

AN ORDINANCE AMENDING ORDINANCE NO. 4788, THE MUNICIPAL CODE OF THE CITY OF RICHMOND HEIGHTS, MISSOURI, CHAPTER 200, POLICE AND FIREMEN; BY AMENDING SECTIONS 200.401 (A) OF ARTICLE III POLICEMEN'S AND FIREMEN'S RETIREMENT FUND; EMPLOYEE DEATH BENEFITS.

WHEREAS, Ordinance No. 2100, adopted by the City of Richmond Heights, November 4, 1952, established the retirement fund for police and fire department employees of the City of Richmond Heights, Missouri; and

WHEREAS, the City Council did in Ordinance No. 5005, adopted October 16, 2006, amend and restate Article III (hereinafter referred to as the "Plan") and has amended the Plan once since that date in order to reflect the adoption of Final Code §415 Regulations by the U.S. Treasury; and

WHEREAS, the Board of Trustees of the Plan for police and fire department employees of the City of Richmond Heights recommends a revision to said Plan in order to increase the death benefit provided in Section 200.410 therein from \$1,000 to \$5,000; and

WHEREAS, the Board of Trustees has provided the City Council with a communication from the Plan's actuary that the amendment will not cause a "substantial proposed change" as defined in Section 105.660 (10) of the Missouri Revised Statutes; and

WHEREAS, the City Council concludes that adoption of the recommended amendment contained herein is in the public interest to enhance financial security of long-term, loyal employees of the City, to attract and retain quality employees to serve the community, and to thereby better serve and protect the citizens of Richmond Heights.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Richmond Heights, Missouri, as follows:

SECTION 1: Section 200.410 (A) is hereby amended to read as follows:

SECTION 200.410: EMPLOYEE'S DEATH BENEFIT

A. If an active and working employee of the Police or Fire Department dies, or if a retired employee of the Police or Fire Department dies, the surviving spouse shall be paid, in addition to the payments which may be authorized by any other Section of this Article, a lump sum death benefit in the amount of five thousand dollars (\$5,000.00). Notwithstanding the foregoing, if an employee of

the Police or Fire Department who retired prior to the effective date of this ordinance dies, the surviving spouse shall be paid, in addition to the payments which may be authorized by any other Section of this Article, a lump sum death benefit in the amount of one thousand dollars (\$1,000.00).

Subsection B. and C. remain the same.

SECTION 2: All ordinances, parts of ordinances or resolutions in conflict with this Ordinance are hereby repealed.

SECTION 3: This Ordinance shall be in full force and effect on the 31st day following passage and signature as provided by law.

PASSED AND SIGNED this 18th day of January, 2010.

JAMES J. BECK
MAYOR

ATTEST:

PATRICIA S. VILLMER
DEPUTY CITY CLERK

APPROVED AS TO FORM:

KENNETH J. HEINZ
CITY ATTORNEY

First reading: January 4, 2011
Second reading: January 18, 2011