



Legislation Details (With Text)

File #: 10057 **Version:** 1 **Name:** Refusal of Salary
Type: Charter Ordinance **Status:** Passed
File created: 4/16/2008 **In control:** BOARD OF ESTIMATES (ended 4/2017)
On agenda: 6/17/2008 **Final action:** 6/17/2008
Enactment date: 7/4/2008 **Enactment #:** CHA-08-00001
Title: CHARTER - Amending Section 3.50 of the Madison General Ordinances to allow elected officials to refuse, in whole or in part, the salary to which they otherwise are entitled and directing procedures to do so.

Sponsors: Thuy Pham-Remmele

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/17/2008	1	COMMON COUNCIL	Adopt	Pass
6/9/2008	1	BOARD OF ESTIMATES (ended 4/2017)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/20/2008	1	COMMON COUNCIL ORGANIZATIONAL COMMITTEE (ended 4/2017)	Return to Lead with the Recommendation for Approval	Pass
4/22/2008	1	BOARD OF ESTIMATES (ended 4/2017)	Refer	
4/22/2008	1	COMMON COUNCIL	Refer	
4/16/2008	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

Generally, City operating budgets will continue to include fully budgeted salaries and benefits for elected officials, unless an official indicates well in advance that a reduction is desired, in which case the City budget may reflect the reduction. Otherwise, salary reductions will result in a savings of actual salary expense as compared to budgeted salaries. The 2008 City Adopted Operating budget provides \$142,000 in salaries for Alders (plus benefit expense) and \$112,881 for the Mayor (plus benefit expense), as prescribed by Ordinance

Title

CHARTER - Amending Section 3.50 of the Madison General Ordinances to allow elected officials to refuse, in whole or in part, the salary to which they otherwise are entitled and directing procedures to do so.

Body

DRAFTER'S ANALYSIS: Under current law, an elected official may not refuse to accept the salary set by ordinance. This year, the State Legislature adopted 2007 Wisconsin Act 49, which allows for such a refusal of salary. This ordinance amendment modifies the Madison General Ordinances to allow an elected official to refuse, in whole or in part, the salary to which they otherwise are entitled. The ordinance adopts, by reference, the procedures for declining salary as set forth in State law.

The Common Council of the City of Madison do hereby ordain as follows:

Section 3.50 entitled "Salaries Of Mayor And Officials" of the Madison General Ordinances is amended to read as follows:

"3.50 SALARIES OF MAYOR AND OFFICIALS.

- (1) Pursuant to the provisions of Section 62.09(6), Wis. Stats., and except as set forth in sub. (2) hereof, the salaries of City officers are hereby fixed at the rates hereafter indicated and shall not be increased or diminished during the term for which said officers are elected or appointed:

	Annual Salary
Members of the Board of Public Works, excluding the Alderpersons and City employees, (each) per year	\$100.00
Members of the Board of Review (each) per diem	\$ 20.00

Alderpersons:

Effective the term that begins April 17, 2007, the Alderpersons' salaries, except for that of President and President Pro Tem of the Common Council, shall be \$7,113.

Thereafter, at the beginning of each successive two-year term, that amount shall be adjusted once by a percentage equal to the combined two annual percentage changes granted to the City's recognized bargaining units in the previous two years, rounded to the nearest whole percentage.

Mayor:

Effective the term that begins April 17, 2007, the Mayor's salary shall be \$115,138. Thereafter, at the beginning of each successive four-year mayoral term, that amount shall be adjusted once by a percentage equal to the combined four annual percentage changes calculated for managerial employees in the previous four years pursuant to Section 3.38(6)(c)4., rounded to the nearest whole percentage. The Mayor shall accrue vacation as provided in Section 3.36(7) of these ordinances. In addition to this salary, the benefit provided for in Section 3.38(28) of these ordinances shall be afforded to qualifying Mayors.

President of the Common Council:

Effective term that begins April 17, 2007, the President's salary shall be \$9,473.

Thereafter, at the beginning of each successive two-year term, that amount shall be adjusted once by a percentage equal to the combined two annual percentage changes granted to the City's recognized bargaining units in the previous two years, rounded to the nearest whole percentage.

President Pro Tem of the Common Council:

Effective the term that begins April 17, 2007, the President Pro Tem's salary shall be \$7,971. Thereafter, at the beginning of each successive two-year term, that amount shall be adjusted once by a percentage equal to the combined two annual percentage changes granted to the City's recognized bargaining units in the previous two years, rounded to the nearest whole percentage.

This Sec. 3.50(1) is a charter ordinance and shall be effective upon sixty (60) days from passage and publication subject, however, to the referendum procedures of Section 66.0101(5), Wisconsin Statutes.

- (2) Election to Refuse Salary. Pursuant to sec. 66.0505, Wis. Stats., the Mayor, any alderperson, the Mayor-elect or any alderperson-elect may refuse to accept, in whole or in part, the salary that he or she is otherwise entitled to receive. The person refusing to accept such salary shall give notice to the City Clerk and Treasurer in the manner and at the times specified in, and the notice shall have the effects set forth in, sec. 66.0505, Wis. Stats.

EDITOR'S NOTE: The above language in sec. 3.50(1) (formerly sec. 3.29) was adopted on March 20, 2007, CHA-07-00002, Legistar File No. 05769. Pursuant to Formal Opinion #07-001 of the City Attorney, the ordinance is not effective to change the salaries of alderpersons elected in April, 2007, or the mayor elected in April, 2007. It is effective, if not modified on a timely basis, for alderpersons elected in April, 2009, and the mayor elected in April, 2011. Any future changes in this ordinance must be adopted no later than the first regular meeting in February prior to the spring election."