

ORDINANCE NO. 2022-7

AN ORDINANCE ESTABLISHING A BASE SALARY FOR A NEWLY ELECTED MAYOR; SETTING THE SALARY FOR THE POSITION OF MAYOR OF THE CITY OF POTTSVILLE, ARKANSAS; REVOKING ORDINANCE NO. 2019-7; DECLARING AN EMERGENCY; AND, FOR OTHER PURPOSES

WHEREAS, the Constitution of the State of Arkansas, Amendment 56, Section 4 provides for the compensation of municipal officers; and

Whereas, the City Council of the City of Pottsville, Arkansas has the authority and fiscal responsibility to manage and control the finances of the City of Pottsville, Arkansas pursuant to A.C.A. 14-43-502; and

Whereas, the City of Pottsville operates with a Mayor/City Council form of government; and

Whereas, the City Council acknowledges that any candidate for the elected position of Mayor should have accurate knowledge of compensation paid by the City to the Mayor and the expectations the City Council has of anyone elected to the position of Mayor to avoid confusion; and

Whereas, the Pottsville City Council desires to adopt an ordinance setting a salary range for the municipal office of Mayor; and

Whereas, upon passage of this ordinance, Pottsville City Ordinance No. 2019-7 should be revoked.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF POTTSVILLE, ARKANSAS, THAT:

SECTION 1: Definitions:

(a) "Full Time" shall be defined as working a minimum of 40 hours per week.

(b) A "newly elected mayor" shall be defined as a person who is elected to the position of Mayor but who was not the immediately preceding Mayor of the City of Pottsville, Arkansas. This term does not apply to the incumbent Mayor who is re-elected to the position of Mayor.

(c) "Part time" shall be defined working less than 40 hours per week.

SECTION 2: The City Council declares that the position of Mayor shall be a full-time position beginning January 1, 2023.

SECTION 3: The City Council hereby adopts the following pay scale for a full-time mayor being \$45,000.00 to \$55,000.00, with the City Council establishing the exact salary to be paid to the Mayor each budgetary year based on, but not limited to, the following considerations: the Mayor's experience in office, the current and future needs of the city, ongoing and upcoming projects of the city, and the fiscal needs of the City.

SECTION 4: The City Council hereby declares that the mayoral position shall revert to part-time for the following term beginning January 1, 2027 and ending December 31, 2030 and all terms thereafter.

SECTION 5: The City Council further declares that the salary for the mayor shall automatically revert to \$27,000.00 per year beginning January 1, 2027 for the 2027-2030 term and each term thereafter unless otherwise specified by the City Council by a majority vote prior to the date the filing period for the Mayoral position closes. However, the exact salary to be paid to the Mayor each budgetary year shall be based on, but not limited to, the following considerations: the Mayor's experience in office, the current and future needs of the city, ongoing and upcoming projects of the city, and the fiscal needs of the city.

SECTION 6: A full-time Mayor shall be entitled to two (2) weeks of vacation time per year.

SECTION 7: A full-time Mayor shall maintain regular business hours, Monday through Friday, conducting city business. Due to the limitations of number of personnel in the office of Mayor, allowances are expected to be made for official city business that takes place out of the office (i.e. responding to and assisting the needs of city departments), lunch breaks, errands and periods of necessary leave such as for illness, vacation or work conferences and public appearances. Generally, the Mayor must make considerable effort to be available for the public during normal business hours. The Mayor shall not engage in any non-city employment during regular business hours.

SECTION 8: The Mayor shall be paid bi-monthly on the same schedule as other elected municipal officials and city employees.

SECTION 9: The City Council specifically authorizes the Mayor's salary to be paid from the general and/or water budget.

SECTION 10: The powers and duties of Mayor are found in A.C.A. 14-43-401 and 14-43-504. Failure to perform said duties may result in removal from office for nonfeasance in accordance with A.C.A. 14-42-109.

SECTION 11: Any and all prior resolutions, ordinances, or parts of the same, which are inconsistent with the provisions of this Ordinance are hereby repealed to

the extent of such inconsistency. Specifically, Ordinance No. 2019-7 is hereby revoked.

SECTION 12: If any provision of this ordinance or the application thereof to any person or circumstances is declared to be invalid, such invalidity shall not affect the other provisions or applications of the ordinance which may be given effect without the invalid provision(s) or application(s), and to this end the provisions of this ordinance are declared severable.

SECTION 13: EMERGENCY CLAUSE. This ordinance being necessary for the continued operation and fiscal planning of Pottsville, Arkansas, and for certainty in the administration of the City, the City Council of Pottsville, Arkansas, recognizes and declares an emergency to exist, and this Ordinance, being necessary for the preservation of public peace, safety and welfare of the citizens of Pottsville, Arkansas, shall be in full force and effect as of the date its passage.

PASSED AND APPROVED THIS 20th day of December 2022.

RANDY TANKERSLEY, MAYOR

ATTEST:

I, Holly Fowler, City Clerk of Pottsville, Arkansas, hereby certify that the above and foregoing is a true and correct copy of Ordinance No. 2022-7 passed by the Pottsville City Council on the 20th day of December 2022.

HOLLY FOWLER

