

Introduced by: City Council
 Date: March 9, 2010
 Public Hearing: March 23, 2010
 Action: Adopted
 Vote: Unanimous

Yes:	No:
Chmielewski	
Vanover	
Brown	
Hanson	
Combs	

CITY OF PALMER, ALASKA

ORDINANCE NO. 10-006

AN ORDINANCE OF THE PALMER CITY COUNCIL AMENDING PALMER MUNICIPAL CODE CHAPTER 2.05 MAYOR, TO CLARIFY THE DUTIES AND PAY OF THE OFFICE OF MAYOR

THE CITY OF PALMER, ALASKA ORDAINS:

Section 1. Classification. This ordinance shall be permanent in nature and shall be incorporated into the Palmer Municipal Code.

Section 2. Severability. If any provisions of this ordinance or application thereof to any person or circumstances are held invalid, the remainder of this ordinance and the application to the other persons or circumstances shall not be affected thereby.

Section 3. Palmer Municipal Code Chapter 2.05 Mayor is amended to read as follows (new language is underlined and deleted language is stricken):

2.05.010 Office established.

The executive power in the city is vested in the mayor. The executive power means that the mayor acts as ceremonial head of the city, executes official documents on authorization of the council, and is responsible for additional duties and powers prescribed by the Charter or by AS 29.20 as necessarily applied to a home-rule city with a manager form of government.

2.05.020 Eligibility.

A person is eligible to hold the office of mayor if the person is a qualified city voter and has been a city resident or of territory annexed to the city, or must have had a combination of residence in the city and annexed territory, for one continuous year immediately prior to the election for office.

2.05.030 Term of office.

The term of office of the mayor shall be for three years and shall commence on the Monday next following his or her election.

2.05.035 Prohibition regarding employment.

A person who holds or has held an elective city office shall not be eligible for appointment to an office or for employment for which a salary is paid by the city until one year has elapsed following the term for which that person was elected or appointed. An exception may be made with the approval of five or more members of the council.

2.05.040 Duties.**A. The Mayor shall:**

- ~~1. A. The mayor shall~~ Possess all powers and shall exercise all duties provided or required by law or by the council;
 - ~~2. B. The mayor shall preside at meetings~~ Be the presiding officer of the council;
 - ~~3. C. The mayor shall~~ Be a member of the council with all the powers and duties of that office;
 - ~~4. D. The mayor shall~~ Advise the council concerning the affairs of the city and make recommendation thereon;
- ~~E. In emergencies, the mayor shall have the powers conferred by law upon peace officers and shall exercise such powers as chief executive officer to prevent disorder, to preserve the public peace and health and to provide for the safety of persons and property;~~
- ~~5. F. The mayor shall~~ Appoint members of boards and commissions, subject to confirmation by the council;

B. The Mayor shall not:

- ~~1. G.~~ Perform or interfere with the duties of the city manager as set out in Charter or in this code, and the manager may inform the mayor and/or council of any transgressions;
- ~~2. H.~~ Enter into contracts or agreements binding on the city; and
- ~~3. I.~~ Possess veto powers.

2.05.050 Compensation.

- A. The mayor's salary shall be fixed by code provision and may be changed by amendment at any time except during the 60-day period immediately preceding a general municipal election.
- ~~B. As compensation, the mayor shall receive a salary of \$45,000 per year and those benefits, other than leave, overtime, and holiday pay, provided for classified employees until the first city election conducted in 2008. Following said election,~~ Compensation shall be \$24,000 per year.
- C. The mayor shall not be entitled to receive any other or additional compensation from the city for any service to the city except as provided by this code.

2.05.060 Mayor pro tempore.

- A. At the first meeting following the regular city election, council shall elect from its membership a mayor pro tempore and temporary mayor pro tempore to serve in the absence of the mayor;
- B. The mayor pro tempore shall succeed to the office of mayor when a vacancy occurs in that office and shall have and exercise the powers and duties of the mayor when the mayor is absent or unable to perform the duties of office. When a doubt exists concerning the ability of the mayor to perform the duties of office, the council shall, by resolution, determine whether the mayor pro tempore shall act in the place of the mayor. The determination shall stand until the council determines that the disability or inability ceases.

2.05.070 Vacancy.

The office of mayor shall become vacant upon the occurrence of any of the following:


- A. Expiration of the term of office;
- B. Death of the incumbent;
- C. Resignation approved by council;
- D. A removal from office in the manner provided by law;
- E. Ceasing to possess at any time the qualifications of eligibility required for elective office;
- F. Final conviction of a felony involving moral turpitude or an offense involving a violation of an oath of office;
- G. Judicial determination that the incumbent is of unsound mind;
- H. A decision of a competent tribunal declaring the election of the incumbent void;
- I. Failure to take an oath of office within 10 days of appointment or election to office or within such other time, not exceeding 20 days, as the council may fix;
- J. Unless excused by the council, is physically absent from the city for 90 consecutive calendar days;
- K. Is convicted of a felony or a misdemeanor described in AS 15.56;
- L. Is convicted of a violation of AS 15.13; or
- M. No longer physically resides in the city.

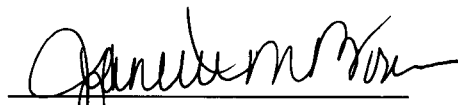
2.05.075 Appointment.

- A. When a vacancy occurs, except in the case of recall, the council shall within 30 days fill the vacancy by appointment.
- B. If the vacancy occurs less than 24 hours prior to the deadline for filing nominating petitions, the vacancy shall not be filled until after the regular city election. The vacancy shall be filled by appointment at the first regular meeting of the council following the regular city election.
- C. Each appointment shall be for a term ending on the Monday following the next regular city election.

Section 3. Effective Date. Ordinance No. 10-006 shall take effect upon adoption of the Palmer City Council.

Passed and approved this twenty-third day of March, 2010.


 John C. Combs, Mayor


 Janette M. Bower, MMC, City Clerk

