

ORDINANCE NO. 94-00

By: Jed W. Morison

An Ordinance to authorize the City Of Bexley to pick up the statutorily required contribution to the Public Employees Retirement System of Ohio for certain employees of the City pursuant to I.R.C. Section 414(H)(2) during the calendar year 2001, 2002 and 2003 effective January 1, 2001.

WHEREAS, pursuant to federal and Ohio laws, the employees of the City could defer the federal and state income taxes on a portion of their wages or salaries if the City would "pick up" (assume and pay) the statutorily required contribution by such elected officials and covered employees to the Public Employees Retirement System of Ohio; and

WHEREAS, the new collective bargaining agreement previously approved by Council and covering the employees within the class established in Section 2 hereof provides for PERS "pick up" in lieu of a wage increase over the three year term of such agreement but does not obligate the City to continue such benefit in future collective bargaining agreements;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. Effective January 1, 2001, and ending December 31, 2003, during calendar year 2001 4%, during calendar year 2002 8%, and during calendar year 2003 8½%, respectively, of the statutorily required contributions to the Public Employees Retirement System of Ohio shall be picked up and paid as a fringe benefit by the City for each person within the class established in Section 2 herein. This "pick up" by the City is, and shall be designed as, public employee contributions and shall be in lieu of contributions to the Public Employees Retirement System of Ohio by each person within the class established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Public Employees Retirement System of Ohio directly instead of having it "picked up" by the City or of being excluded from the "pick up".

The City shall, in reporting and making remittance to the Public Employees Retirement System of Ohio report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute.

Section 2. The "pick up" by the City provided by this Ordinance shall apply to all persons that:

Are employees of the City who are or become contributing members of the Public Employees Retirement System of Ohio and who are members of the bargaining unit represented by Ohio Council 8, American Federation of AFL-CIO, and Local 3838 American Federation of State, County and Municipal Employees, AFL-CIO.

Section 3. Under the fringe benefit method of employer pick-up, salary is not modified; however, the employer will pay 4% during 2001, 8% during 2002 and 8½% during 2003, respectively, of the statutorily required 8.5% contribution to PERS of employees within the class established in Section 2 hereof.

Section 4. Each of the Auditor or Finance Director is hereby authorized and directed to implement the provisions of this Ordinance to institute the "pick up", of the statutorily required contributions to the Public Employees Retirement System of Ohio for those employees designated in Section 2 herein so as to enable them to obtain the result in federal and state tax deferments and other benefits.

Section 5. This Ordinance shall be effective from and after January 1, 2001.

Passed: 12-12, 2000

Don H. Porter
President of Council

Attest: Richard A. Levin
Clerk of Council

Approved: 12/12, 2000

David H. Madison
David H. Madison, Mayor

11-14-00 First reading
11-28-00 Second reading
12-12-00 Third reading. Passed