

## **ORDINANCE 10-2015**

### **AN ORDINANCE TO PROVIDE FOR THE PICK-UP OF THE STATUTORILY REQUIRED CONTRIBUTION TO THE POLICE & FIRE PENSION FUND FOR THE ELIGIBLE EMPLOYEES OF THE VILLAGE OF MINERVA PARK PURSUANT TO INTERNAL REVENUE CODE SECTION 414(h)(2) AND DECLARING AN EMERGENCY**

**WHEREAS** The eligible employees of Police Department participate in the Ohio Police & Fire Pension Fund; and,

**WHEREAS,** Employers may pay all or a part of the mandatory employee contributions for employees participating in the Ohio Police & Fire Pension Fund; and,

**WHEREAS,** Pursuant to Federal and Ohio laws, the Federal and State income taxes on a portion of the wages or salaries of the employees of the Village of Minerva Park (Village) will be deferred if Village “picks up” (assumes and pays) the contributions statutorily required by the covered employees to Police & Fire Pension Fund; and,

**WHEREAS,** The Council of the Village of Minerva Park 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 Police Department who are members of the Ohio Police & Fire Pension Fund; and,

**WHEREAS,** The Village will not incur any additional costs in the picking up of such contributions;

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MINERVA PARK, OHIO, THAT:**

- Section 1.** Effective with the pay period beginning June 28, 2015, the Village desires to pick-up all of the mandatory contributions by the employees who are members of the Ohio Police & Fire Pension Fund through a payroll reduction. No contributions prior to the Village’s action shall be picked-up.
- Section 2.** The picked up contributions are paid through a payroll reduction even though designated as employee contributions for State law purposes and are being paid by the Village in lieu of contributions by the employee.
- Section 3.** The 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.** The 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 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 to the Ohio Police and Fire Pension Fund.
- Section 5.** The Fiscal Officer is hereby authorized and directed to implement the provisions of this ordinance to institute the “pick up” of the statutorily required contributions to the Police & Fire Pension Fund for those persons reflected in Section 1 herein so as to enable them to obtain the result in Federal and State tax deferments.

**ORDINANCE 10-2015**  
**(Continued)**

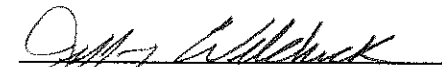
**Section 6.** It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

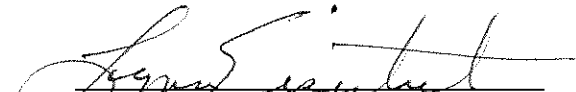
**Section 7.** All prior legislation, or any parts thereof, which is/are inconsistent with this ordinance is/are hereby repealed as to the inconsistent parts thereof.

**Section 8.** Council declares this to be an emergency measure necessary for the health, safety and welfare of the residents of Minerva Park, such emergency arising out of the need to allow the employees to benefit as early as possible from the tax savings and increase in their net pay. Wherefore, this ordinance shall take effect and shall be in force immediately upon passage by Council.

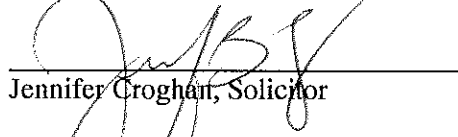
First Reading:            May 11, 2015  
Second Reading:        June 8, 2015  
Third Reading:         June 22, 2015  
Passed:                    June 22, 2015

**ATTESTS**

  
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Jeffrey Wilcheck, Fiscal Officer

  
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Lynn Eisentrout, Mayor

**APPROVED AS TO FORM**

  
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Jennifer Croghan, Solicitor