Bill Number _____ of 2020
Introduced By: _____
First Reading Date: 8/11/20
Advertising Date: _____
Second Reading Date: _____
Enactment Date: _____

CITY OF MONESSEN

Ordinance No. 9-2020

AN ORDINANCE OF THE COUNCIL FOR THE CITY OF MONESSEN, WESTMORELAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, ESTABLISHING COMPENSATION ON A PER-MEETING BASIS; REPEALING ORDINANCE NO. 1-2019 OF THE CITY OF MONESSEN

WHEREAS, the City of Monessen establishes annual salaries for its Mayor and Council members;

WHEREAS, pursuant to the Third Class City Code, 11 Pa.C.S.A. § 11016(b), the City Council "may provide that a member of council will receive compensation, based on attendance, on a per-meeting basis. The compensation shall only be payable for duly advertised public meetings in which a council member participated. If council has provided that members of council will receive compensation on a per-meeting basis, council may provide for the forfeiture of up to one-twelfth of the annual compensation of a council member or impose another appropriate penalty for each unexcused absence from a regularly scheduled meeting;"

WHEREAS, pursuant to the Third Class City Code, 11 Pa.C.S.A. § 11208(a)(2), the City Council "may provide for the assessment and retention from the salary of reasonable fines for absence from regular or special meetings of council or committees of council;"

WHEREAS, the City Council of the City of Monessen previously enacted Ordinance No. 1-2019, providing for the assessment of reasonable fines for absences at regular or special meetings of Council for the City of Monessen; and

WHEREAS, the City Council of the City of Monessen desires to repeal Ordinance No. 1-2019 as an infringement on the free speech and association rights of elected officials.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the City Council of the City of Monessen and it is hereby ordained and enacted as follows:

Section 1. Establishment of Per-Meeting Compensation.

(a) Upon the subsequent taking of office of the mayor or any council member, the compensation of each such mayor or council member shall be based on attendance, on a per-meeting basis. The compensation of each such mayor or council member shall only be payable for attendance at duly advertised public meetings, including regular meetings, work session meetings, and special meetings. Any such mayor or council member who is unexcused and attends no regular, work session, or special meeting in a calendar month shall forfeit one-twelfth of the annual compensation to which such mayor or council member would otherwise

be entitled. Any such mayor or council member who attends at least one regular, work session, or special meeting in a calendar month or has been excused from attending all meetings in a calendar month shall not forfeit any compensation for such calendar month.

(b) The mayor or any council member shall be excused from any meeting for which he or she is unable to be in attendance for the following reasons: (i) illness or disability of the member of council; (ii) care for the ill or newborn in the member's immediate family; (iii) emergency; and (iv) family or business travel. The mayor or any council member requesting to be excused from any meeting shall notify City Council, through the mayor, city administrator, or city clerk, of such request and the reason for such request prior to such meeting, unless emergency or other circumstances make it impossible or impractical for such mayor of city council member to provide such advance notice.

Section 2. Repeal of Ordinance No. 1-2019.

Ordinance No. 1-2019 of the City of Monessen is hereby repealed and shall be of no further force or effect.

Section 3. Severability.

The terms, provisions and applications of this ordinance are severable. If any provision of this ordinance or application thereof to any person or circumstance is held invalid, such holding shall not affect the remaining provisions and/or applications of this ordinance. The remaining provisions and/or applications of this ordinance shall remain in full force and effect without the invalid provision and/or application.

Section 4. Repealer.

All ordinance or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 5. Effective Date.

This ordinance shall become effective ten (10) days after enactment.

ORDAINED AND ENACTED this _____ day of _____, 2020, by the City Council of the City of Monessen in lawful session duly assembled.

ATTEST:

_____
John Harhai
City Administrator/City Clerk

CITY OF MONESSEN:

_____
Matthew T. Shorraw
Mayor and President of Council

CERTIFICATION

I, John Harhai, City Clerk of the City of Monessen, Westmoreland County, Pennsylvania, hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ of 2020, duly adopted at a meeting of the City Council of the City of Monessen held on the _____ day of _____, 2020.

CITY OF MONESSEN:

_____

John Harhai