

ORDINANCE NO. 11-1200

AN ORDINANCE TO CREATE A LOCAL OFFICERS COMPENSATION COMMISSION

THE CITY OF ISHPEMING ORDAINS:

Section 11-1201. There is hereby created a local officers compensation commission, which commission is created under, and shall be subject to, all rights, powers, duties, privileges and immunities enumerated in M.S.A. 5.2084(3).

Section 11-1202. The local officers compensation commission created hereunder shall consist of five (5) members, to be appointed by the Mayor and confirmed by a majority vote of the members elected and serving on the Ishpeming City Council.

Section 11-1203. Each member of the local officers compensation commission shall be a registered elector of the City of Ishpeming. 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.

Section 11-1204. The term of office of each member of the local officers compensation commission shall be five (5) years, except that of the members first appointed, one (1) each shall be appointed for a term of 1, 2, 3, 4 and 5 years.

In the event of a vacancy in the office of any member of the local officers compensation commission, such vacancy shall be filled in the same manner as the original appointment, for the balance of the term of the vacant office.

Section 11-1205. The first members of the local officers compensation commission shall be appointed by the Mayor and confirmed by the City Council within thirty (30) days after the effective date of this ordinance.

Section 11-1206.

- (a) The local officers compensation commission shall determine the salary of each elected official of the City of Ishpeming; and such determination shall be the salary unless the Ishpeming City Council, by resolution adopted by two-thirds (2/3) of its members elected and serving on the City Council, rejects the determination of the local officers compensation commission.
- (b) The determination of the local officers compensation commission shall be effective thirty (30) days following the filing thereof with the City Clerk, unless the determination is rejected by the City Council.
- (c) If any determination of the local officers compensation commission is rejected by the City Council, the existing salary or compensation with respect to that elected office shall prevail.

A rejection of the determination of the local officers compensation commission with respect to one or more classes of elected offices shall not constitute rejection of all of the determinations made by the local officers compensation commission, and the City Council shall specify which, if any, determinations are rejected; provided, however, that elected officials within the same class shall all be treated equally with respect to rejection or non-rejection of the salary determination of that class.

- (d) Expense allowance or reimbursement paid to elected officials, if determined by the local officers compensation commission, shall be for expenses incurred in the course of City business and accounted for to the City.

Section 11-1207

- (a) The local officers compensation commission shall meet for not more than fifteen (15) session days in each odd numbered year and shall make its determination within forty-five (45) calendar days after its first meeting.
- (b) A majority of the members of the local officers compensation commission shall constitute a quorum for conducting business.
- (c) The local officers compensation commission shall not make a determination without a concurrence of a majority of the members appointed and serving on the commission.
- (d) The local officers compensation commission shall elect a chairperson from among its members.
- (e) The members of the local officers compensation commission shall not receive compensation, but shall be entitled to actual and necessary expenses incurred in the performance of official duties.
- (f) The business which the local officers compensation commission may perform shall be conducted at a public meeting of the commission held in compliance with the Michigan Open Meetings Act, being M.C.L.A. 15.261-15.275, and public notice of the time, date, and place of each meeting of the commission shall be given as required under the Open Meetings Act.
- (g) All writings prepared, owned, used, in the possession of, or retained by the local officers compensation commission in the performance of an official function shall be made available to the public in compliance with M.C.L.A. 15.231-15.246.

Section 11-1208. Not more than sixty (60) days after the effective date of this ordinance, a petition for a referendum on this ordinance may be filed pursuant to the procedure provided in the Charter of the City of Ishpeming, or otherwise by filing a petition with the City Clerk containing the signatures of at least five (5%) per cent of the registered electors of the City on the effective date of this Ordinance. The election shall be conducted in the same manner as an election on a charter amendment. If a petition for referendum is timely filed, a determination of the local officers compensation commission shall not be effective until this Ordinance has been approved by the electors of the City of Ishpeming.

Section 11-1209. This ordinance shall be effective upon publication.

September 2, 1981