

## **ORDINANCE NO. 1.05**

### **AN ORDINANCE TO ESTABLISH A COMPENSATION COMMISSION IN ACCORDANCE WITH PUBLIC ACT 1972, NO. 8**

#### **THE CITY OF CRYSTAL FALLS ORDAINS:**

- 1. A local officer's compensation commission is created which shall determine the salaries of each local elected official. The commission shall consist of 5 members. The members shall be registered electors of the City, appointed by the Mayor subject to confirmation by a majority of the members elected and serving in the legislative body. The term of office of the members shall be 5 years, except that of the members first appointed, 1 each shall be appointed for terms of 1, 2, 3, 4, and 5 years. The first members shall be appointed within 30 days after the effective date of the ordinance. Members other than the first members shall be appointed before October 1 of the year of appointment. Vacancies shall be filled for the remainder of the unexpired term. A member or employee of the legislative, judicial, or executive branch of government or a member of the immediate family of a member or employee of the legislative, judicial or executive branch of government shall not be a member of the commission.**
- 2. The commission shall determine the salary of each local elected official. The determination shall be the salary unless the legislative body, by resolution adopted by 2/3 of the members elected to and serving on the legislative body rejects it. The determination of the commission shall be effective 30 days following its filing with the City Clerk unless rejected by the legislative body. If the determination is rejected, the existing salary shall prevail. The expense allowance or reimbursement paid to elected officials in addition to salary shall be for expenses incurred in the course of city business and accounted for to the city.**
- 3. The commission shall meet for not more than 15 session days in each odd numbered year and shall make its determination within 45 calendar days after its first meeting. A majority of the members of the commission constitutes a quorum for conducting the business of the commission. The commission shall not take action or make a determination without concurrence of a majority of the members appointed and serving on the commission. The commission shall elect a chairperson from among its members. As used in this section, "session day" means a calendar day on which the commission meets and a quorum is present. The members of the commission shall not receive compensation, but shall be entitled to actual and necessary expenses incurred in the performance of official duties.**
- 4. The business which the commission may perform shall be conducted at a public meeting of the commission held in compliance with Act No. 267 of the**

**Public Acts of 1976, being section 15.261 to 15.275 of the Michigan Compile Laws. Public notice of the time, date, and place of the meeting of the commission shall be given in the manner required by Act No. 267 of the Public Acts of 1976.**

- 5. A writing prepared, owned, used in the possession of or retained by the commission in the performance of an official function shall be made available to the public in compliance with Act No. 442 of the Public Acts of 1976, being section 15.231 to 15.246 of the Michigan Compiled Laws.**
- 6. The governing body shall implement this section by resolution. After 1 year following the date the ordinance goes into effect the procedure for establishing the compensation of elected officials may be changed by charter amendment or revision.**
- 7. Not more than 60 days after the effective date of the ordinance, a petition for a referendum on the ordinance may be filed pursuant to the procedure provided in the charter or otherwise by filing a petition with the City Clerk containing the signatures of at least 5% of the registered electors of the City on the effective date of the ordinance. The election shall be conducted in the same manner as an election on a charter amendment. If a petition for referendum is filed, a determination of the commission shall not be effective until the ordinance has been approved by the electors.**
- 8. This Ordinance shall take immediate effect to provide for the usual daily operation of the City s outlined in Sec. 8.3b of the City Charter; further, this is merely a renumbering of an ordinance previously adopted.**

**ORIGINALLY ADOPTED: 04/08/85**

**EFFECTIVE DATE: 11/08/93**