

**CITY OF WASILLA
ORDINANCE SERIAL NO. 99-48**

AN ORDINANCE OF THE WASILLA CITY COUNCIL AMENDING CHAPTER 2.16, ADMINISTRATION, ADOPTING WMC 2.16.070, VETO BY MAYOR, AND REPEALING 2.16.020, MAYOR'S ADDITIONAL DUTIES.

BE IT ORDAINED AND ENACTED BY THE CITY OF WASILLA, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become part of the Wasilla Municipal Code.

Section 2. Amendment of sections. Sections 2.16.005 Department Established, .010 Mayor as Executive, .030 Election and Term of Mayor, .040 Filling a Vacancy, .050 Deputy Mayor, .060 Salary of Mayor, are hereby amended to read as follows:

2.16.005 DEPARTMENT ESTABLISHED.

There is established[, IN ACCORDANCE WITH TITLE 29,] the Department of Administration. The e[E]xecutive power and administrative duties are vested in the mayor.

2.16.010 POWER AND DUTIES OF MAYOR [AS EXECUTIVE].

(A) The mayor is the chief administrator of the city, has the same powers and duties as those of a manager under AS 29.20.005, and shall:

(1) Preside at council meetings. The mayor may take part in the discussion of matters before the council, but may not vote, except that the mayor may vote in the case of a tie;[.]

(2) Act as ceremonial head of the city; [AND]

(3) Sign documents on [THE CITY'S] behalf of the city [UPON AUTHORIZATION BY THE COUNCIL.];

(4) Appoint, suspend, or remove city employees and administrative officials, except as provided otherwise in AS Title 29 and the Wasilla Municipal Code;

(5) Supervise the enforcement of city law and carry out the directives of the city council;

(6) Prepare and submit an annual budget and capital improvement program for consideration by the council, and execute the budget and capital program as adopted;

(7) Make monthly financial reports and other reports on city finances and operations as required by the council;

(8) Exercise legal custody over all real and personal property of the city;

(9) Perform other duties required by law or by the council;
and

(10) Serve as personnel officer, unless the council authorizes the mayor to appoint a personnel officer.

(B) The mayor may appoint a person to the position of administrative assistant and deputy administrator. If appointed, the positions may not be eliminated during the mayor's term of office without prior consent of the mayor.

2.16.030 ELECTION AND TERM OF OFFICE OF MAYOR.

The mayor **shall be** [IS] elected at-large for a term of three years. **The qualified candidate succeeds to the office of mayor** [OR UNTIL A SUCCESSOR IS ELECTED AND HAS QUALIFIED. THE MAYOR'S REGULAR TERM BEGINS] on the first Monday following **the** certification of the [MAYOR'S] election **and upon taking an oath of office**. No person **may serve as mayor** [SHALL BE ELECTED TO THE OFFICE OF OR SERVE AS CITY MAYOR] for more than two [(2)] consecutive, full terms without a break in service of at least one [(1)] full year.

2.16.040 [FILLING A] VACANCY IN THE OFFICE OF MAYOR.

(A) A vacancy in the office of mayor occurring within **180 calendar days prior to** [SIX MONTHS OF] a regular election shall be filled by **appointment by** the council. The person **appointed** [DESIGNATED] shall serve until the next regular election and until a successor is elected **to serve the balance of the term**[AND HAS QUALIFIED]. If a **council** member **is appointed** [OF THE COUNCIL IS CHOSEN], the **council** member shall resign the council seat. If a vacancy occurs more than **180 calendar days prior to** [SIX MONTHS BEFORE] a regular election, the council shall call a special election to fill the un-expired term.

(B) **The council shall, by two-thirds concurring vote, declare the office of the mayor vacant only when the person elected:**

(1) Fails to qualify or take office within 30 calendar days after election or appointment;

(2) Unless excused by the council, is physically absent from the city for 90 consecutive calendar days;

(3) Resigns and the resignation is accepted;

(4) Is physically or mentally unable to perform the duties of office;

(5) Is convicted of a felony or of an offense involving a violation of the oath of office;

(6) Is convicted of a felony or a misdemeanor described in Alaska Statute 15.56;

(7) Is convicted of a violation of Alaska Statute 15.13;

(8) No longer physically resides in the city.

2.16.050 DEPUTY MAYOR.

(A) The mayor shall **designate** [APPOINT] a **council member to act as the deputy mayor during the mayor's temporary absence or disability. In the mayor's absence, the deputy mayor shall preside at council meetings and perform the duties assigned by the mayor. The deputy mayor shall be granted no power or authority not granted as a council member.** [FROM THE

COUNCIL EACH YEAR ON THE FIRST MONDAY FOLLOWING THE CERTIFICATION OF ELECTION FOR A TERM OF ONE (1) YEAR].

(B) [THE DEPUTY MAYOR SHALL ASSUME THE MAYOR'S DUTIES IN THE MAYOR'S ABSENCE BUT SHALL BE GRANTED NO POWER OR AUTHORITY NOT GRANTED TO HIM AS A COUNCIL MEMBER.]

(C) [THE ADMINISTRATIVE DUTIES OF THE DEPUTY MAYOR SHALL BE ASSIGNED BY AND AT THE DISCRETION OF THE MAYOR.]

2.16.060 SALARY OF MAYOR.

(A) **The** [IF A MANAGER PLAN HAS NOT BEEN ADOPTED, THE CITY] council shall **determine the salary** [ADOPT A PAY PLAN] for the [ELECTED] mayor at least [SIXTY (60)] **90 calendar** days prior to the [NEXT] regular [MAYORAL] election **for the office of mayor** [IN ORDER TO ATTRACT THE HIGHEST QUALITY CANDIDATES]. The **salary** [PAY PLAN] shall not include merit increases[BUT SHALL INCLUDE STANDARD CITY EMPLOYEE BENEFITS]. If a special election for mayor is held to fill an unexpired term **of office**, [THEN] the **salary adopted** [PAY PLAN] for the unexpired term **of office** shall be used.

(B) The [MAYOR'S] salary **of the mayor** may be reduced voluntarily at the mayor's **discretion** [DESECRATION]. A decision **of** [BY] the mayor to reduce the [MAYOR'S] salary is not binding upon or applicable to future administrations. [However, t] **The salary of the mayor may not be reduced** by council action during a mayor's term but may only be raised by [A] two-thirds [(2/3)] **concurring** vote of the [CITY] council.

(C) **A c**[C]ost of living increase[S] for city employees shall not affect the mayor's **salary** [PAY PLAN] but may **be included** [THE MAYOR'S PAY PLAN] **upon approval of** [BY A] two-thirds [(2/3) MAJORITY] **concurring** vote of the council [IN A SEPARATE VOTE].

(D) **The mayor shall receive employee benefits as provided to all permanent employees of the city.**

Section 3. Adoption of section. Section 2.16., Veto by Mayor, is hereby adopted to read as follows:

2.16.070 VETO BY MAYOR.

The mayor may veto an ordinance, resolution, motion, or other action of the council and may strike or reduce appropriation items. A veto must be exercised before the next regular council meeting and must be accompanied by written explanation of the reasons for the veto. A veto may be overridden by a vote of two-thirds of the council within 21 calendar days following the veto, or at the next regular meeting, whichever is later. The veto does not extend to the adoption or repeal of a manager plan of city government.

Section 4. Repeal of section. Section 2.16.020, Mayor's Additional Duties, is hereby repealed in its entirety:

[2.16.020 MAYOR'S ADDITIONAL DUTIES.

A. UNLESS AND UNTIL THE VOTERS OF THE CITY OF WASILLA ADOPT THE MANAGER FORM OF GOVERNMENT, THE ELECTED MAYOR OF THE CITY OF WASILLA SHALL DURING HIS TERM OF OFFICE BE RESPONSIBLE FOR THOSE DUTIES DEFINED IN A.S. 29.20.500, AND OTHER POWERS AND DUTIES AS DESCRIBED IN THIS CODE OR LAWFULLY PRESCRIBED BY THE COUNCIL:

1. APPOINT CITY EMPLOYEES AND ADMINISTRATIVE OFFICERS EXCEPT AS PROVIDED OTHERWISE IN THE WASILLA MUNICIPAL CODE;
2. SUSPEND OR REMOVE BY WRITTEN ORDER CITY EMPLOYEES AND ADMINISTRATIVE OFFICERS EXCEPT AS PROVIDED OTHERWISE IN THE WASILLA MUNICIPAL CODE;
3. SUPERVISE ENFORCEMENT OF CITY LAW;
4. PREPARE THE ANNUAL BUDGET AND CAPITAL IMPROVEMENT PROGRAM FOR THE COUNCIL;
5. EXECUTE THE BUDGET AND CAPITAL PROGRAM AS ADOPTED;

6. MAKE MONTHLY FINANCIAL REPORTS TO THE COUNCIL ON CITY FINANCES AND OPERATIONS;

7. REPORT TO THE COUNCIL AT THE END OF EACH FISCAL YEAR ON THE FINANCES AND ADMINISTRATIVE ACTIVITIES OF THE CITY;

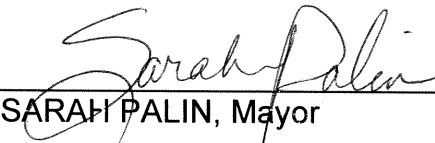
8. PREPARE AND MAKE AVAILABLE FOR PUBLIC DISTRIBUTION AN ANNUAL REPORT ON CITY AFFAIRS;

9. SERVE AS CITY PERSONNEL OFFICER UNLESS THE COUNCIL AUTHORIZES THE MAYOR TO APPOINT A PERSONNEL OFFICER.

(B) THE POSITION OF ADMINISTRATIVE ASSISTANT OR DEPUTY ADMINISTRATOR MAY NOT BE ELIMINATED DURING MAYOR'S TERM OF OFFICE WITHOUT THE MAYOR'S CONSENT.]

Section 5. Effective date. This ordinance shall take effect upon adoption by the Wasilla City Council.

ADOPTED by the Wasilla City Council, Alaska, on November 22, 1999.



SARAH PALIN, Mayor

ATTEST:



KRISTIE L. VANGORDER, CMC/AE
City Clerk

[SEAL]