

Amended Ordinance 11-12

By: Richard Sharp

An Ordinance authorizing the payment of one week salary to the Acting Mayor.

Whereas, Section 11 of the Charter of the City of Bexley designates by law the assumption of duties of Acting Mayor by the President of Council when the Mayor is "unable to perform the duties of office"; and

Whereas, Section 31 of the Charter of the City of Bexley "Council shall fix by ordinance the salary or compensation of all officers or employees of the City government, provided, however, that the salary of no such officer or employee who has been elected or appointed for a definite term shall be increased or decreased during that term"; and

Whereas, In the recent case where the President of Council assumed the duties of Acting Mayor pursuant to Section 11 of the City Charter on January 12th 2012; and

Whereas, The nature of this assumption of duties did not constitute an "elected" position or appointment "for a definite term" under Section 31 which would prohibit an increase in salary of the Acting Mayor from zero dollars (\$0) to another amount; and

Whereas, The nature of the assumption of duties changed with the death of Mayor Brennan, requiring the Acting Mayor to take an extended amount of time off from his regular employment during the period January 31st through February 6th 2012, the date of Mr. Kessler's appointment as Mayor under Section 11 of the City Charter;

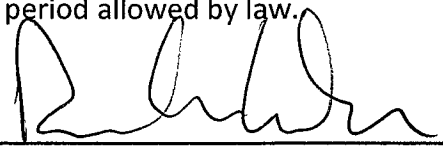
Whereas, The amount proposed as salary does not require an increase in appropriations since it equals the foregone salary of the late Mayor Brennan from January 31st to February 6th 2012.

Therefore: BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1: That the then Acting Mayor, Ben Kessler, be paid a salary equivalent to one week of the 2011 salary paid to the Mayor of the City. The amount to be paid is \$1,937.00, which is the equivalent to one week of the annual \$101,000 salary paid to the Mayor of the City in 2011. This amount reflects payment for the one week period of January 31st through February 6th 2012.

Section 2: That this ordinance is considered to be an emergency measure, and shall go into effect and be in force from and after the earliest period allowed by law.

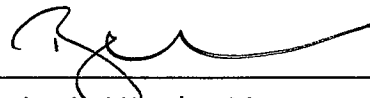
Passed: 3/13, 2012



Richard Weber - President of Council

Attest: Buck Deh for Gary Qualmann
Gary Qualmann - Clerk of Council

Approved: 3/13, 2012


Benjamin J. Kessler, Mayor

First Reading 2-14-2012

Second Reading 2-28-2012

Third Reading 3-13-12