LEGISTAR #: 20160800
ORDINANCE NO.: 7918

AN ORDINANCE

AMENDING the Marietta City Charter Section 2.12 and 2.7 to provide for an increase in compensation for the Mayor and City Council and Mayor Pro Tem as attached to be effective upon the sitting of the Term of Council January 2018.

NOW THEREFORE, THE MAYOR AND COUNCIL OF THE CITY OF MARIETTA, GEORGIA, HEREBY ORDAINS:

Section 1. The Charter of the City of Marietta, Georgia is hereby amended pursuant to O.C.G.A § 36-35-3 and O.C.G.A § 36-35-4 as well as any other applicable laws. This Ordinance is hereby adopted following the second of two public hearings and as follows: (a) The publication of notice in the local newspaper, as required by law; (b) The holding of two public hearings; (c) The filing of the Proposed Amendments with the Clerk of Superior Court and the Clerk for the City of Marietta, Georgia.

Section 2. To amend Section 2.12 – Salaries; reimbursement of expenses.

The salaries of the mayor and each councilman shall be as prescribed by ordinance, subject to any limitations on the taking effect of same as prescribed by law.

The council may also provide by ordinance for the reimbursement of expenses incurred in the performance of their official duties as mayor and council members.

Until changed by ordinance, the mayor shall be paid a salary of $25,200 per year, payable in equal monthly installments of $2,100 for attending council and committee meetings, plus $160 monthly for expenses. Until changed by ordinance, all other members of the council shall receive a salary of $18,900 per year, payable in equal monthly installments of $1,575 plus $150 monthly for expenses. In addition to the amounts described in this paragraph, each member of the council shall receive reasonable expenses and expenditures for travel without the corporate limits of the City of Marietta on business beneficial to the City. Such payments shall be made as follows:

a) Payment for registration in any conference, seminar, gathering, or other meeting beneficial to the interest of the city; and
b) Costs for lodging either in the form of direct payment by the city to the establishment furnishing such lodging, or as a cash advance to the member of the council for the purpose of lodging; and

c) Costs for transportation to and from the conference, seminar, gathering, meeting or other travel without the city, provided however, should any member of the council utilize his or her personal vehicle as transportation, such member shall be entitled to payment at the prevailing IRS Standard Mileage Rate for travel by the most direct route to and from the city; and
d) A per diem pursuant to the IRS per diem rates as published. Each member of the council shall have a specific amount included in the budget of the City of Marietta for travel purposes for the entire fiscal year, and no amount shall be paid in excess of the budgeted amount.

Section 3. To amend Section 2.7 – Mayor pro tem; presiding officer.

The mayor pro tem shall be appointed at the January meeting of each year for a term of one year from the members of the council by the mayor with the consent of a majority of the council. The mayor pro tem shall be clothed with all rights, powers and duties of the mayor during the absence or disability of the latter officer, except that the mayor pro tem shall not have the authority to veto any item but shall retain the right to vote as a member of the council while discharging the duties of the mayor. If there shall be a vacancy in the office of the mayor pro tem, the majority of the council may fill the same at any regular meeting of the council or in vacation. In the event of the death or resignation of the mayor or his or her removal from office, the mayor pro tem shall discharge the duties of the mayor until the vacancy is filled by the selection of a successor as hereinafter provided. If the mayor should not appoint, with the consent of council, a mayor pro tem by January 31 of each year, the council may select the mayor pro tem by majority vote of the council. The mayor pro tem shall be paid in addition to his or her council salary a salary of $125.00 per month.

Section 4. It is hereby declared to be the intention of this Ordinance that its sections, paragraphs, sentences, clauses and phrases are severable, and if any section, paragraph, sentence, clause or phrase of this Ordinance is declared to be unconstitutional or invalid, it shall not affect any of the remaining sections, paragraphs, sentences, clauses or phrases of this Ordinance.

Section 5. All Ordinances or parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 6. This Ordinance shall become effective upon the signature or without the signature of the Mayor subject to Georgia laws 1983, Page 4119.

SECOND READING

VOTES FOR: 4 **VOTES AGAINST:** 2

DATE: August 10, 2016

APPROVED:

Steve Tumlin, MAYOR

ATTEST:

Stephanie Guy, CITY CLERK

Approved as to Form:

Douglas R. Haynie
City Attorney