

**RESOLUTION 2013 – 5**

**AMENDED AND RESTATED RESOLUTION OF THE COUNCIL OF  
CITY OF MASON, WARREN COUNTY, OHIO FOR OHIO POLICE AND FIRE  
PENSION FUND PICK-UP**

The Council of City of Mason, Warren 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.

WHEREAS, the Chief of Police and the Chief of Fire participate in the Ohio Police and Fire Pension Fund (“OP&F”);

WHEREAS, the City of Mason Council has previously adopted a pick-up 10% of the ten percent (10%) mandatory contributions required under by Section 742.31 of the Ohio Revised Code for the Chief of Police and the Chief of Fire 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;

WHEREAS, Senate Bill 340 changes the mandatory contribution rate;

WHEREAS, the City of Mason Council wishes reaffirm and amend and restate its prior resolution in order to continue the pick-up under the new procedures;

NOW, THEREFORE, BE IT RESOLVED, that effective as of July 14, 2013, the City of Mason has determined to continue to pick up all of the mandatory contributions for the Chief of Police and the Chief of Fire who are members of the Ohio Police and Fire Pension Fund by paying the contributions on behalf of the employee.

BE IT FURTHER RESOLVED, that any future changes in the mandatory contribution rate shall result in the pick-up amount to also increase including the following scheduled changes:

	Contribution Rate	Pick-Up
July 14, 2013	10.75%	10.75%
July 13, 2014	11.50%	11.50%
July 12, 2015	12.25%	12.25%

Any future increases or decreases shall change the pick-up to be equal to 100% of the mandatory contribution rate.

BE IT FURTHER RESOLVED, that increases in the pick-up amount for the Chief of Police and Chief of Fire would have an impact upon and adjust any merit increases

given by the City Manager for performance to avoid additional compensation from changes in the pick-up.

BE IT FURTHER RESOLVED, that said picked up contributions paid by the employer and by the employer, even though designated as employee contributions for state law purposes, are being paid by the City of Mason Council in lieu of said contributions by the employee;

BE IT FURTHER RESOLVED, 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;

BE IT FURTHER RESOLVED, 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; and

BE IT FURTHER RESOLVED, 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 Mason to the Ohio Police and Fire Pension Fund.

Dated this 11<sup>th</sup> day of March, 2013.

---

Mayor

Attest:

---

Clerk of Council