

1 **BILL NO. G-09-10-17**

2 **ORDINANCE NO. G- 23-09**

3 **AN ORDINANCE AMENDING CHAPTER 36,**
4 **PERSONNEL POLICIES OF THE FORT WAYNE**
5 **MUNICIPAL CODE OF ORDINANCES THAT**
6 **ESTABLISHES A PROHIBITION AGAINST CAPS ON**
7 **THE INCREASE IN THE AMOUNT OF INSURANCE**
8 **PREMIUMS PAID BY EMPLOYEES**

9 **WHEREAS**, the City of Fort Wayne provides a benefit to all civil city
10 and city utility employees, both union and non-union, with regard to the payment
11 of group health insurance premiums; and

12 **WHEREAS**, the cost to the City of Fort Wayne for group health
13 insurance premiums paid for and on behalf of employees continues to escalate;
14 and

15 **WHEREAS**, it is in the best interest of the City to amend the degree to
16 which the City of Fort Wayne contributes to health insurance premium benefits
17 for all civil city and city utilities, union and non-union employees; and

18 **WHEREAS**, one way to accomplish this is to eliminate caps on the
19 increase in the portion of the premium which employees are required to pay.

20 **NOW, THEREFORE, BE IT ORDAINED BY THE COMMON**
21 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

22 **SECTION 1.** Chapter 36 of the Municipal Code of Ordinances is
23 hereby amended to add Section 36.31 which section shall read as follows:

24 § 36.31

25 **PROHIBITION AGAINST CAPS ON ACTIVE RATE INCREASES**
26 **REGARDING HEALTH INSURANCE PREMIUMS**

27 **A. Applicability.** This section shall apply to all employees of the
28 civil city and city utilities of the City of Fort Wayne (union and non-union)

1 including all employees of City of Fort Wayne subdivisions, departments,
2 divisions, commissions, authority, institution, establishment, facility, or
3 governmental unit under supervision of the City of Fort Wayne. Further, the
4 provisions set forth herein shall be applicable to any contracts (including
5 collective bargaining agreements) entered into after the effective date of this
6 Ordinance by the City of Fort Wayne, city utilities, or any of the City of Fort
7 Wayne's subdivisions, departments, divisions, commissions, authority,
8 institution, establishment, facility, or governmental unit under supervision of the
9 City of Fort Wayne with any union or other third party which contract, in whole
10 or in part, pertains to health insurance.

11 **B. Definitions.** For the purpose of this Section, the following
12 definitions shall be applicable:

- 13
- 14 1. **"Premium Cost"** shall mean the total cost of group health insurance benefits
15 attributable to an employee on an annual basis. The Premium Cost can and will
16 change from year to year as the group health insurance benefits and the cost
17 therefore change from year to year.
 - 18 2. **"Active Rate"** shall mean the cost which an active employee, employed by the
19 City of Fort Wayne is required to contribute towards the total Premium Cost for
20 group health insurance benefits annually. The Active Rate may change from year
21 to year.

22 **C. Prohibition against Caps on the Increase of Active Rates.** The
23 City of Fort Wayne, City of Fort Wayne Utilities, or any City of Fort Wayne's
24 subdivisions, departments, divisions, commissions, authority, institution,
25 establishment, facility, or governmental unit under supervision of the City of Fort
26 Wayne, is prohibited from entering into any agreement or contract whereby it
27 agrees to cap or otherwise restrict the amount of any increase in the Active Rate
28 payable by employees of the City of Fort Wayne from year to year.

1 **SECTION 2.** The City is directed to take all action necessary and proper
2 in order to amend the City of Fort Wayne's Policy and Procedure Manual
3 accordingly with the implementation of this Ordinance.

4 **SECTION 3.** This Ordinance, 36.31 is intended to apply to all civil city
5 employees and city utilities employees both union and non-union. As such, any
6 union contract entered into subsequent to the effective date of this ordinance, shall
7 be subject to and in compliance with the terms of this ordinance.

8 **SECTION 4.** The City is directed to take all action necessary and proper
9 for the implementation of this Ordinance.

10 **SECTION 5.** That this Ordinance shall be in full force and effect from
11 and after its passage and any and all necessary approval by the Mayor.
12

13
14 
15 _____
16 Liz Brown, Council Member

17 APPROVED AS TO FORM AND LEGALITY

18 
19 _____
20 Joseph G. Bonahoom, City Council Attorney

Read the first time in full and on motion by Rulison and duly adopted, read the second time by title and referred to the Committee on Resolution (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____ the _____ day of _____, 2009, at _____ o'clock _____ M.,E.S.T.

DATED: 10-13-09 Sandra E. Kennedy
 SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Didier and duly adopted, placed on its passage. PASSED ~~ECST~~
 by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u>3</u>	_____	_____
<u>BENDER</u>	_____	<u>✓</u>	_____	_____
<u>BROWN</u>	<u>✓</u>	_____	_____	_____
<u>DIDIER</u>	<u>✓</u>	_____	_____	_____
<u>GOLDNER</u>	<u>✓</u>	_____	_____	_____
<u>HARPER</u>	<u>✓</u>	_____	_____	_____
<u>HINES</u>	_____	<u>✓</u>	_____	_____
<u>PAPE</u>	_____	<u>✓</u>	_____	_____
<u>SHOAF</u>	<u>✓</u>	_____	_____	_____
<u>SMITH</u>	<u>✓</u>	_____	_____	_____

DATED: 10-27-09 Sandra E. Kennedy
 SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE (RESOLUTION) NO. G 23-09 on the 27th day of October, 2009

ATTEST: Sandra E. Kennedy SEAL Thomas C. Henry
 SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of October, 2009, at the hour of 4:00 o'clock P. M.,E.S.T.

Sandra E. Kennedy
 SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of October, 2009, at the hour of 2:00 o'clock P. M.,E.S.T.

Thomas C. Henry
 THOMAS C. HENRY, MAYOR