



## City of Powell, Ohio

### RESOLUTION 2006-41

Adopted December 5, 2006

**A RESOLUTION AMENDING AND RESTATING RESOLUTION 2006-17: A RESOLUTION AUTHORIZING THE VILLAGE OF POWELL TO PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE POLICE AND FIREMAN'S DISABILITY AND PENSION FUND FOR THE EMPLOYEES OF THE VILLAGE PURSUANT TO IRC SECTION 414 (H) (2).**

**WHEREAS,** the eligible employees of the Powell Police Department Bargaining Unit participate in the Ohio Police & Fire Pension Fund ("OP&F"), and

**WHEREAS,** the Council of the City of Powell has previously adopted a pick-up of all of the ten percent (10%) mandatory contributions required under by Section 742.31 of the Ohio revised Code for participating employees of the Police Department who are bargaining members of the OP&F, and

**WHEREAS,** employers may pay all or a part of the mandatory employee contributions for employees participating in the OP&F.

**NOW THEREFORE BE IT RESOLVED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:**

**Section 1:** That the Council of the City of Powell has determined to continue to pick up nine percent (9%) of the ten percent (10%) mandatory contributions by the employees who are bargaining members of the OP&F through a payroll deduction, which was effective as of June 25, 2006.

**Section 2:** That the Council of the City of Powell has determined to pick up one percent (1%) of the ten percent (10%) mandatory contributions of the employees who are bargaining members of the OP&F by paying the contribution on behalf of the employees which was effective as of June 25, 2006. No contributions prior to the Council's action shall be picked-up.

**Section 3:** That said picked up contributions paid through a payroll reduction (9%) and by the employer (1%), even though designated as employee contributions for state law purposes, are being paid by the Council in lieu of said contributions by the employee.

**Section 4:** 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.

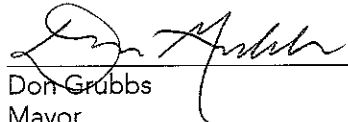
**Section 5:** That said picked up contributions will be included in the gross income of the employees, for employment tax purposes, as the contributions are made to the Ohio Police and Fire Pension Fund.

**Section 6:** 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 Powell to the Ohio Police and Fire Pension Fund.

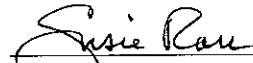
**Section 7:** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

**Section 8:** That this Resolution shall take effect immediately upon its adoption.

**By unanimous consent, Resolution 2006-41 was adopted.**

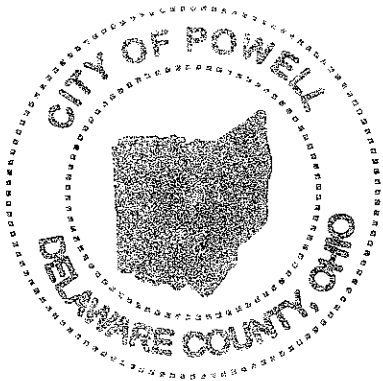
  
\_\_\_\_\_  
Don Grubbs  
Mayor

12-16-06  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Susie Ross  
City Clerk

12/19/06  
\_\_\_\_\_  
Date

**EFFECTIVE DATE: December 6, 2006**



This legislation has been posted in accordance with  
the City Charter on this date 12/20/06.

  
\_\_\_\_\_  
Sue D. Par  
Clerk of Council

**City Council**

Don Grubbs, Mayor

Richard Cline

Tom Counts

Elmer Meider

Bill Morton

Art Schultz

Dan Wiencek