

Passed: May 13, 2013
By: Muething

ORDINANCE NO. 2013-11

ORDINANCE RESTATING AND AMENDING ORDINANCE 2004-12 AFFIRMING
THE VILLAGE'S AUTHORITY TO PICK-UP AN EMPLOYEE'S CONTRIBUTION
TO THE POLICE AND FIREMEN'S DISABILITY AND PENSION FUND BY
PAYROLL DEDUCTION, AND DECLARING AN EMERGENCY

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

WHEREAS, the Council has previously adopted a pick-up of all of the mandatory contributions required by Section 742.31 of the Ohio Revised Code for participating employees of the Village's Police and Fire Departments who are members of the OP&F;

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

NOW, THEREFORE, BE IT ORDAINED BY THE Council of Amberley Village, State of Ohio, six (6) members elected thereto concurring:

SECTION 1: That effective as of July 14, 2013, the Village has determined to continue to pick-up all of the mandatory contributions by the employees who are members of the Ohio Police and Fire Pension Fund by paying the contributions on behalf of the employee through payroll deductions.

SECTION 2: That said picked-up contributions will not be included in the gross income of the employees for tax reporting purposes for federal or state income tax withholding taxes, until distributed from the Ohio Police and Fire Pension Fund.

SECTION 3: 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 4: 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 Village through payroll deductions to the Ohio Police and Fire Pension Fund.

SECTION 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare, and it shall have immediate force and effect. The reason for such emergency is to conform to the amended rules of the Ohio Public and Fire Pension Fund, which by law must be done at least 30 days before the deadline of July 14, 2013.

Passed this 13th day of May, 2013.

Mayor J.K. Byar

Attest:

Nicole Browder, Clerk of Council

Ordinance Vote:

Moved: Muething Second: Warren

Byar	Aye
Wolf	Excused
Hattenbach	Aye
Muething	Aye
Bardach	Aye
Warren	Aye
Doering	Aye

I, Clerk of Council of Amberley Village, Ohio, certify that on the 17th day of May, 2013 the forgoing Ordinance was published pursuant to Article IX of the Home Rule Charter by posting true copies of said Ordinance at all of the places of public notice as designed by Sec. 31.40(B), Code of Ordinances.

Nicole Browder, Clerk of Council