

**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2022-05**

**AN ORDINANCE OF THE CITY OF WALTON, KENTUCKY,
AMENDING ORDINANCE 2018-15 AND SECTION 31.03 OF THE
CITY OF WALTON CODE OF ORDINANCES IN ORDER TO REVISE
THE FUTURE COMPENSATION FOR THE MAYOR AND MEMBERS
OF CITY COUNCIL.**

WHEREAS, the City has previously provided for the amount of annual compensation to be paid to the Mayor and Members of City Council, and for policies and procedures for payment of compensation to its elected officials; and

WHEREAS, the City Council of the City of Walton, Kentucky now wishes to modify the amounts of compensation to its future elected officials.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY AS FOLLOWS:

SECTION ONE

Ordinance 2018-15 and Section 31.03 of the City of Walton Code of Ordinances are hereby amended as follows:

§ 31.03 COMPENSATION.

(A) City Council shall establish the compensation of every elected officer not later than the first Monday in May in the year in which the officer is elected. An elected officer's compensation shall not be changed after his or her election or during his or her term in office.

(1) In order to equate the compensation of mayors and councilmembers with the purchasing power of the dollar, the Department of Local Government computes by the second Friday in February of every year the annual increase or decrease in the consumer price index of the preceding year by using 1949 as the base year in accordance with § 246 of the Constitution of Kentucky, which provides that the mayor in cities of the first class shall be paid at a rate no greater than \$12,000 per annum and mayors in cities other than the first class and councilmembers shall be paid at a rate no greater than \$7,200.00 per annum.

(2) The City Council shall set the compensation of these officers in accordance with KRS 83A.070 at a rate no greater than that stipulated by the Department of Local Government.

(B) The City Council shall establish the compensation of city employees and non-elected city officers in accordance with the personnel and pay classification plan ordinance of the city.

(C) All fees and commissions authorized by law shall be paid into the city treasury for the benefit of the city and shall not be retained by any officer or employee.

(D) The compensation of members of City Council shall be increased from ~~[\$1,500 to]~~ \$3,000 **to \$5,000** per annum effective January 1, **2023** ~~[2017]~~, payable pursuant to division (F) below.

(E) The compensation of the Mayor shall be increased from ~~[\$3,000 to]~~ \$6,000 ~~to \$12,000~~ per annum effective January 1, ~~2023 [2017]~~, payable pursuant to division (F) below.

(F) The compensation of the elected city officials in divisions (D) and (E) above, shall be paid in ~~[one]~~ **two semi-**annual lump sum **payments** per year, ~~one~~ at the **first June [November]** City Council meeting, **and the other at the first December City Council Meeting.**

(1) For the annual compensation to be earned for a particular year, the official must remain in office for at least six months of his or her term. If an official does serve at least six months of his or her term and resigns before the end of the term (other than as addressed in division (F)(2) below), then the compensation will be paid pro rata.

(2) If an official resigns voluntarily or is forced to resign, due to an ethics board or criminal investigation, or is removed from office pursuant to law, prior to that year's November City Council meeting, no compensation shall be paid for that year.

(3) Provided, however, a hardship exception may apply and a former official may be paid on a pro rata basis for the portion of the year served if she or he left office due to death, disability from injury or sickness, or if she or he moves outside of the city due to transfer of his or her job outside of the voting district. The hardship exception shall be considered at the next regular City Council meeting and must be approved by a majority of City Council.

(4) Any person appointed to fill a vacancy shall be paid on a pro rata basis for the months served in the year of appointment; to be paid for a particular month, that appointee shall take office by the tenth of that month.

SECTION TWO

After amendment, Section 31.03 shall read as follows:

(A) City Council shall establish the compensation of every elected officer not later than the first Monday in May in the year in which the officer is elected. An elected officer's compensation shall not be changed after his or her election or during his or her term in office.

(1) In order to equate the compensation of mayors and councilmembers with the purchasing power of the dollar, the Department of Local Government computes by the second Friday in February of every year the annual increase or decrease in the consumer price index of the preceding year by using 1949 as the base year in accordance with § 246 of the Constitution of Kentucky, which provides that the mayor in cities of the first class shall be paid at a rate no greater than \$12,000 per annum and mayors in cities other than the first class and councilmembers shall be paid at a rate no greater than \$7,200.00 per annum.

(2) The City Council shall set the compensation of these officers in accordance with KRS 83A.070 at a rate no greater than that stipulated by the Department of Local Government.

(B) The City Council shall establish the compensation of city employees and non-elected city officers in accordance with the personnel and pay classification plan ordinance of the city.

(C) All fees and commissions authorized by law shall be paid into the city treasury for the benefit of the city and shall not be retained by any officer or employee.

(D) The compensation of members of City Council shall be increased from \$3,000 to \$5,000 per annum effective January 1, 2023, payable pursuant to division (F) below.

(E) The compensation of the Mayor shall be increased from \$6,000 to \$12,000 per annum effective January 1, 2023, payable pursuant to division (F) below.

(F) The compensation of the elected city officials in divisions (D) and (E) above, shall be paid in two semi-annual lump sum payments per year, one at the first June City Council meeting, and the other at the first December City Council Meeting.

(1) For the annual compensation to be earned for a particular year, the official must remain in office for at least six months of his or her term. If an official does serve at least six months of his or her term and resigns before the end of the term (other than as addressed in division (F)(2) below), then the compensation will be paid pro rata.

(2) If an official resigns voluntarily or is forced to resign, due to an ethics board or criminal investigation, or is removed from office pursuant to law, prior to that year's November City Council meeting, no compensation shall be paid for that year.

(3) Provided, however, a hardship exception may apply and a former official may be paid on a pro rata basis for the portion of the year served if she or he left office due to death, disability from injury or sickness, or if she or he moves outside of the city due to transfer of his or her job outside of the voting district. The hardship exception shall be considered at the next regular City Council meeting and must be approved by a majority of City Council.

(4) Any person appointed to fill a vacancy shall be paid on a pro rata basis for the months served in the year of appointment; to be paid for a particular month, that appointee shall take office by the tenth of that month.

SECTION THREE

This Ordinance shall take effect and shall be in full force on January 1, 2023, and after its enactment and publication as required by law.

SECTION FOUR

All ordinances or parts of any ordinances in conflict herewith, to the extent of the conflict, if any, are hereby repealed.

SECTION FIVE

If any sentence, clause, section or part of this ordinance or the application thereof to any particular situation is, for any reason, found to be unconstitutional, illegal or invalid, the invalidity of any provision of this Ordinance shall not affect the validity of any other provisions hereof, and such other provisions shall remain in full force and effect as long as they remain valid in the absence of that provision determined to be invalid.

SECTION SIX

This ordinance may be read and published in summary form.

PASSED AND APPROVED ON FIRST READING BY 5 OF 6 MEMBERS OF CITY COUNCIL ON THE 8th DAY OF MARCH, 2022.

PASSED AND APPROVED ON SECOND READING BY ____ OF ____ MEMBERS OF CITY COUNCIL ON THE ____ DAY OF _____, 2022.

APPROVED:

GABRIEL D. BROWN, MAYOR

ATTEST:

GEVANA HICKS, CITY CLERK

DATE OF PUBLICATION: _____