

P/C 12/6/16 Legislative

Cau 12/13/16

1<sup>st</sup> R 12/20/16

2<sup>nd</sup> R 1/3/17

3<sup>rd</sup> R 1/17/17 moved to

B/C

3<sup>rd</sup> R 2/7/17 moved to

3<sup>rd</sup> R 2/21/17

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 10064-2016

INTRODUCED BY: MAYOR COYNE

AN ORDINANCE  
AMENDING CHAPTER 153.06  
OF THE BROOK PARK CODIFIED ORDINANCES  
ENTITLED 'PAYMENT OF HOSPITALIZATION BENEFITS,'  
AND DECLARING AN EMERGENCY

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Section 153.06 of the Brook Park Codified Ordinances, as enacted by Ordinance No.8225-1996, passed June 18, 1996, and reading as follows:

153.06 PAYMENT OF HOSPITALIZATION BENEFITS.

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan. The City shall not pay hospitalization benefits for employees who retire. However, the City shall pay a retired employee's spouse's premium through the PERS program twice a year, provided that such spouse does not hold a job where hospitalization or similar benefits are paid, and provided, further, that the retiring employee has had ten years of continuous employment with the City prior to retirement. If paid by another company, such spouse is not entitled to hospitalization, nor shall hospitalization be paid by the City. Prescription drug coverage shall be paid by the City for all retired employees.

(b) On behalf of a full-time deceased employee, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former

employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City who is not a member of a bargaining unit represented by a union or employee organization may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

is hereby amended to read:

**153.06 PAYMENT OF HOSPITALIZATION BENEFITS.**

(a) The Finance Director is hereby authorized to pay, on behalf of all full-time City employees, the Mayor, the Finance Director and the Law Director, other than those previously excepted, who are covered under the City's group hospitalization plan(s), in addition to their regular fixed salary, all hospitalization and/or medical insurance benefits that shall become due on such employee coverage under the City's group hospitalization plan.

(b) On behalf of a full-time retired or deceased employee with 10 or more continuous years of service, the Finance Director is hereby authorized to pay hospitalization benefits to the surviving spouse of such deceased employee until or unless the spouse is eligible for the PERS program, in which case the City will reimburse the spouse for premiums twice a year. Such hospitalization benefits shall be terminated and will not be paid by the City when:

(1) The surviving spouse holds a job where hospitalization or similar benefits are paid by another company.

(2) The surviving spouse remarries.

(c) Hospitalization benefits shall be paid by the City up to and until an employee has been terminated.

(d) Under the terms of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, current or former employees and their eligible dependents who are covered under a group health plan have the right to elect to temporarily continue health coverage if coverage terminates due to a "qualifying event." Those eligible to continue coverage become "qualified beneficiaries" under this law. (For further explanation and details, see the policy on COBRA notification.)

(e) Effective January 1, 2004, a full-time employee of the City may elect to opt out of the City's medical plan. The employee shall furnish proof that he is covered by another qualified health insurance plan through their spouse. Employees opting out shall receive one thousand two hundred dollars (\$1,200.00) per year bonus, payable monthly to those qualified employees.

(f) Retired employees, or their surviving spouses who have had not less than 10 years of consecutive service with the City of Brook Park prior to their retirement, shall be eligible for a Medicare Part B supplement to match the O.P.E.R.S. and Police and Fire Pension fund Medicare Part B reimbursement. The amount of the supplement shall be \$1,200 annually. To be eligible, retirees or surviving spouses must be:

1. Be 65 years of age or older.
2. Retiree or surviving spouse must show proof of participation in the Medicare Part B Supplement.

**SECTION 2:** Former Section 153.06 of the Brook Park Codified Ordinances as enacted by Ordinance No.8225-1996, passed June 18, 1996, is hereby expressly repealed.

**SECTION 3:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that 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 4:** This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason of amending Section 153.06 of the Brook Park Codified Ordinances; therefore, this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

PASSED: February 21, 2017

Jim Costore  
PRESIDENT OF COUNCIL

ATTEST: Michelle Blazak  
Clerk of Council

APPROVED: [Signature]  
MAYOR

2/22/17

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Powers	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Burgio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
McCormick	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**CERTIFICATE**  
Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution No. 10064-2016 passed on the 21st day of February 2017 by said council.  
Michelle Blazak  
Clerk of Council

Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the Municipality and that publication of the foregoing ordinance/resolutions was made by posting true copies of it at most public places in said Municipality as determined by Ordinance No. 4838-1976, including City Hall, 537 W. 17th St., Police Station 17401 Hubbard Road, #1 Fire Station 17011, #2 Fire Station 22530 Hubbard Road, #3 Fire Station 17011 Hubbard Road, Brook Park Library 6165 Burgio Place, for a period of fifteen days.  
Michelle Blazak  
Clerk of Council