



ORDINANCE 2024-17

AN ORDINANCE AGREEING TO “PICK UP” THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEE’S RETIREMENT SYSTEM FOR ALL ELIGIBLE/COVERED VILLAGE EMPLOYEES PURSUANT TO INTERNAL REVENUE CODE SECTION 414(h)(2)

WHEREAS, pursuant to federal and Ohio law, the federal and state income taxes on a portion of the wages or salaries of the employees of the Village of South Bloomfield will be deferred if the Village of South Bloomfield “picks up” (assumes and pays) the contributions statutorily required by such covered employees to Ohio Public Employees Retirement System (OPERS); and

WHEREAS, the Village of South Bloomfield will not incur any additional costs in the picking up of such contributions.

NOW, **THEREFORE, BE IT ORDAINED** by the Council of the Village of South Bloomfield, County of Pickaway, State of Ohio that:

SECTION 1: Effective January 19, 2025, the full amount of the statutorily required employee contributions to OPERS shall be withheld from the gross pay of each person within any of the classes established in Section 2 below and shall be “picked up” (assumed and paid to OPERS) by the Village of South Bloomfield. This “pick up” by the Village shall be designated as public employee contributions and shall be in lieu of contributions to OPERS by each person within any of the classes established in Section 2 below.

No person subject to this “pick up” shall have the option of choosing to receive the statutorily required contribution to OPERS directly instead of having it “picked up” by the Village of South Bloomfield or of being excluded from the “pick up”. The Village of South Bloomfield shall, in reporting and making remittance to OPERS, report the public employee’s contribution for each person subject to this “pick up” has been made. Therefore, contributions, although designated as employee contributions, are employer-paid, and employees do not have the option to receive the contributions directly. All contributions are paid by the employer directly to the plan.

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Sunoco, Scioto Estates, State St. bulletin board, Marvin Webster Park, 5023 S Union St. bulletin board

SECTION 2: The “pick up” by the Village of South Bloomfield provided by this ordinance shall apply *to all persons* that are employees of the Village of South Bloomfield who are or become contributing members of OPERS.

SECTION 3: The Village of South Bloomfield’s method of payment of salary to employees, who are participants in OPERS, is hereby modified as provided in Section 4, in order to provide for a salary reduction and pick up of employee contributions to OPERS.

SECTION 4: The total salary for each employee shall be the salary otherwise payable under the Village of South Bloomfield policies. Such total salary for each employee shall be payable by the Village of South Bloomfield in two parts: (a) deferred salary and (b) cash salary. An employee’s deferred salary shall be equal to that percentage of that employee’s total salary which is required from time to time by OPERS to be paid as an employee contribution by that employee, and shall be paid by the Village of South Bloomfield to OPERS on behalf of that employee as a pick up and in lieu of the OPERS employee contribution otherwise payable by that employee. An employee’s cash salary shall be equal to that employee’s total salary less the amount of the pick up for that employee, and shall be payable, subject to applicable payroll deductions, to that employee. The Village of South Bloomfield shall compute and remit its employer contributions to OPERS based upon an employee’s total salary. The total combined expenditures of the Village of South Bloomfield for such employees’ total salaries payable under applicable Village of South Bloomfield policies 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: The fiscal officer is hereby authorized and directed to implement the provisions of this ordinance to institute the “pick up” of the statutorily required contributions to OPERS for those persons reflected in Section 2 herein to enable him/her to obtain the result in federal and state tax deferments.

SECTION 6: All prior legislation, or any parts thereof, which is/are inconsistent with this Ordinance is/are hereby repealed as to the inconsistent parts thereof

SECTION 7: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 8: This Ordinance shall take effect at the earliest time allowed by law.

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PASSED: December 16, 2024

ATTEST: Alusha Burke
Fiscal Officer

APPROVED BY MAYOR: Alison Thomas

APPROVED:

Approved as to form this 15th day of November 2024

Brian M. Zets
Brian M. Zets, Esq.
Village Solicitor

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