

## ORDINANCE NO. 292

An Ordinance Amending The Code of Ordinances of The City of Ely, Iowa, By Amending Section Chapter 17 City Council, §17.06 “Compensation”

BE IT ENACTED by the City Council of the City of Ely, Iowa:

SECTION 1. SECTION AMENDED. Amending Section 17.06 of the Ely Code by deleting the current Section 17.06, which currently reads as follows:

### **17.06 COMPENSATION.**

The salary of each Council member is \$40.00 for each meeting of the Council attended, payable quarterly.

And replacing said deleted language with the following:

### **17.06 COMPENSATION.**

The salary of each Council member shall be \$2,400, annually, payable quarterly, subject to the following terms and provisions

1. The four pay periods, or quarters, shall be January – March, April – May, June – August, and September – December.
2. Payment for each quarter shall be made in the month following the conclusion of each quarter.
3. If during any quarter, an otherwise eligible Councilperson, did not attend at least 70% of the scheduled City Council Meetings (special meetings, work sessions, budgetmeeting, and others) the councilpersonshall receive no compensation for that quarter
4. If a Councilperson resigns or their term ends for any other reason during the course of any quarter, the Councilperson will be paid \$200 for every completed month of service during which the Councilperson attended at least 65% of the scheduled City Council Meetings and shall receive no compensation for any partial month of service.
5. If a Councilperson is appointed to fill a vacant council seat, the appointed Councilperson will be compensated at the rate of \$200 per month for each full month served during the quarter of appointment so long as they have attended at least 70% of the Regular City Council Meetings, consistent with the provisions of paragraph number 1 and 2 of this section.In all quarters following thequarter of appointment, the Councilperson shall be compensated consistent with paragraphs 3 and 4 of this section.

SECTION 2. SEVERABILITY CLAUSE. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final

passage, approval and publication, as provided by law, with the provisions hereof to take effect consistent with Iowa Code §372.13(8).

1<sup>st</sup> reading passed by the Council on this 7<sup>th</sup> day of September, 2021

2<sup>nd</sup> reading passed by the Council on this 20<sup>th</sup> day of September, 2021

3<sup>rd</sup> reading passed by the Council on this 4<sup>th</sup> day of October, 2021

ATTEST:

\_\_\_\_\_  
\_\_\_\_\_, Mayor

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

I certify that the foregoing was published as Ordinance No. \_\_\_\_\_ on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
\_\_\_\_\_, City Clerk

**NOTE: IOWA CODE**

372.13 “The Council” (8) By ordinance, the council shall prescribe the compensation of the mayor, council members, and other elected city officers, but a change in the compensation of the mayor does not become effective during the term in which the change is adopted, and the council shall not adopt an ordinance changing the compensation of the mayor, council members, or other elected officers during the months of November and December in the year of a regular city election. A change in the compensation of council members becomes effective for all council members at the beginning of the term of the council members elected at the election next following the change in compensation. Except as provided in section 362.5, an elected city officer is not entitled to receive any other compensation for any other city office or city employment during that officer’s tenure in office, but may be reimbursed for actual expenses incurred. However, if the mayor pro tem performs the duties of the mayor during the mayor’s absence or disability for a continuous period of fifteen days or more, the mayor pro tem may be paid for that period the compensation determined by the council, based upon the mayor pro tem’s performance of the mayor’s duties and upon the compensation of the mayor