

RESOLUTION NO. 054-14

A RESOLUTION AUTHORIZING THE CITY OF NAPOLEON TO OFFER "PICK-UP" FOR THE VOLUNTARY PURCHASE OF SERVICE CREDIT, PURSUANT TO ORC 742.56 AND OAC 742-5-08 FOR THE ELIGIBLE MEMBERS OF THE CITY OF NAPOLEON FIRE DEPARTMENT; AND DECLARING AN EMERGENCY

WHEREAS, the Council for the City of Napoleon, Henry County, State of 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 City of Napoleon Fire Department participate in the Ohio Police and Fire Pension Fund ("OP&F"); and,

WHEREAS, the City of Napoleon Council desires to offer a pick-up for the voluntary purchase of service credit, as provided for in section 742.56 of the Ohio Revised Code and Section 742-5-08 of the Ohio Administrative Code, for participating employees of the City of Napoleon Fire Department who are members of the OP&F and who are member of the bargaining unit; and

WHEREAS, OP&F has adopted procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members pursuant to Section 742.32 of the ORC and Section 742-5-08 of the Ohio Administrative Code; and

WHEREAS, employers may pay all or part of the voluntary contributions for the purchase of service credit for employees participation in the OP&F; **Now Therefore**,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:

Section 1. That, effective as of August 18th, 2014, the City of Napoleon desires to offer to pick-up all or part of the voluntary contributions through a payroll deduction for the purchase of service credit by employees who are members of the OP&F and who are members of the bargaining unit. The Bargaining unit is described in Exhibit A, which is made up a part of this resolution. No contributions made prior to Council's action shall be picked-up.

Section 2. That, said picked up contributions paid through a payroll deduction, even though designated as employee contributions for state law purposes, are being paid by the City of Napoleon in lieu of said contributions by the employee;

Section 3. That, the pickup treatment does not apply to contributions made prior to the later of the date the resolution is signed or its effective date;

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 City of Napoleon to the OP&F;

Section 5. That, said employees must execute the Irrevocable Payroll Deduction Authorization form in order to have this pick-up treatment apply and that the Department must certify the authorization under OAC 742-5-08.

Section 6. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 7. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.

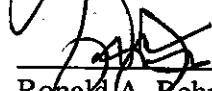
Section 8. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time in order to timely take effect and be in force to retain a favorable rate of pick-up; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: August 18, 2014



John A. Helberg, Council President

Approved: August 18, 2014



Ronald A. Behm, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:



Gregory J. Heath, Clerk/Finance Director

I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 054-14 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the _____ day of _____; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.

Gregory J. Heath, Clerk/Finance Director