

TEMPORARY RESOLUTION NO. 49-12

PERMANENT RESOLUTION NO. 37-12

AMENDED AND RESTATED RESOLUTION OF THE COUNCIL OF THE CITY OF LANCASTER OF FAIRFIELD COUNTY, OHIO

WHEREAS, the Council of Lancaster, Fairfield County, 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; and

WHEREAS, the eligible employees of the Lancaster Fire Departments participate in the Ohio Police and Fire Pension Fund ("OP&F"); and

WHEREAS, the Lancaster City Council has previously adopted a pick-up of the ten percent (10%) mandatory contributions required by Section 742.31 of the Ohio Revised Code for participating employees of the Ordinance To Establish The Benefits, Titles, And Compensation For Management And Professional Personnel Employed By The City Of Lancaster, Ohio For The Year 2012 who are members of the OP&F; and

WHEREAS, OP&F has adopted new procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members; and

WHEREAS, the Lancaster City Council wishes to reaffirm, and amended and restate its prior resolution in order to continue the pick-up under the new procedures;

NOW, THEREFORE BE IT RESOLVED, effective as of the first payroll of 2012 which is pay period beginning December 19, 2011 the Lancaster City Council has determined to continue to pick-up (tax deferred) **10.0%** of the ten percent (10%) mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund and that the employee will pay the full 10% mandatory tax deferred contributions through a payroll reduction from the member salary paid by the employees.

BE IT FURTHER RESOLVED BY COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO, that said picked up contribution through a payroll reduction and paid by the employer, even though designated as employees contributions for the City of Lancaster, are being paid by the Lancaster City Council in lieu of said contributions by the employee.

SECTION 1. 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 2. 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; and

SECTION 3. 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 City of Lancaster to the Ohio Police and Fire Pension Fund.

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 2/13/2012 after 1st reading. Vote: Yeas 8 Nays 0

Date Approved: 2/13/2012

Clerk: Jeresa Lee Sandy

Alvaro O. Cruz
President of Council

Offered by: Tommy

Donnell
Mayor

Second by: Jon E. Hales

Requested by Finance Committee