

RESOLUTION NO. 2013-12

INTRODUCED BY: Mayor Rinker and Council as a Whole

**AN EMERGENCY RESOLUTION
REAFFIRMING, AMENDING AND
RESTATING EXISTING PICK-UP PLAN
UNDER THE OHIO POLICE AND FIRE PENSION FUND'S
NEW PROCEDURES FOR REPORTING
FOR ELIGIBLE EMPLOYEES OF THE
MAYFIELD VILLAGE FIRE DEPARTMENT**

WHEREAS, The Council of Mayfield Village Ohio met at a duly called and authorized meeting of the Council on the date set forth below, such meeting being duly called pursuant to a notice stating the time, place and purpose of the meeting received by all Council members, and the following resolutions were made, seconded, and adopted by those present at the meeting.

WHEREAS, the eligible employees of the Mayfield Village Fire Department participate in the Ohio Police & Fire Pension Fund;

WHEREAS, Council desires to pick up all of the mandatory contributions required to be paid under Section 742.31 of the Ohio Revised Code for participating employees of the Fire Department who are members of the Ohio Police & Fire Pension Fund;

WHEREAS, Ohio Police & Fire Pension Fund has adopted new procedures for reporting picked-up contributions in order to properly prepare 1099-R forms for its members;

WHEREAS, Council wishes to reaffirm, amend and/or restate its prior resolution in order to continue the pick-up under the new procedures;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF MAYFIELD VILLAGE, OHIO, THAT:

SECTION 1. That that effective as of July 7, 2013, July 6, 2014 and July 5, 2015 Council has determined to continue to pick-up all of the mandatory contributions by the employees who are members of the Ohio Police & Fire Pension Fund by paying the contributions through a payroll reduction.

SECTION 2. That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the Council of Mayfield Village in lieu of said contributions by the employee;

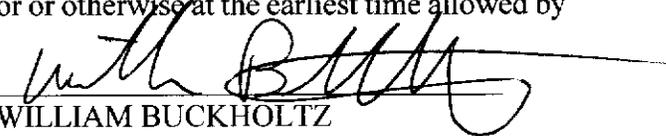
SECTION 3. That said picked up contributions will not be included in the gross income of the employees for tax reporting purposes, that is, for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund;

SECTION 4. That said picked up contributions will be included in the gross income of the employees, for employment tax purposes, as the contributions are made to the Ohio Police and Fire Pension Fund.

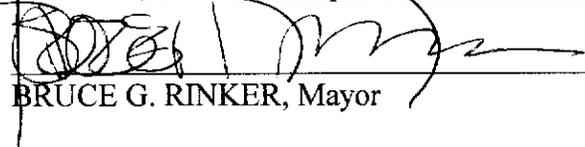
SECTION 5. That said employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the Council of Mayfield Village to the Ohio Police and Fire Pension Fund.

SECTION 6. The Council finds and determines that all formal actions of the Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 7. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Mayfield Village. It shall, therefore, take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

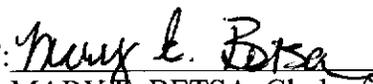

WILLIAM BUCKHOLTZ
Council President

First Reading: September 16 2013
Second Reading: Suspended 2013
Third Reading: Suspended 2013
PASSED: September 16 2013


BRUCE G. RINKER, Mayor

APPROVED AS TO FORM:

JOSEPH W. DIEMERT, JR., DIRECTOR OF LAW

ATTEST: 
MARY E. BETSA, Clerk of Council