

**TOWN OF LYONS,
COLORADO**

ORDINANCE NO. 1120

**AN ORDINANCE SETTING COMPENSATION FOR THE MAYOR AND MEMBERS
OF THE BOARD OF TRUSTEES EFFECTIVE FOR TERMS OF OFFICE
COMMENCING AFTER THE APRIL 2022, TO BE EFFECTIVE JANUARY 1, 2023**

WHEREAS, the Town of Lyons is authorized pursuant to C.R.S. § 31-4-301(4) and by Section 2-2-30 of the Lyons Municipal Code to provide by ordinance for compensation to be paid to the Mayor and members of the Board of Trustees; and

WHEREAS, the Board of Trustees most recently set the compensation for members of the Board of Trustees in 2017 by adopting Ordinance 1011, which set the compensation for the members of the Board of Trustees in the amount of two hundred dollars (\$200.00) per month; and

WHEREAS, Ordinance 1120 also set the compensation for the Mayor in the amount of four hundred dollars (\$400.00) per month; and

WHEREAS, pursuant to Ordinance 1009, the Board of Trustees amended Section 2-2-30 of the Lyons Municipal Code to provide that members of the Board of Trustees and the Mayor shall be compensated as set by ordinance of the Board of Trustees; and

WHEREAS, members of the Board of Trustees and the Mayor perform duties beyond attending regular and special meetings of the Board of Trustees, such as attending meetings of Town boards and commissions and the Municipal Energy Agency of Nebraska's Management Committee ("MEAN"), attending numerous workshops, particularly during the budget planning process, and attending meetings of various state and regional organizations on behalf of the Town, such as the Denver Regional Council of Governments ("DRCOG"); and

WHEREAS, the ability to afford dependent care is a limiting factor in public participation as a member of the Board of Trustees for individuals with child or adult dependents; and

WHEREAS, the Town Board of Trustees finds that the current compensation, which has been in place since 2017, does not adequately compensate the Mayor or members of the Board of Trustees for the time and effort required to fulfill the duties of their positions and should be increased; and

WHEREAS, pursuant to C.R.S. § 31-4-405, the emoluments of the Mayor and members of the Board of Trustees shall not be increased or diminished during the term for which such officials have been elected or appointed; and

WHEREAS, the Board therefore desires to increase the compensation paid to the Mayor and members of the Board of Trustees and to create a credit for dependent care for the terms of office commencing after the swearing in on April 18, 2022, to be effective on January 1, 2023.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF LYONS, COLORADO, AS FOLLOWS:

Section 1. Compensation. The following elected officials of the Town shall receive the following compensation for all months in office.

- (a) The Mayor shall receive the sum of seven hundred dollars (\$700.00) per month for their services.
- (b) Each member of the Board of Trustees shall receive the sum of four hundred dollars (\$400.00) per month for their services.

Section 2. Dependent Care Credit. The Mayor and each member of the Board of Trustees shall be eligible to receive monthly a dependent care credit in an amount not to exceed one hundred dollars (\$100) per month to reimburse validly incurred child or adult dependent care expenses incurred as a direct result of service to the Town. The credit shall be provided upon submission of an expense sheet and supporting documentation to the Town Clerk each month.

Section 3. Severability. If any provision of this ordinance should be found by a court of competent jurisdiction to be invalid, such invalidity shall not affect the remaining portions or applications of this ordinance that can be given effect without the invalid portion, provided that such remaining portions or applications of this ordinance are not determined by the court to be inoperable. The Board of Trustees declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, despite the fact that any one or more section, subsection, sentence, clause, phrase, or portion would be declared invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall become effective thirty days after publication following final passage. Notwithstanding the effective date of the ordinance, the new compensation shall take effect on January 1, 2023, and shall apply to members of the Board of Trustees and the Mayor sworn in on or after the April 18, 2022.

INTRODUCED AND PASSED ON FIRST READING THIS 22nd DAY OF FEBRUARY 2022.

INTRODUCED, AMENDED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS 7th DAY OF MARCH 2022.

TOWN OF LYONS

By: _____
Nicholas Angelo, Mayor

ATTEST:

By: _____
Dolores Vasquez, CMC, Town Clerk