

TEMPORARY RESOLUTION NO. 162-11

PERMANENT RESOLUTION NO. 167-11

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 Police Department 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 Police Department (i.e. Fraternal Order of Police Ohio Labor Council, Inc., Police Supervisors Association, Patrolmen and Detectives) 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 1<sup>st</sup> day of January 2012 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 employee.**

**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.

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: 11/28/2011 after 3<sup>rd</sup> reading. Vote: Yeas 9 Nays 0

Approved: 11/28/2011

Clerk: Jeressa Lee Sandy

Offered by: Tom Staf

Second by: Randy A. Powell

Requested by Finance Committee

[Signature]  
President of Council

[Signature]  
Mayor