



## MAYOR AND COUNCIL COMMUNICATION

DATE: July 5, 2016  
CONSENT  
ITEM #: 10  
MOTION Resolution 2016-56

**TO:** Mayor and City Council  
**FROM:** Julie Johnson, City Clerk  
**REVIEWED BY:** Cathy Bendel, Finance Director  
**AGENDA ITEM:** Job Classification for PERA purposes; Part-time Fire Department Administrative Assistant

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### **BACKGROUND:**

State statute 353.64 permits governments to allow non full-time employees to participate in the Police and Fire PERA defined benefit Plan, provided the fire service position regularly engages the employee in the hazards of fire-fighting as an employee of a designated fire department.

In 2013 when the part-time Fire Department Administrative Assistant position was proposed and approved, the recommendation from PERA was that this position should be eligible to participate in the Police and Fire PERA defined benefit Plan. This was based on the fact that this position was filled by a fire-fighter who can be called to respond to a fire anytime, in addition to performing many firefighter specific functions as listed in the job description.

As a result, the part-time Fire Department Admin was set up as eligible to participate in the Fire-fighter PERA Plan.

Anytime a non-full-time employee is added to the Police and Fire PERA benefit plan, PERA requires that a resolution must be passed by the City Council and provided to them to initialize the PERA account for the employee.

### **ISSUE BEFORE COUNCIL:**

Should the City make a declaration and approve a resolution which allows for the employee in this part-time Fire Department Administrative position to be eligible to participate in the Police and Fire PERA Benefit plan (EE = 10.8%, ER = 16.2%) rather than the Basic PERA benefit Plan (EE = 6.5%, ER = 7.5%).

### **PROPOSAL DETAILS/ANALYSIS:**

Staff recommends that this part-time fire department position continue to be eligible to participate in the Police and Fire PERA Benefit plan.

**FISCAL IMPACT:** None – position was budgeted to be participating in the Police and Fire PERA benefit Plan.

### **RECOMMENDATION:**

*“Move to approve Resolution 2016-56 declaring that the part-time Fire Department Administrative Assistant, Nick Witter, be eligible to participate in the Police and Fire PERA Benefit Plan effective as of 4/20/16.”*

**CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION NO. 2016-56**

**FIREFIGHTER DECLARATION**

WHEREAS, the policy of the State of Minnesota as declared in Minnesota Statutes 353.63 is to give special consideration to employees who perform hazardous work and devote their time and skills to protecting the property and personal safety of others; and

WHEREAS Minnesota Statutes Section 353.64 permits governmental subdivisions to request coverage in the Public Employees Police and Fire plan for a non-full-time fire fighter provided the fire service position regularly engages the employee in the hazards of fire fighting as an employee of a designated fire department.

BE IT RESOLVED that the City Council of City of Lake Elmo hereby declares that the position of Part Time Fire Assistant currently held by Nick Witter is, for primary services provided, that of a firefighter engaged in the hazards of fire fighting; and,

BE IT FURTHER RESOLVED, that this governing body hereby requests that the named employee be accepted as a member of the Public Employees Police and Fire Plan effective the date of this employee's initial Police and Fire Plan salary deduction by the governmental subdivision

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Mike Pearson, Mayor

ATTEST:

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Julie Johnson, City Clerk