

NEW LEGISLATION

May 28, 2013

Temp. No.	Introduced	Committee	Description
B-31	5/28/13	Fin	A resolution authorizing the “pick up” of employee retirement contributions required of eligible Police Department employees by the Ohio Police and Fire Pension Fund, and declaring an emergency.
B-32	5/28/13	Fin	A resolution authorizing the “pick up” of employee retirement contributions required of eligible Fire Department employees by the Ohio Police and Fire Pension Fund, and declaring an emergency.
B-33	5/28/13	PI	A resolution authorizing the Director of Public Service to apply for and accept a grant from the Ohio Public Works Commission for replacement of existing 4” and 6” water mains with 8” water mains in portions of Chestnut Boulevard, 8 th Street and Olive Place, and declaring an emergency.

CALENDAR

May 28, 2013

The following legislation will be up for passage at the Council Meeting on May 28, 2013.

Temp. No.	Introduced	Committee	Description
B-28	5/13/13	P&Z	An ordinance approving the site plan related to construction of a 9,100 square foot retail sales building at 3946 State Road (Parcel Nos. 35-00693 and 35-00694), and declaring an emergency.
B-29	5/13/13	P&Z	An ordinance approving the site plan related to construction of retail sales buildings "C," "D," "G," and "H" (Parcel Nos. 02-18517, 02-18769, 02-20436 and 02-20437) at the Portage Crossing Redevelopment Site, and declaring an emergency.

PENDING LEGISLATION

May 28, 2013

Temp. No.	Introduced	Committee	Description
A-117	11/26/12	Fin	An ordinance authorizing the Director of Finance to make salary supplement payments to eligible full-time employees of the City in Fiscal Year 2013, and declaring an emergency.
A-118	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6613 with the International Association of Firefighters, Local 494, and declaring an emergency.
A-119	11/26/12	Fin	An ordinance authorizing the Mayor to enter into an amendment of Contract No. 6709 with the American Federation of State, County and Municipal Employees, Local 2662 (AFSCME), and declaring an emergency.
A-120	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6640 with the Fraternal Order of Police, Ohio Labor Council, Inc., and declaring an emergency.
A-121	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6619 with the Ohio Patrolmen's Benevolent Association, and declaring an emergency.
A-122	11/26/12	Fin	An ordinance authorizing the Mayor to enter into a second amendment of Contract No. 6616 with the Ohio Patrolmen's Benevolent Association, and declaring an emergency.
B-28	5/13/13	P&Z	An ordinance approving the site plan related to construction of a 9,100 square foot retail sales building at 3946 State Road (Parcel Nos. 35-00693 and 35-00694), and declaring an emergency.

B-29

5/13/13

P&Z

An ordinance approving the site plan related to construction of retail sales buildings "C," "D," "G," and "H" (Parcel Nos. 02-18517, 02-18769, 02-20436 and 02-20437) at the Portage Crossing Redevelopment Site, and declaring an emergency.

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3 CITY OF CUYAHOGA FALLS, OHIO

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5 RESOLUTION NO. -2013

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7 A RESOLUTION AUTHORIZING THE "PICK UP" OF
8 EMPLOYEE RETIREMENT CONTRIBUTIONS REQUIRED
9 OF ELIGIBLE POLICE DEPARTMENT EMPLOYEES BY
10 THE OHIO POLICE AND FIRE PENSION FUND, AND
11 DECLARING AN EMERGENCY.
12

13 WHEREAS, the eligible employees of the Police Department participate in the Ohio
14 Police and Fire Pension Fund ("OP&F"); and
15

16 WHEREAS, in Resolution 6-2004, adopted March 8, 2004, this Council previously
17 adopted a "pick-up" of all mandatory contributions required to be paid under Section
18 742.31 of the Ohio Revised Code for participating employees of the Police Department
19 who are members of OP&F; and
20

21 WHEREAS, OP&F has adopted new procedures for reporting picked up
22 contributions in order to properly prepare Forms 1099-R for its members; and
23

24 WHEREAS, this Council wishes to reaffirm, amend and restate its prior resolution
25 in order to continue the "pick up" under the new procedures,
26

27 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
28 County of Summit and State of Ohio, that:
29

30 Section 1. Effective as of the first pay period beginning on or after July 2, 2013, the
31 City has determined to continue to "pick up" all of the mandatory contributions by the
32 employees who are members of the Ohio Police and Fire Pension Fund through a payroll
33 (salary) reduction, pursuant to the following schedule:
34

35	July 15, 2013:	10.75%
36	July 14, 2014:	11.50%
37	July 13, 2015 and thereafter:	12.25%

38
39 Section 2. Said "picked up" contributions paid through a payroll (salary) reduction,
40 even though designated as employee contributions for state law purposes, are being
41 paid by the City in lieu of said contributions by the employee.
42

43 Section 3. Unless otherwise required by Federal or State or local tax laws, said
44 "picked up" contributions will not be included in the gross income of the employees for
45 tax reporting purposes, that is, for federal or state income tax withholding taxes, until
46 distributed from the Ohio Police and Fire Pension Fund.
47

48 Section 4. Said "picked up" contributions will be included in the gross income of the
49 employees, for employment tax purposes, as the contributions are made to the Ohio
50 Police and Police Pension Fund.
51

52 Section 5. Said employees shall not be entitled to any option of choosing to receive
53 the contributed amounts directly instead of having them paid by the City to the Ohio
54 Police and Fire Pension Fund.
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3 CITY OF CUYAHOGA FALLS, OHIO

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5 RESOLUTION NO. -2013

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7 A RESOLUTION AUTHORIZING THE "PICK UP" OF
8 EMPLOYEE RETIREMENT CONTRIBUTIONS REQUIRED
9 OF ELIGIBLE FIRE DEPARTMENT EMPLOYEES BY THE
10 OHIO POLICE AND FIRE PENSION FUND, AND
11 DECLARING AN EMERGENCY.

12
13 WHEREAS, the eligible employees of the Fire Department participate in the Ohio
14 Police and Fire Pension Fund ("OP&F"); and

15
16 WHEREAS, in Resolution 7-2004, adopted March 8, 2004, this Council previously
17 adopted a "pick-up" of all mandatory contributions required to be paid under Section
18 742.31 of the Ohio Revised Code for participating employees of the Fire Department
19 who are members of OP&F; and

20
21 WHEREAS, OP&F has adopted new procedures for reporting picked up
22 contributions in order to properly prepare Forms 1099-R for its members; and

23
24 WHEREAS, this Council wishes to reaffirm, amend and restate its prior resolution
25 in order to continue the "pick up" under the new procedures,

26
27 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
28 County of Summit and State of Ohio, that:

29
30 Section 1. Effective as of the first pay period beginning on or after July 2, 2013, the
31 City has determined to continue to "pick up" all of the mandatory contributions by the
32 employees who are members of the Ohio Police and Fire Pension Fund through a payroll
33 (salary) reduction, pursuant to the following schedule:

34		
35	July 15, 2013:	10.75%
36	July 14, 2014:	11.50%
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39 Section 2. Said "picked up" contributions paid through a payroll (salary) reduction,
40 even though designated as employee contributions for state law purposes, are being
41 paid by the City in lieu of said contributions by the employee.

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43 Section 3. Unless otherwise required by Federal or State or local tax laws, said
44 "picked up" contributions will not be included in the gross income of the employees for
45 tax reporting purposes, that is, for federal or state income tax withholding taxes, until
46 distributed from the Ohio Police and Fire Pension Fund.

47
48 Section 4. Said "picked up" contributions will be included in the gross income of the
49 employees, for employment tax purposes, as the contributions are made to the Ohio
50 Police and Fire Pension Fund.

51
52 Section 5. Said employees shall not be entitled to any option of choosing to receive
53 the contributed amounts directly instead of having them paid by the City to the Ohio
54 Police and Fire Pension Fund.
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3 CITY OF CUYAHOGA FALLS, OHIO

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5 RESOLUTION NO. - 2013

6
7 A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC
8 SERVICE TO APPLY FOR AND ACCEPT A GRANT FROM THE
9 OHIO PUBLIC WORKS COMMISSION FOR REPLACEMENT
10 OF EXISTING 4" AND 6" WATER MAINS WITH 8" WATER
11 MAINS IN PORTIONS OF CHESTNUT BOULEVARD, 8TH
12 STREET AND OLIVE PLACE, AND DECLARING AN
13 EMERGENCY.

14
15 WHEREAS, the Ohio Public Works Commission (OPWC), through its State Capital
16 Improvement Program and Local Transportation Improvement Program, provides financial
17 assistance to political subdivisions for capital improvements to public infrastructure; and
18

19 WHEREAS, the City of Cuyahoga Falls has identified the need, plans for, and proposes a
20 capital improvement to public infrastructure, to wit: replacement of a 4" water main with
21 an 8" water main, including all necessary appurtenances, in Chestnut Boulevard between
22 3rd and 4th Streets, and between 6th and 9th Streets; replacement of a 6" water main with an
23 8" water main, including all necessary appurtenances, in 8th Street between Chestnut
24 Boulevard and Grant Avenue; replacement of a 4" water main with an 8" water main,
25 including all necessary appurtenances, in Olive Place between Chestnut Boulevard and
26 Grant Avenue; and
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28 WHEREAS, the infrastructure improvement hereinabove described is considered to be a
29 priority need for the community and is a qualified project under the OPWC programs,
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31 NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cuyahoga Falls,
32 County of Summit and State of Ohio:
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34 Section 1. The Director of Public Service is hereby authorized to apply for and accept a
35 grant from the Ohio Public Works Commission for the purpose of supporting the capital
36 improvement consisting of replacement of a replacement of a 4" water main with an 8"
37 water main, including all necessary appurtenances, in Chestnut Boulevard between 3rd and
38 4th Streets, and between 6th and 9th Streets; replacement of a 6" water main with an 8"
39 water main, including all necessary appurtenances, in 8th Street between Chestnut
40 Boulevard and Grant Avenue; replacement of a 4" water main with an 8" water main,
41 including all necessary appurtenances, in Olive Place between Chestnut Boulevard and
42 Grant Avenue, by means of the State Capital Improvement Program (SCIP) and/or Local
43 Transportation Improvement Program (LTIP) administered by the Ohio Public Works
44 Commission.
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46 Section 2. The Director of Public Service is hereby authorized to enter into agreements
47 as may be necessary to apply for and accept the financial assistance mentioned herein.
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49 Section 3. The Clerk is hereby directed to prepare and transmit a certified copy of this
50 Resolution to the Ohio Public Works Commission.
51

52 Section 4. It is found and determined that all formal actions of this Council concerning
53 and relating to the adoption of this resolution were adopted in an open meeting of this
54 Council and that all deliberations of this Council and of any of its committees that resulted
55 in such formal action were in meetings open to the public, in compliance with all legal
56 requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.
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Section 5. This resolution is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and provided it received the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

Passed: _____

President of Council

Clerk of Council

Approved: _____

Mayor

5/28/13

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