

RESOLUTION NO. 61-21

RESOLUTION THAT THE CITY OF CONNEAUT WILL PICK UP THE STATUTORILY REQUIRED CONTRIBUTION TO THE OHIO PUBLIC EMPLOYEES RETIREMENT SYSTEM FOR THE CONNEAUT CITY MANAGER OF THE CITY OF CONNEAUT PURSUANT TO IRC SECTION 414(h)(2).

WHEREAS, pursuant to federal and Ohio laws, the City of Conneaut may offset future salary increases and "pick up" (assume and pay) the contributions statutorily required by such elected officials and covered employees to the Ohio Public Employees Retirement System (OPERS) and such individuals will not be required to pay federal and state income taxes on such contributions; and

NOW THEREFORE BE IT ORDAINED BY THE CITY OF CONNEAUT, ASHTABULA COUNTY, STATE OF OHIO, THAT:

SECTION 1: Effective July 17, 2021, the full amount of the statutorily required employee contributions to OPERS shall be picked up and paid as a fringe benefit by the City of Conneaut for each person within any of the classes established in Section 2 herein. The pick-up shall be an offset against future salary increases. This "pick up" by the City of Conneaut 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 herein. 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 City of Conneaut or of being excluded from the "pick up". The City of Conneaut shall, in reporting and making remittance to OPERS, report that the public employees contribution for each person subject to this "pick up" has been made as provided by the statute. 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.

SECTION 2: The "pick up" by the City of Conneaut provided by this resolution shall apply to Conneaut City Manager of the City of Conneaut who are or become contributing members of OPERS.

SECTION 3: Under the fringe-benefit method of employer pick up, salary is not modified; however, the employer will pay the employees' statutorily required contribution to OPERS.

SECTION 4: The treasurer and/or the clerk are hereby authorized and directed to implement the provisions of this resolution to institute the "pick up" of the statutorily required contributions to OPERS for those persons reflected in Section 2 herein so as to enable them to have their employee contributions paid by their employer.

SECTION 5. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council or any of its committees that resulted in such

formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 6. That this resolution is declared to be an emergency measure in the interests of public peace, health and safety and, shall take effect immediately upon passage.

Passed this 12th day of July, 2021.

Jon A. Amos
President of Council

ATTEST:

Pamela O'Connell
Clerk of Council

Pamela O'Connell, Clerk of the Council of the City of Conneaut, Ohio, do hereby certify that the foregoing is a true and accurate copy of Res. No. 1-21 passed on the 12th day of July, 2021 by said Council.

Pamela O'Connell
Clerk of Council 7-12-21