



ORDINANCE NO. 148-91

PAGE 1 OF 3 PAGES.
PASSED: 4/3/91
EFFECTIVE: 4/6/91

TO AUTHORIZE THE DIRECTOR OF FINANCE TO PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE POLICE AND FIREMEN'S DISABILITY AND PENSION FUND OF OHIO AND TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM OF OHIO PURSUANT TO INTERNAL REVENUE CODE SECTION 414(H)(2) FOR ELECTED/APPOINTED OFFICIALS AND ~~FULL-TIME~~ EMPLOYEES OF THE CITY OF GAHANNA; AND TO DECLARE AN EMERGENCY

WHEREAS, pursuant to federal and Ohio laws, the elected/appointed officials and full-time employees of the City of Gahanna could defer the federal and state income taxes on a portion of their wages or salaries if the City of Gahanna would "pick up" (assume and pay) the statutorily required contribution by such elected/appointed officials and full-time employees to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio; and

WHEREAS, the City of Gahanna will not incur any additional costs in the deferment of federal and state income taxes, and it is important to implement this process in the payroll records as quickly as possible for employee morale and for the preservation of the public peace, health, safety, and welfare;

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

Section 1. That effective on the effective date of this ordinance, the full amount of the statutorily required contributions to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio shall be withheld from the gross pay of each person within any of the classes established in Section 2 herein and shall be "picked up" (assumed and paid to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio) by the City of Gahanna. That this "pick up" by the City of Gahanna is, and shall be designated as, public employee contributions, and shall be in lieu of contributions to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio by each person within any of the classes established in Section 2 herein. That no person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio directly instead of having it "picked up" by the City of Gahanna or of being excluded from the "pick up."

That the City of Gahanna, shall, in reporting and making remittance to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio, report that the public employee's 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 of Gahanna provided by this ordinance shall apply to all persons that are elected/appointed officials and full-time employees of the City of Gahanna who are or become contributing members of the Police and Firemen's Disability and Pension Fund of Ohio or to the Public Employees Retirement System of Ohio.

SOUTH HAMILTON ROAD

GAHANNA OHIO 43030


Section 3. That the City of Gahanna's method of payment of salary to elected/appointed officials and full-time employees who are participants in the Police and Firemen's Disability and Pension Fund of Ohio or to the Public Employees Retirement System of Ohio is hereby modified as contained in Section 4 herein in order to provide for a salary reduction pickup of elected/appointed officials and employee contributions to the Police and Firemen's Disability and Pension Fund of Ohio or to the Public Employees Retirement System of Ohio.

Section 4. That the total salary for each elected/appointed official or full-time employee shall be the salary otherwise payable under the City of Gahanna ordinances. Such total salary of each elected/ appointed official or full-time employee shall be payable by the City of Gahanna in two parts: a) Deferred Salary, and b) Cash Salary. An elected/appointed official's or full-time employee's Deferred Salary shall be equal to that percentage of that elected/appointed official's or full-time employee's total salary which is required from time to time by the Police and Firemen's Disability and Pension Fund of Ohio or to the Public Employees Retirement System of Ohio to be paid as an elected/appointed official or employee contribution by that elected/appointed official or full-time employee and shall be paid by the City of Gahanna to the Police and Firemen's Disability and Pension Fund of Ohio or to the Public Employees Retirement System of Ohio on behalf of that elected/ appointed official or full-time employee as a pick up and in lieu of the Police and Firemen's Disability and Pension Fund of Ohio or to the Public Employees Retirement System of Ohio elected/ appointed official or full-time employee contribution otherwise payable by that official or employee. An elected/appointed official's or full-time employee's cash salary shall be equal to that official's or full-time employee's total salary less the amount of the pick up for that official or employee, and shall be payable, subject to applicable payroll deductions to that official or employee. The City of Gahanna shall compute and remit its employer contributions to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio based upon an elected/appointed official's or full-time employee's total salary. The total combined expenditures of the City of Gahanna for such elected/appointed officials' and full-time employees' total salaries payable under applicable City of Gahanna ordinances and the pick up provisions of this ordinance shall not be greater than the amounts it would have paid for those items had this provision not been in effect.

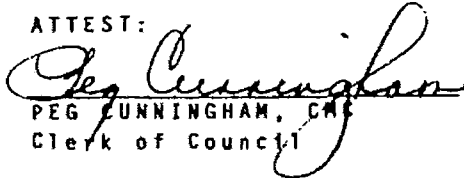
Section 5. That the Director of Finance is hereby authorized to implement the provisions of this ordinance to institute the "pick up" of the statutorily required contributions to the Police and Firemen's Disability and Pension Fund of Ohio and to the Public Employees Retirement System of Ohio for all elected/appointed officials and full-time employees of the City of Gahanna so as to enable them to obtain the result in federal and state tax deferments and other benefits.

Section 6. That, for the reasons set forth in the preamble hereinabove, this ordinance is declared emergency legislation and shall be in full force and effect immediately upon passage by this Council and approval by the Mayor.

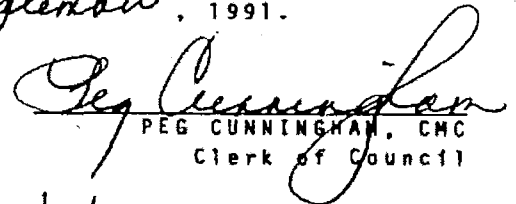
CERTIFIED as passed, this 3rd day of September, 1991.


RONALD E. HEDGES
President of Council

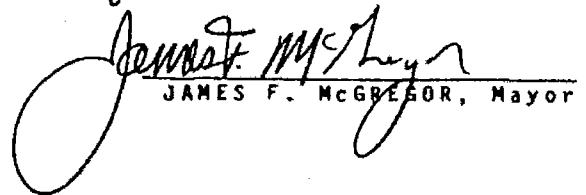
ATTEST:


PEG CUNNINGHAM, CMC
Clerk of Council

PRESENTED to the Mayor, this 5th day of September, 1991.


PEG CUNNINGHAM, CMC
Clerk of Council

APPROVED by the Mayor, this 6th day of September, 1991.


JAMES F. MCGREGOR, Mayor

Requested and submitted in form by
Deputy Director of Finance.
Approved as to form: City Attorney.
Prepared: Clerk of Council.



Ohio Public Employees Retirement System

277 East Town Street Columbus, Ohio 43215-4642 1-888-400-0965 www.opers.org

July 22, 2008

Employer Code: 308908

City of Gahanna
200 S. Hamilton Rd.
Gahanna, OH 43230

Re: Third Request for Pick-up Resolution

Dear Employer:

In February 2008, OPERS sent an *Employer Notice* to you requesting that you forward a copy of your pick-up resolution to OPERS by March 1, 2008. To date we have not received your pick-up resolution.

You must submit your pick-up resolution immediately to OPERS for review to ensure that it complies with Internal Revenue Service (IRS) guidelines. Once received, we will review your pick-up resolution and send you confirmation of its acceptance. If your resolution is not compliant with IRS guidelines, we will identify corrections needed for a compliant pick-up resolution.

IRS has declared, through Internal Revenue Ruling 2006-43, that any public employer who remits tax-deferred employee contributions, is required to submit specific written documentation about their pick-up plan. OPERS is partnering with you to avoid possible repercussions of a noncompliant plan such as:

additional tax liabilities for the employee and employer;
corrected W-2 forms to employees; and
amended income tax returns.

Enclosed is the brochure, *Pick-Up Plans: A Guide for Employers*, to help you with drafting your pick-up plan resolution.

If you have any questions, please contact your Employer Outreach representative at 1-888-400-0965 or e-mail us at employeroutreach@opers.org.

Sincerely,

Rose Rotonda
Assistant Director