

1. DIVISION 6. LOCAL OFFICERS COMPENSATION COMMISSION*

*Editor's note: Having not expressly amended the Code, the provisions of §§ 1--7 of Ord. No. 342, enacted May 23, 1984, have been incorporated herein as Art. VII, Div. 6, §§ 2-243--2-248, of Ch. 2.

Sec. 2-243. Creation; composition; qualifications; terms of office; time of appointment; vacancies; eligibility restriction.

(a) Pursuant to the provisions of Act 8 of the Public Acts of 1972 of the State of Michigan, as amended, there is hereby created a local officers compensation commission which shall determine the salaries of all local elected officials. The commission shall consist of five (5) members who are registered electors of the city. The members of the commission shall be appointed by the mayor subject to confirmation by a majority of the members elected to and serving on the city council.

(b) The terms of office shall be five (5) years, except that of the members first appointed, one (1) each shall be appointed by terms of one (1), two (2), three (3), four (4), and five (5) years. All members first appointed shall be appointed within thirty (30) days after the effective date of this division. Thereafter members shall be appointed before October 1 of the year of appointment. Vacancies on the commission shall be filled for the remainder of the unexpired term. No member or employee of the legislative, judicial or executive branch of any level of government or members of the immediate family of such member or employee shall be eligible to be a member of the commission.

(Ord. No. 342, § 1, 5-23-84)

Sec. 2-244. Determination of salaries; rejection by city council resolution; effective date; existing salary; expenses.

The commission shall determine the salaries of all local elected officials. The determination of the commission shall be the salaries of such officials unless the city council, by resolution adopted by two-thirds of the members elected to and serving on the city council, rejects them. The determination of the commission shall become effective thirty (30) days following their filing with the city clerk unless rejected by the city council. In the event the city council shall reject any determination of the commission, the existing salary shall prevail. Any expense allowance or reimbursement paid to local elected officials in addition to salary shall be for expenses incurred in the course of city business and accounted for to the city.

(Ord. No. 243, § 2, 5-23-84)

Sec. 2-245. Meetings and time to determination; quorum; chairman; session days; compensation and expenses.

The commission shall meet not more than fifteen (15) session days each odd-numbered year, and shall make its determination within forty-five (45) calendar days of its first meeting. A majority of the members of the commission constitutes a quorum for conducting the business of the commission. The commission shall take no action or make determinations without a concurrence of a majority of the members appointed and serving the commission. The commission shall elect a chairman from among its members. "Sessiondays" means any calendar day on which the commission meets and a quorum is present. The members of the commission shall receive no compensation, but shall be entitled to their actual and necessary expenses incurred in the performance of their duties.

(Ord. No. 342, § 3, 5-23-84)

Sec. 2-246. Compliance with state laws.

(a) Compliance with Open Meetings Act. 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 Sections 15.261 to 15.275 of the Michigan Compiled 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.

(b) Compliance with Freedom of Information Act. 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 Sections 15.231 to 15.246 of the Michigan Compiled Law.

(Ord. No. 342, §§ 4, 5, 5-23-84)

Sec. 2-247. Implementation by resolutions; change of procedure, time and method.

The governing body shall implement this division by resolution. After one (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.

(Ord. No. 342, § 6, 5-23-84)

Sec. 2-248. Referendum or other petitions; signatures of electors; conduct of election; effectiveness of determination.

Not more than sixty (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 five (5) percent 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.

(Ord. No. 342, § 7, 5-23-84)

Secs. 2-249--2-259. Reserved.