

Floor Amendment
August 23, 2004

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE repealing sections 209. and 229., Jackson County Code, 1984, relating to the salary of certain elected officials, and enacting, in lieu thereof, two new sections relating to the same subject.

ORDINANCE 3522, August 9, 2004

INTRODUCED BY Fred Arbanas, Dennis Waits, Dan Tarwater, Scott Burnett,
Ronald E. Finley, Bob Spence, and Henry C. Rizzo, County Legislators

WHEREAS, during their deliberations in 1970, the framers of the Constitutional Home Rule Charter of Jackson County set the compensation of the County Executive at 111% of the salary being paid to circuit court judges of the State of Missouri, then \$22,500; and,

WHEREAS, by the time the charter became effective on January 1, 1973, the salary of circuit judges had risen to \$25,000 pursuant to an act of the Missouri General Assembly; and,

WHEREAS, the salary for members of the Legislature, originally set by the charter at \$6,000, has also declined compared to the salary of circuit judges, which is now \$108,000; and,

WHEREAS, the Legislature now believes it appropriate that, for their upcoming term, the salaries of these officers be set at the same ratio as those salaries bore to that of a circuit judge in 1973, 100% for the County Executive and 24% for members of the Legislature; and,

WHEREAS, if these salaries were to be effective now, the County Executive would be paid \$108,000 annually and the members of the Legislature \$25,920 annually; now therefore,

WHEREAS, in Ordinance 3454, dated December 8, 2003, the Legislature used a similar formula to set new salaries for the Prosecuting Attorney and Sheriff, effective January 1, 2005; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, as follows:

Section A. Enacting Clause. Sections 209. and 229., Jackson County Code, 1984, is hereby repealed, and two new sections enacted in lieu thereof, to be known as sections 209. and 229., to read as follows:

209. Legislature, Salary.

Pursuant to Article II, Section 16 (15), County Legislators will receive an annual salary [of \$11,440.00 per annum] equal to 24% of the salary paid by the State of Missouri to circuit judges of the Sixteenth Judicial Circuit of Missouri as of January 1 of [[each]] the year prior to the beginning of the Legislators' term effective January 1, [1987] 2007. At no time shall the salary of Legislators ever be reduced as a result of this provision.

229. County Executive Salary.

Effective Jan. 1, [1995] 2007 the County Executive of Jackson County shall receive an annual

salary [of \$88,982] equal to 100% of the salary paid by the State of Missouri to circuit judges of the Sixteenth Judicial Circuit of Missouri as of January 1 of [[each]] the year prior to the beginning of the County Executive's term. At no time shall the salary of the County Executive ever be decreased as a result of this provision.

Effective Date: This ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Acting County Counselor



I hereby certify that the attached Ordinance, Ordinance # 3522 of August 9, 2004 was duly passed on August 23, 2004 by the Jackson County Legislature. In the votes thereon were as follows:

Yeas 7 Nays 1
Abstaining 0 Absents 1

This Ordinance is hereby transmitted to the County Executive for her signature.

8.24.04
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #3522.

8.24.04
Date


Katheryn J. Shields, County Executive

MEMORANDUM

TO: MEMBERS JACKSON COUNTY LEGISLATURE

FROM: EDWARD RUCKER County Counselor

DATE: SEPTEMBER 7, 2004

RE: ADOPTION OF ORDINANCE 3522

1. On August 30, 2004, Mr. Stringfield requested a report concerning the adoption of Ordinance 3522 on August 23, 2004.
2. We have reviewed the videotape of the proceedings on August 23, 2004, and the Journal for that day.
3. On August 16, 2004, Ordinance 3522 was perfected.
4. On August 23, 2004 the following occurred.
 - a. The Legislature opened the meeting and proceeded with business.
 - b. When the Chairman called up Ordinance 3522 for adoption, a motion was made to reconsider the perfection of Ordinance 3522 at the legislature's prior meeting.
 - c. A voice vote was had on the motion for reconsideration and the motion for reconsideration passed.
 - d. A discussion was had on a proposed floor amendment.
 - e. A motion was made to perfect Ordinance 3522 as amended. The motion was seconded.
 - f. The motion to perfect Ordinance 3522 as amended was agreed to by roll call vote, 7 yes, 1 no, 1 absent.
 - g. It was moved to suspend the rules for the purposes of immediately adopting Ordinance 3522. The motion to suspend the rules was seconded and passed. It was moved that Ordinance 3522 be adopted. That motion was seconded. A roll call vote was had. Ordinance was adopted 7 yes votes, 1 no, and 1 absent.
5. Rule 2 of the Legislature's rules of procedure mandates that Robert's Rules of Order govern the conduct of meetings except where the Legislature's adopted rules are to the contrary. The Rules of the Jackson County Legislature do not provide for or prohibit reconsideration.
6. A motion for reconsideration must be made by a member who voted on a prevailing side of the earlier action. In this case, Mr. Waits who made the motion for reconsideration did vote on the prevailing side of the earlier action.
7. Pursuant to Rule 2, of the Rules of Jackson County Legislature and Rule 37 of Robert's Rules of Order, the motion for reconsideration was properly made. Thereafter adoption of the floor amendment concerning Ordinance 3522 on August 23, 2004 was made in good order.