

CITY OF LEADVILLE, COLORADO
Ordinance No. 6, Series of 2011

**AN ORDINANCE AMENDING SECTION 2.04 OF THE LEADVILLE MUNICIPAL CODE
CONCERNING COMPENSATION OF ELECTED CITY OFFICIALS.**

WHEREAS, the City of Leadville, Colorado, is a statutory municipality; and

WHEREAS, according to C.R.S. § 31-4-109, the mayor shall receive such compensation for his or her services as the City Council, prior to the mayor's election, may fix, and the City Council, at least as early as the last monthly meeting before such regular municipal election, shall fix by ordinance the compensation and fees of members of the City Council, including the compensation of the mayor and councilmembers, for the period for which they will be elected or appointed if any change in said compensation is desirable; and

WHEREAS, pursuant to C.R.S. § 31-4-109, the City Council shall neither increase nor diminish the compensation of any councilmember or mayor during his or her term of office; and

WHEREAS, pursuant to C.R.S. § 31-4-109, Each person appointed to fill a vacancy in the office of mayor or councilmember shall receive the same compensation as was established for the office when the vacancy occurred. All other officers of the City, together with all other employees of the City, shall receive such compensation as the City Council may fix from time to time by ordinance or as may be established in a pay plan adopted by ordinance; and

WHEREAS, the City Council desires to fix the salary of the elected city officials effective as of January 1, 2012; and

WHEREAS, the City Council recognizes that existing or future federal or state law may require the City to provide certain benefits to its elected officials and employees; and

WHEREAS, the City Council desires to repeal obsolete provisions of the Municipal Code regarding requirements and compensation for elected city officials.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEADVILLE, COLORADO:

Section 1. Section 2.04.030 of the Leadville Municipal Code is amended to read as follows:

2.04.030 Mayor– Powers and duties– Compensation.

The mayor shall be the chief executive officer of the City and conservator of the peace as may be provided by law or this code. Each and every appointive officer of the City shall be subject to the control and orders of the mayor. He or she shall have power to appoint special police officers as he or she may deem necessary to preserve good order and protect citizens or property in cases of emergency when the council is not in session, but no appointment of such special police shall be made for a longer time than to the date of the next regular meeting of the council, and any and all such appointments shall be made in writing signed by the mayor and bear the seal of the City. The mayor shall receive as compensation for his or her services the annual sum of ten thousand dollars (\$10,000.00) commencing January 1, 2012, provided, however, that if the City employs a professional city manager, the mayor's compensation shall be the annual sum of four thousand eight hundred dollars (\$4,800.00) in accordance with the restraints imposed by State Statute. In addition to such compensation, the mayor may elect to participate in any health insurance plan, disability insurance, life insurance, or any deferred compensation plan authorized by section 457 of The United States Internal Revenue Code under the same terms as city employees and shall receive as compensation that portion of such benefits that the City pays on behalf of employees if he or

she elects such participation. He or she shall also be reimbursed for actual expenses incurred by him or her in the performance of his or her official duties as mayor. When he or she shall vacate such office he or she will turn over and deliver to his or her successor all papers, property or things belonging to the City and remaining in his or her hands as such mayor.

Section 2. Section 2.04.050 of the Leadville Municipal Code is amended to read as follows:

2.04.050 City clerk– Compensation.

The city clerk shall be paid for his or her services the annual sum of eighteen thousand dollars (\$18,000.00) commencing January 1, 2012. When he or she shall vacate such office he or she will turn over and deliver to his or her successor all moneys, papers, property or things belonging to the City and remaining in his or her hands as such city clerk.

Section 3. Section 2.04.090 of the Leadville Municipal Code is amended to read as follows:

2.04.090 City treasurer– Compensation.

The city treasurer shall be paid for his or her services the annual sum of twenty-seven thousand dollars (\$27,000.00) commencing January 1, 2012. In addition to such compensation, the city treasurer may elect to participate in any health insurance plan, disability insurance, life insurance, or any deferred compensation plan authorized by section 457 of The United States Internal Revenue Code under the same terms as city employees and shall receive as compensation that portion of such benefits that the City pays on behalf of employees if he or she elects such participation and the city treasurer shall work an average of thirty hours per week. When he or she shall vacate such office he or she will turn over and deliver to his or her successor all books, papers, property or things belonging to the City and remaining in his or her hands as such city treasurer.

Section 4. Section 2.04.160 of the Leadville Municipal Code is added to read as follows:

2.04.160 City Councilmembers– Compensation.

Each City Councilmember shall be paid for his or her services the annual sum of two thousand, four hundred dollars (\$2,400.00) commencing January 1, 2012. When he or she shall vacate such office he or she will turn over and deliver to his or her successor all papers, property or things belonging to the City and remaining in his or her hands as such city councilmember.

Section 5. Section 2.04.170 of the Leadville Municipal Code is added to read as follows:

2.04.170 Compensation--state and federal mandates.

Any federal or state mandates regarding employee benefits shall automatically be included in compensation as required by law.

Section 6. Remaining provisions. Except as specifically amended hereby, all other provisions of the Leadville Municipal Code and the various secondary codes adopted by reference therein, shall continue in full force and effect.

Section 7. Severability; Conflicting Ordinances Repealed. If any section, subsection or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections and clauses shall not be affected thereby. All other ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. Effective Date. This Ordinance shall take effect and be in full force thirty days after final publication pursuant to Section 31-16-105, C.R.S.

INTRODUCED, READ, APPROVED AND ORDERED PUBLISHED in full on first reading this 21st day of June, 2011.

CITY OF LEADVILLE, COLORADO

ATTEST:

Bud Elliott, Mayor

Joseph Swyers, City Clerk

Published in full in *The Herald Democrat*, a newspaper of general circulation in Leadville, Colorado, on the 30th day of June, 2011.

Passed and adopted on final reading and ordered published by title only with amendments on the 16th day of August, 2011.

CITY OF LEADVILLE, COLORADO

ATTEST:

Bud Elliott, Mayor

Joseph Swyers, City Clerk

Published by title only with any amendments in *The Herald Democrat*, a newspaper of general circulation in the City of Leadville, Colorado, on the 25th day of August, 2011.