

CITY OF DOVER ORDINANCE #2009-23

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF DOVER, IN COUNCIL MET:

That Chapter 2 - Administration, Article IV - Officers and Employees, Division 1 - Generally, Section 2-201 - Compensation and expenses for mayor, council, employees and other elected or appointed officials, be amended to read as follows:

Sec. 2-201. Compensation and expenses for mayor, council, employees and other elected or appointed officials.

A. In accordance with section 12 of the Charter, authorizing the council to establish compensation and expenses for the mayor and councilmembers, city employees and other elected or appointed officials, the following fees are hereby established:

(1) *Mayor.* The mayor shall receive an annual salary of \$45,000.00. For the period beginning July 27, 2009 and ending July 26, 2010, the mayor shall receive an annual salary of \$44,100. In addition, the mayor shall receive an expense allotment of up to \$5,000.00, to be included in the city's annual budget, for miscellaneous expenses, to be reimbursed upon submission of receipts or proper documentation. Expenses in excess of this amount shall only be permitted by council approval. The mayor shall be entitled to all benefits customary to an employee of the city, except pension benefits, and sick and vacation leave.

(2) *Councilmembers generally.* Each councilmember shall receive an annual salary of \$7,416, to be paid monthly. For the period beginning July 27, 2009 and ending July 26, 2010, each councilmember shall receive an annual salary of \$6,674.40, to be paid monthly. The council president shall receive an annual salary of \$8,652, to be paid monthly. For the period beginning July 27, 2009 and ending July 26, 2010, the council president shall receive an annual salary of \$7,786.80, to be paid monthly. Councilmembers shall receive reimbursement for actual and necessary expenses incurred when on official business as prescribed by ordinance or policy.

(3) Councilmembers hearing appeals. Members of the council sitting to hear appeals from the municipal assessment shall receive \$50.00 for per diem reimbursement for expenses for the preparation and attendance of each meeting of the assessment appeals committee.

(4) Nonemployee election officers. Each person not a city employee appointed to serve as an election judge for any municipal election shall receive \$200.00 for per diem reimbursement for each election attended. Each person chosen to serve as a clerical assistant for any municipal election shall receive \$150.00 for per diem reimbursement for each election attended.

(5) Employee election officers. Employees of the city appointed to serve as election judges or officials for any municipal election shall receive \$150.00 for per diem reimbursement for expenses for each municipal election attended in addition to their regular salary.

(6) Appointee to council committee. Each appointed member to any city council committee, not serving an elected term to any city office, shall receive \$75.00 for preparation and attendance at each committee meeting to which the member is appointed.

(7) Employee on council committee. For any city employee appointed to a council committee shall receive \$25.00 for reimbursement for expenses per diem for each meeting attended which is held after 5:00 p.m. on a scheduled workday or at any time on a weekend or city-approved holiday.

(8) Planning commission. Each appointed member of the planning commission shall receive \$100.00 per diem reimbursement for expenses to be paid monthly for preparation and attendance at each meeting of the planning commission.

(9) Board of adjustment. Each appointed member of the board of adjustments shall receive \$75.00 per diem reimbursement for expenses to be paid monthly for preparation and attendance at each meeting of the board of adjustment, to become effective July 1, 2007.

B. Compensation commission.

There is hereby created a compensation commission to consider compensation for the mayor, city council, and paid members of city committees and commissions. The compensation commission shall consist of five (5) members, one (1) member appointed by the mayor, one (1) member appointed by the council president, and three (3) members appointed by city council during the annual meeting. Members shall be city residents who are registered to vote in city elections. Members shall serve two (2) year terms and cannot be re-appointed within the next two (2) years. The controller/treasurer and human resources director shall serve as ex-officio, non-voting members.

The compensation commission shall meet as needed, with a report due to Council six (6) months prior to the regular municipal election, with one (1) public hearing held prior to their submission of the report to council. Upon receiving the resolution of the commission, the city council may reduce or reject the commission's recommendation, but it may not increase any item in the resolution. The recommendations contained in the resolution, and any permitted changes to such recommendations, shall not become effective unless adopted by ordinance enacted at least three (3) months prior to the elections of the next succeeding mayor and council, and shall take effect only for the next succeeding terms of office of the mayor and council.

SYNOPSIS

The amendment creates a compensation commission to consider compensation for the Mayor, City Council, and paid members of City committees and commissions.

Actions History

February 23, 2009 - Introduced at LF&A Committee with Charter Amendments (as Ordinance #2009-04)

BE IT FURTHER ORDAINED THAT:

Chapter 2 - Administration, Article IV - Officers and Employees, Division 4 - Finance Director, be amended to read as follows:

DIVISION 4. CONTROLLER/TREASURER

Sec. 2-261. Appointment.

There shall be a controller/treasurer selected by the city council at its annual meeting.

BE IT FURTHER ORDAINED THAT:

Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision II - Board of Trustees, Section 2-362 - Composition, be amended to read as follows:

Sec. 2-362. Composition.

The pension board of trustees shall consist of the following persons:

- (1) Manager. The city manager.
- (2) City officials. Two elected city officials who shall be appointed by the council president, subject to confirmation of a voting majority of the city council at its annual meeting.
- (3) Participants. Three participants or retired participants of the plan who shall be elected by the participants and retired participants of the plan.
- (4) Controller/treasurer. The city controller/treasurer.
- (5) Election.
 - (a) Such election shall be for three-year staggered terms, beginning July 1 and ending June 30 three years later. A regular election for filling these positions will be held the third week of June each year.
 - (b) In the first week of April of each year, the city clerk shall notify those eligible to vote of the exact time and place of the election. Any general employee pension plan member that is eligible to vote and appears on the listing of qualified voters who will be unable to appear at the polling place on the date and time of the election may cast his or her vote by absentee ballot in the general employees pension plan election for the following reasons: 1) armed forces, 2) public service, 3) occupation, 4) sickness, 5) disability, 6) religion, 7) vacation, or 8) residency outside of the Dover area which makes it infeasible to vote in person.

BE IT FURTHER ORDAINED THAT:

Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision II - Board of Trustees, Section 2-363 - Term of office of members, be amended to read as follows:

Sec. 2-363. Term of office of members.

The term of office of each member of the pension board of trustees, except the city controller/treasurer, city manager, and elected city officials, shall commence on the first day of the month following his election and continue for a period of three years or until his successor shall be elected and qualified.

BE IT FURTHER ORDAINED THAT:

Chapter 2 - Administration, Article IV - Officers and Employees, Division 7 - General Employee Pension Plan, Subdivision II - Board of Trustees, Section 2-364 - Officers and ex officio members, be amended to read as follows:

Sec. 2-364. Officers and ex officio members.

The pension board of trustees shall elect a chairperson, a vice-chairperson who shall serve when the chairperson is absent, a secretary and a treasurer or fiscal agent designated by the pension board. The city controller/treasurer shall be the pension fund treasurer and his bond shall cover all monies deposited with him.

BE IT FURTHER ORDAINED THAT:

Chapter 102 - Taxation, Article III - Realty Transfer Tax, Sec. 102-71 - Definitions, Subsection (c), be amended to read as follows:

(c) For the purpose of subsection (a)(5) of this section, in the case of a document described in subsection (a)(2) of this section under which the consideration is based, in whole or in part, on a percentage of the income or receipts to be received in the future, actual consideration shall include the amounts actually received under such percentage of income or receipts provision; provided, however, and notwithstanding any other provisions of this article, that the tax imposed by this article shall be due and payable to the controller/treasurer within 30 days after the date such amounts become due and payable under the agreement.

BE IT FURTHER ORDAINED THAT:

Chapter 110 - Utilities, Article I - In General, Sec. 110-3. Properties/utilities policy and regulations, be amended to read as follows:

(a) The city manager and the controller/treasurer shall have authority to enter into properties/utilities agreements for the rental of space, easements, rights-of-way and other properties owned and operated by the city.

(b) The city manager and the controller/treasurer shall also have authority to charge equivalent or higher payment for the use of space, easements, rights-of-way and other properties in lieu of franchise fees.

ADOPTED: OCTOBER 26, 2009

SYNOPSIS

This Ordinance amends the Dover Code to reflect recent Charter Amendments.

Actions History

10/12/2009 - First Reading

09/28/2009 - Considered at LF&A