**ORDINANCE 16-1349**

AN ORDINANCE OF THE CITY OF WOODBURN, INDIANA COMMON COUNCIL

AMENDING SALARY ORDINANCE 16-1345 REFLECTING SALARIES

TO BE PAID TO THE ELECTED OFFICIALS OF THE CITY OF WOODBURN, INDIANA PER IC 36-4-7-2

WHEREAS, the City of Woodburn, Indiana is a third class City pursuant to and in accordance with the laws of the State of Indiana;

WHEREAS, the salaries of the elected officials of the City of Woodburn to be paid by the City of Woodburn for 2017 were set by Ordinance 16-1345 on October 17th, 2016 (the “2017 Salary Ordinance”);

WHEREAS, I.C. 36-4-7-2 states that the city legislative body shall, by ordinance, fix the annual compensation of all elected city officers. The compensation of an elected city officer may not be changed in the year for which it is fixed;

WHEREAS, the City of Woodburn has decided to repeal its prior health reimbursement arrangement (“HRA”) which such HRA amounts were budgeted in the City of Woodburn’s 2017 budget;

WHEREAS, as an alternative to the HRA, the City of Woodburn has opted to provide a one-time increase to the salary of the Mayor and Clerk-Treasurer in 2017 to reflect that lost value as a wage rather than a reimbursable health benefit;

WHEREAS, any increase in the amount of salary provided by way of this amendment to the 2017 Salary Ordinance does not require the official to expend such amounts on health care expenses.

WHEREAS, the 2017 Salary Ordinance must be amended to reflect the aforementioned changes in compensation;

NOW, THEREFORE, the City of Woodburn, Indiana Common Council hereby resolves as follows:

Section I:

The 2017 Salary Ordinance shall be amended to reflect the following with respect to those elected officers and officials of the City of Woodburn:

1. From and after the first payroll occurring in January 2017, the following elected officers and officials of the City of Woodburn shall receive from the respective funds of the City the following salaries per year, to-wit:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| POSITION | GENERAL FUND | WATER UTILITY | SEWER UTILITY | TOTAL PER PAY PERIOD |
|  |  |  |  |  |
| *BY PERCENT* | *34%* | *33%* | *33%* | *100%* |
| Mayor | $415.71 | $403.49 | $403.49 | $1222.69 |
| Clerk-Treasurer | $551.03 | $534.83 | $534.83 | $1620.69 |
|  |  |  |  |  |
| *BY PERCENT* | *100%* | *0%* | *0%* | *100%* |
| Council | $93.89 | $0.00 | $0.00 | $93.89 |
|  |  |  |  |  |
| *BY PERCENT* | *0%* | *50%* | *50%* | *100%* |
| Board of Public Works | $0.00 | $25.00 | $25.00 | $50.00 |

1. All salaries and compensation provided for in this Ordinance shall be for services rendered by said officials and shall remain in full force and effect until properly changed in accordance with the laws of the State of Indiana.
2. Additional compensation shall include any benefits, directed by contract or by Ordinance, and any additional compensation needed to fulfill the duties of the position.

Section II:

All parts of the 2017 Salary Ordinance in conflict herewith are repealed to the extent of said conflict. Otherwise, all provisions thereof remain intact and in full force and effect subject to further amendment by the City of Woodburn Common Council.

Section III:

This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Section IV:

No part of this Ordinance shall be interpreted to conflict with any local, state, or federal laws and all reasonable efforts should be made to harmonize the same. Should any section or part thereof of this Ordinance be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the Ordinance as a whole, or any other portion thereof other than that portion so declared to be invalid, and for this purpose the provisions of this Ordinance are hereby declared to be severable.

Adopted and Resolved this 19th day of December, 2016.

AYES:­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

NAYS:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

ABSTENTIONS:\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Daniel Watts, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mike Voirol, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dean Gerig, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Renner, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michael Martin, Councilman

ATTEST:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Timothy Cummins, Clerk-Treasurer

**WAIVER OF SECOND READING**

On motion duly made and seconded, the second reading of the foregoing Ordinance was unanimously waived and the Ordinance was deemed effective as of the date of passage.

**COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA**

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Daniel Watts, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mike Voirol, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Dean Gerig, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

John Renner, Councilman

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Michael Martin, Councilman

ATTEST:

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Timothy Cummins, Clerk-Treasurer

The foregoing Ordinance passed by the Council is signed and approved ( ) / not approved ( ) by me on the same date.

By: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Joseph Kelsey, Mayor of the City of Woodburn