

MB
27.00
AIR

ORDINANCE NO. 15-2019

AN ORDINANCE TO AMEND THE CITY CODE SECTION 2-33 OF THE CITY CODE INCREASING COUNCIL PAY AND ALLOWING PARTICIPATION BY COUNCILORS IN CITY INSURANCE PROGRAM; PROVIDING FOR CONFLICTS AND SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND AN EFFECTIVE DATE.

WHEREAS, the City Council has found that it necessary and prudent to compensate the City Council for health insurance expenses, and

WHEREAS, legal counsel has advised that providing payment as an incentive to forego electing insurance through the City is inappropriate, but that providing compensation, which Councilmembers may voluntarily elect to use for costs of their City insurance policy coverage, is not inappropriate under the law; and

WHEREAS, this Ordinance is intended to amend the City's code to provide such compensation for direct cost of participating in the City insurance program.

NOW, THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF AVON PARK, FLORIDA, AS FOLLOWS:

Form: Redline and underline shall mean language added to the code, and language struck-through shall mean language deleted from the code.

SECTION ONE: Amendment of Section 2-33 of the City Code.

Sec. 2-33. - Compensation.

- (a) Members of the City Council of the City of Avon Park, Florida shall be compensated at the rate of ~~\$250.00~~ 715.88 per month and on a monthly basis in the amount of \$25.00 for every regular, special, and workshop council meeting attended during that month.
- (b) The Mayor of the City of Avon Park shall be compensated at the rate of ~~\$300.00~~ 894.85 per month and on a monthly basis in the amount of \$25.00 for every regular, special, and workshop council meeting attended during that month.
- (c) The changes in salary described in (a) and (b) above shall be applied retroactive to the first day of the 2019-2020 budget, October 1, 2019.
- (d) The Mayor and members of the City Council shall be entitled to participate in the City's insurance coverage, provided they enroll in and pay any costs for such insurance. The Mayor and City Councilmembers may, at their sole option, elect to use the compensation set forth in this section to pay the cost of the insurance.



CITY OF AVON PARK - ADMIN
110 E MAIN ST
AVON PARK FL 33825

SECTION TWO: CONFLICTS

Any ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION THREE: INCLUSION IN THE CODE.

It is the intention of the City Council that the provisions of this ordinance shall become and be made a part of the City of Avon Park Code; and that Sections of this ordinance may be renumbered or relettered and the word *ordinance* may be changed to *section, article*, or such other appropriate word or phrase in order to accomplish such intentions; and regardless of whether such inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered and typographical errors which do not affect the intent may be authorized by the City Manager or his designee without need of public hearing, by filing a corrected or recodified copy of same with the City Clerk.

SECTION FOUR: SEVERABILITY:

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

SECTION FIVE: EFFECTIVE DATE.

This ordinance shall become effective upon passage.

INTRODUCED AND PASSED on First Reading the 18th day of November, 2019.

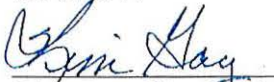
PASSED AND DULY ADOPTED, on Second Reading with a quorum present and voting by the City Council of Avon Park, Florida, this 9th day of December, 2019.

CITY OF AVON PARK, FLORIDA


Garrett Anderson, Mayor



ATTEST:


Kim Gay, City Clerk

APPROVED AS TO FORM:


Gerald T. Buhr, City Attorney

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IN WITNESS WHEREOF, the City of Avon Park, Florida, has duly adopted this Ordinance and caused it to be executed by the officers below as follows:

On the 15th day of NOVEMBER, 2019 the Ordinance was read for the first time, and the vote was:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Anderson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Barnard	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Councilmember Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Sutherland	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Spurlock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

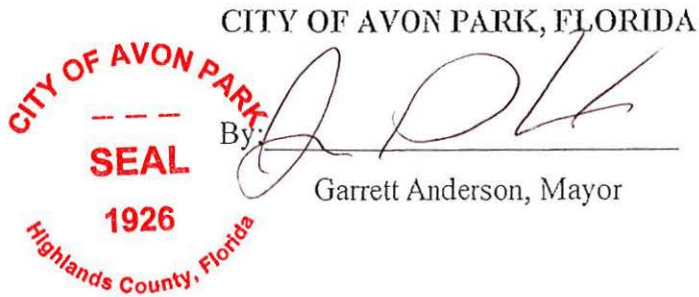
On the 9th day of December, 2019 the Ordinance was read for the second time at a public hearing, and the vote was:

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Mayor Anderson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deputy Mayor Barnard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Gray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Sutherland	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Councilmember Spurlock	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

(Seal)

ATTEST:

By: Kimberly Gay
Kimberly Gay, City Clerk



APPROVED AS TO FORM:

Gerald Buhr
Gerald Buhr, City Attorney