

Sponsored by: Lindsey
Introduction Date: September 13, 2016
Public Hearing Dates: October 11, 2016 and October 25, 2016
Enactment date: October 25, 2016

ORDINANCE NO. 2016-09

AN ORDINANCE OF THE CITY OF MARATHON, FLORIDA, AMENDING THE COMPENSATION AMOUNT TO BE PAID TO CITY COUNCIL MEMBERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR THE REPEAL OF CONFLICTING PROVISIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 5(5) of the Charter of the City of Marathon, Florida, provides that the City Council may elect to provide for compensation to City Council members; and

WHEREAS, Section 5(5) of the Charter also provides that election to provide for compensation to City Council members must be accomplished by the adoption of an ordinance with no less than four affirmative votes; and

WHEREAS, Section 5(5) of the Charter also provides that no such ordinance establishing compensation shall take effect until the date of commencement of the terms of Council members selected at the next regular election which follows the adoption of said ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA AS FOLLOWS:

Section 1. Recitals. The above recitals are true and correct and incorporated herein by this reference.

Section 2. Chapter 2, Article II, Section 2-19 of the Code of Ordinances, City of Marathon, Florida, is hereby amended to read as follows:

Sec. 2-19. - Compensation.

~~The City Council Members shall receive compensation in the amount of \$18,000.00 per fiscal year.~~

- (a) Any City Council Member first elected or appointed on or after November 8, 2016 shall receive compensation in the amount of \$21,000.00 per fiscal year. Provided, however, that if he or she chooses to enroll in the Elected Officers' Class of the Florida Retirement System that is currently available through the City, then his or her compensation shall be

in the amount of \$18,000.00 per fiscal year, effective the first day of the pay period immediately following such enrollment date.

- (b) Any City Council Member first elected before November 8, 2016, who is enrolled in the Elected Officers' Class of the Florida Retirement System that is currently available through the City, shall receive compensation in the amount of \$18,000.00 per fiscal year. Any Council Member who withdraws from such enrollment shall receive compensation in the amount of \$21,000.00 per fiscal year, prorated from the effective date of such withdrawal.
- (c) Any City Council Member first elected before November 8, 2016, who is not enrolled in the Elected Officers' Class of the Florida Retirement System that is currently available through the City, shall receive compensation in the amount of \$21,000.00 per fiscal year.

Section 3. Severability. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance shall be held to sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

Section 4. Inclusion in the Code. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the Code of the City of Marathon, Florida; that the sections of this Ordinance may be renumbered or relettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word.

Section 5. Repeal of Conflicting Provisions. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed to the extent of said conflict.

Section 6. Effective date. This Ordinance shall be effective on the date of commencement of the terms of Council members selected at the next regular election which follows the adoption of this Ordinance.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MARATHON, FLORIDA, THIS 25th DAY OF OCTOBER, 2016.

THE CITY OF MARATHON, FLORIDA



Mark Senmartin, Mayor

AYES: Zieg, Bartus, Coldiron, Kelly, Senmartin
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Diane Clavier, City Clerk

(City Seal)

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



David Migut, City Attorney