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ADMINISTRATIVE  
Article 10 Compensation

**§1-1001 COMPENSATION; MUNICIPAL OFFICERS AND EMPLOYEES.**

Salaries of officers and employees of the Municipality shall be in such amount as the Governing Body shall fix by ordinance; provided, that after the Governing Body has adopted a wage and salary schedule with employee classifications and wage ranges for each classification, by ordinance, such ordinance shall be sufficient for all changes in salary for Municipal employees included thereunder without further ordinances being passed, approved, and published. All salaries shall be on file at the office of the Municipal Clerk and available for public inspection at any reasonable time.

**§1-1002 COMPENSATION; SALARIES OF MAYOR AND COUNCIL.** The annual salaries of the Mayor and Council are hereby fixed in the sums and payable at the beginning of the full term of any member of the Governing Body as follows:

Mayor, per year, payable bi-weekly..... \$15,000.00

Council members (each), per year, bi-weekly.\$ 4,000.00

*(Amended by Ordinance No. 1702, 06/03/2008)*

**§1-1003 COMPENSATION; CHANGE IN SALARY.** The emoluments of any elected official shall not be increased or diminished during the term of office for which he was elected, except that elected officials who are elected to the Council or other body having more than one (1) member and terms of one (1) or more members commence and end at different times, the Compensation of all members of that body may be increased or diminished at the beginning of the full term of any member thereof. No person who shall have resigned or vacated any elective office shall be again eligible to hold the office during the term he was elected to if after resignation the emoluments have been increased. (16-326 RS Neb.)

**§1-1004 COMPENSATION; CONFLICT OF INTEREST.** For purposes of this section officer shall mean (a) any member of any Board or Commission of the Municipality, (b) any Appointed Official if such Municipal official (i) serves on a Board or Commission which spends and administers its own funds and (ii) is dealing with a contract made by such Board or Commission, or (iii) any elected Municipal Official. Unless specified otherwise, volunteer firefighters and ambulance drivers shall not be considered officers for

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purposes of this section, with respect to their duties as firefighters and ambulance drivers.

No officer of the Municipality shall be permitted to benefit from any contract to which the Municipality is a party. The existence of such an interest in any contract renders the contract voidable by decree of a court of competent jurisdiction as to any person who entered into the contract or took assignment thereof with actual knowledge of the prohibited conflict. An action to have a contract declared void under this section may be brought by the Municipality or by any resident thereof and must be brought within one (1) year after the contract is signed or assigned. Any such decree may provide for the reimbursement of any person for the reasonable value of all money, goods, material, labor, or services furnished under the contract, to the extent that the Municipality has benefitted thereby. The prohibition in this section shall apply only when the officer or his or her parent, spouse, or child (a) has a business with which the individual is associated or business association which shall mean a business: (1) in which the individual is a partner, director, or officer or (2) in which the individual or a member of the individual's immediate family is a stockholder of a closed corporation stock worth one thousand dollars (\$1,000.00) or more at fair market value or which represents more than five percent (5%) equity interest, or is a stockholder of publicly traded stock worth ten thousand dollars (\$10,000.00) or more at fair market value or which represents more than ten percent (10%) equity interest or (b) will receive a direct pecuniary fee or commission as a result of the contract; provided however, if such officer (a) is an employee of the business involved in the contract and (b) has no ownership interest or shall not receive a pecuniary fee, such officer shall not be deemed to have an interest within the meaning of this section.

The provisions of this section shall not apply if the interested officer:

A. Makes a declaration on the record to the Governmental Body responsible for approving the contract regarding the nature and extent for his or her interest, prior to official consideration of the contract;

B. Does not vote on the matter of granting the contract, except that if the number of members of the Board declaring an interest in the contract would prevent the

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Board, with all members present, from securing a quorum on the issue, then all members may vote on the matter; and

C. Does not act for the Municipality as to inspection or performance under the contract in which he or she has an interest.

The receiving of deposits, cashing of checks, and buying and selling of warrants and bonds of indebtedness of any Municipality by a financial institution shall not be considered a contract under the provisions of this section. The ownership of less than five percent (5%) of the outstanding shares of a corporation shall not constitute an interest within the meaning of this section. Notwithstanding the provisions of subsections A through C above, if an officer's parent, spouse or child is an employee of the Municipality, the officer may vote on all issues of the contract which are generally applicable to all employees or all employees within a classification and do not single out his or her parent, spouse, or child for special action. If an officer has the power to employ personnel and he or she hires his or her parent, spouse, or child, such officer shall disclose the hiring pursuant to subsections 1 through 5 below, except that if the parent, spouse, or child is already employed in the position at the time the officer takes office and such position does not change, no disclosure need be made. Notwithstanding any other provision of this section, any contract entered into with an interested officer shall be subject to applicable competitive bidding requirements and shall be fair and reasonable to the Municipality.

The Municipal Clerk shall maintain, separately from other records, a ledger containing the information listed in subsections 1 through 5 of this section about every contract entered into by the Municipality in which disclosure is made as provided in subsections A through C above. Such information shall be kept in the ledger for five (5) years from the date of the officer's last day in office and shall include the:

1. Names of the contracting parties;
2. Nature of the interest of the officer in question;
3. Date that the contract was approved by the Municipality involved;
4. Amount of the contract; and
5. Basic terms of the contract.

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The information supplied relative to the contract shall be provided to the Clerk not later than ten (10) days after the contract has been signed by both parties. The ledger kept by the Clerk shall be available for public inspection during the normal working hours of the office in which it is kept.

An open account established for the benefit of any Municipality or entity thereof, with a business in which an officer has an interest, shall be deemed a contract subject to the provisions of this section. The statement required to be filed pursuant to this section shall be filed within ten (10) days after such account is opened. Thereafter, the Clerk shall maintain a running account of all amounts purchased on the open account. Purchases made from petty cash or a petty cash fund shall not be subject to the provisions of this section.

Any officer, who knowingly violates the provisions of Sections 49-14,103.01 through 49-14,103.03 RS Neb., shall be guilty of a Class III misdemeanor. Any officer who negligently violates Sections 49-14,103.01 through 49-14,103.03 RS Neb. shall be guilty of a Class V misdemeanor.

Contracts involving one hundred dollars (\$100.00) or less in which an officer of the Municipality may have an interest are hereby exempted from the provisions of this section.

No officer, including volunteer firefighters and ambulance drivers, shall receive any pay or perquisites from the Municipality other than his or her salary. The Governing Body shall not pay or appropriate any money or other valuable thing to pay a person who is not an officer for the performance of any act, service, or duty, which shall come within the proper scope of the duties of any officer of the Municipality. (Ref. 17-611, 18-305 through 18-312, 49-14,103.01 through 49-14,103.03, 70-624.04 RS Neb.)

**§1-1005 VOLUNTEER FIRE AND RESCUE/ AMBULANCE SERVICE; COMPENSATION:**

1. Emergency Response Compensation: Each department member that responds to a call for ambulance service, or for a call for vehicle accident shall receive the amount of \$8.00 for each such response. Each department officer who responds directly to the scene for a call for ambulance service, or for a call for vehicle accident shall receive the amount of \$10.00 for each such response.

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2. Overnight, Weekend and Holiday on call payment: Each on call attendant scheduled by the City to be on call, for weekday overnight (5:00 p.m. thru 5:00 a.m.) and weekend (24 hour each day, 5:00 a.m. to 5:00 a.m.) coverage, Sunday through Saturday, (including 24 hour coverage for any holiday during the period), shall receive 9 hours pay on-call incentive pay, at the rate set in the annual wage ordinance, for each scheduled on-call week.

3. Workweek/ workday ambulance attendant on call payment:

A. Each on call daytime attendant scheduled by the City to be on call from 5:00 a.m. to 11:00 a.m., Monday, Tuesday, Wednesday, Thursday or Friday, shall receive 1 hour pay on-call incentive pay, at the rate set in the annual wage ordinance, for each such 5 hour period.

B. Each on call daytime attendant scheduled by the City to be on call 11:00 a.m. to 5:00 p.m., Monday, Tuesday, Wednesday, Thursday or Friday, shall receive one (1) hour pay on-call incentive pay, at the rate set in the annual wage ordinance, for each such 5 hour period.

4. Conflict of Interest: Volunteer firefighters and ambulance attendants/ drivers who receive compensation for services stated herein shall not be considered to be officers and employees of the City for purposes of conflict of interest in serving in other positions and/ or capacity in the City, including, but not limited to, elected positions. (Amended by Ord. No. 1790, 06/21/11; Ord. 1814, 11/1/11; Ord. 1839, 9/18/12; Ord. 1844, 12/4/12; Ord. 1867, 9/3/13; 1917, 9/16/14; 1943, 09/15/15; 2015, 9/5/17)