditions under which a retirant may be re-employed shall be dictated by the applicable provisions of the Ohio Revised Code and Ohio Administrative Code and shall be subject to applicable provisions of the respective collective bargaining agreement. The City reserves the right to make re-employment determinations on a case-by-case basis. No approval or denial of a recommendation for re-employment shall be considered precedent setting or binding on the City.

(f) Any eligible employee must complete a Retire / Rehire application form 6 months prior to the date they wish to retire. Any requests received less than 6 months prior to retirement will be automatically denied.

(g) The application must be signed by the employee's immediate supervisor with their recommendation and then submitted to the Mayor for the final decision.

(h) In the event of a Retire - Rehire,

(1) Allowable Sick pay must be paid out to employee upon retirement, and they will start at zero sick days upon return.

(2) The retired/rehired employee has two mutually exclusive options with respect to their vacation when they retire and then are rehired. Such an employee at their option may either:

(a) elect to be paid out in full for all of their accrued vacation upon retirement; or

(b) the employee may elect not to be paid out, but instead carry over their entitled years of accrued vacation time, up to a maximum of six (6) weeks.

(3) The employee may accrue vacation hours based on previous years served.

(4) Once an employee retires, they will lose longevity pay upon rehire.

(5) Pre-retirement years of service also will not be counted as seniority for purposes of work scheduling or for overtime work.


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 specific laws 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.



ROBERT JOHNSON
PRESIDENT OF COUNCIL



DAVID R. EVA
MAYOR

Dated: 11/26/2024

ADOPTED: 11/26/2024

ATTEST: 

Clerk of Council