

FILED

SEP 14 2017

CITY CLERK

GENERAL ORDINANCE NO. 7, 2017  
AS AMENDED

AN ORDINANCE AMENDING *TERRE HAUTE CITY CODE* CHAPTER 2, ARTICLE 9, SECTION 2-117, POLICE PENSION FUND.

WHEREAS, the Common Council of the City of Terre Haute, Indiana, wishes to more clearly define the permissible use of the Police Pension Fund in accordance with Indiana Code;

IT IS HEREBY ORDAINED by the Common Council of the City of Terre Haute as follows:

Section 1. *Terre Haute City Code* Chapter 2, Article 9, Section 2-117 is hereby amended by the deletion of the stricken text and addition of the underlined text as follows:

...

Sec. 2-117 Police Pension Fund.

a. There is established a Police Pension Fund, for the use and benefit of the City of Terre Haute and members of the Police Department.

b. The use of the Police Pension Fund shall be governed by I.C. § 36-8-6-1, et seq.

c. A Police Pension Fund Board of Trustees of the City of Terre Haute, Indiana, is established in accordance with the law, which shall administer the Police Pension Fund. (See Sec. 2-63 of this Terre Haute City Code).

d. ~~That pursuant to I.C. § 36-8-6-1, et seq., a separate interest-bearing City account shall be created, segregating the 1925 Pension Fund from the City's general fund. That~~ on or before January 01, 2019, a separate interest-bearing City account shall be created, segregating the 1925 Pension Fund from the City's general fund. Said account shall never bear a negative cash balance; however, as a result, qualified pension fund distributions may be required to be paid from other accounts and debited to the segregated 1925 Pension Fund Account until such time as state pension reimbursements are received.

e. ~~That the City shall, upon every bi-annual property tax disbursement, deposit certain funds into said account which shall be calculated as follows: If, on or after the enactment of this Section e, any pension disbursements under this section are distributed by the City in an untimely manner; i.e., after the first of the month, Section d shall accelerate. In such case the Common Council shall make all necessary and available appropriations enabling the creation of~~

a segregated 1925 Pension Fund Account and shall direct the City Controller to create such an account to receive said appropriated funds.

~~(1) That the City shall calculate the Total Personnel Benefits of the 1925 Pension Fund from the previous year; said amount shall be recalculated on an annual basis.~~

~~(2) That upon every bi-annual tax disbursement, the City shall deposit fifty percent (50%) of the previous year's calculated Total Personnel Benefits into the segregated 1925 Pension Fund account; said amount shall be recalculated on an annual basis.~~

~~(3) Should a deficit accrue in the 1925 Pension Fund account, said deficit shall be made up either by a transfer of City funds or by a portion of the State's reimbursement to the City.~~

...

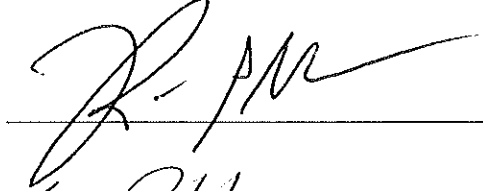
Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby.

Section 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and publication as required by law.

Introduced by:  George Azar, Councilman

Passed in open Council this 14 day of September, 2017.

 Karrum Nasser, President

ATTEST:  Charles P. Hanley, City Clerk

Presented by me to the Mayor this 15 day of September, 2017.

Charles P. Hanley Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 15<sup>th</sup> day of SEPTEMBER, 2017.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

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AUG 10 2017

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b. The use of the Police Pension Fund shall be governed by I.C. § 36-8-6-1, et seq.

b.c. A Police Pension Fund Board of Trustees of the City of Terre Haute, Indiana, is established in accordance with the law, which shall administer the Police Pension Fund. (See Sec. 2-63 of this Terre Haute City Code)

d. That pursuant to I.C. § 36-8-6-1, et seq., a separate interest-bearing City account shall be created, segregating the 1925 Pension Fund from the City's general fund.

e. That the City shall, upon every bi-annual property tax disbursement, deposit certain funds into said account which shall be calculated as follows:

(1) That the City shall calculate the Total Personnel Benefits of the 1925 Pension Fund from the previous year; said amount shall be recalculated on an annual basis.

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Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_ Karrum Nasser, President

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

Presented by me to the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_ Duke A. Bennett, Mayor

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

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JUN 01 2017

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Sec. 2-117 Police Pension Fund.

(A) There is established a Police Pension Fund, for the use and benefit of the City of Terre Haute and members of the Police Department.

(B) The use of the Police Pension Fund shall be governed by I.C. § 36-8-6-1, et seq.

~~(B)~~(C) A Police Pension Fund Board of Trustees of the City of Terre Haute, Indiana, is established in accordance with the law, which shall administer the Police Pension Fund. (See Sec. 2-63 of this Terre Haute City Code)

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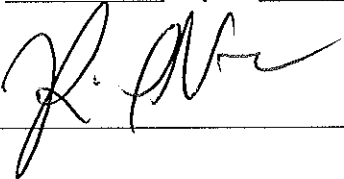
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Introduced by:  George Azar, Councilman

Passed in open Council this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

 Karrum Nasser, President

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

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\_\_\_\_\_ Charles P. Hanley, City Clerk

Approved by me, the Mayor, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_ Duke A. Bennett, Mayor

ATTEST: \_\_\_\_\_ Charles P. Hanley, City Clerk

**PROPOSED AMENDMENT TO GENERAL ORDINANCE NO.7, 2017**

AN ORDINANCE AMENDING TERRE HAUTE CITY CODE CHAPTER 2, ARTICLE 9, SECTION 2-117, POLICE PENSION FUND.

\* \* \* \*

Sec. 2-117 Police Pension Fund.

\* \* \* \*

(D) That pursuant to I.C. § 36-8-6-1, et seq., a separate interest-bearing City account shall be created, segregating the 1925 Pension Fund from the City's general fund.

(E) That the City shall, upon every bi-annual property tax disbursement, deposit certain funds into said account which shall be calculated as follows:

i. That the City shall calculate the Total Personnel Benefits of the 1925 Pension Fund from the previous year; said amount shall be recalculated on an annual basis.

ii. That upon every bi-annual tax disbursement, the City shall deposit fifty (50%) percent of the previous year's calculated Total Personnel Benefits into the segregated 1925 Pension Fund account; said amount shall be recalculated on an annual basis.

iii. Should a deficit accrue in the 1925 Pension Fund account, said deficit shall be made up either by a transfer of City funds or by a portion of the State's reimbursement to the City.

\* \* \* \*