

ORDINANCE NO. 2017-495

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF INDEPENDENCE, IOWA, 2011, BY ADDING A NEW CHAPTER ESTABLISHING AND AIRPORT BOARD

BE IT ENACTED by the City Council of the City of Independence, Iowa:

SECTION 1. CHAPTER 25. The Code of Ordinances of the City of Independence, Iowa, is amended by adding a new Chapter 25, entitled Airport Board, which is hereby adopted to read as follows:

CHAPTER 25

AIRPORT BOARD

25.01 Creation of Board

25.02 Airport Board

25.03 Organization of the Board

25.04 Powers and Duties

25.05 Reports

25.06 Rules

25.01 CREATION OF BOARD. A board, named the Airport Board, is hereby created and said Board shall advise the Council on all matters concerning the operation, maintenance and improvement of the Independence Municipal Airport.

25.02 AIRPORT BOARD. The Airport Board shall consist of five (5) members, a minimum of three (3) residents of the City and a minimum of one (1) but not more than two (2) who are tenants, pilots, or otherwise invested in the Independence Municipal Airport. Each member shall be of legal age, appointed by the Mayor subject to City Council approval.

25.03 ORGANIZATION OF THE BOARD. The organization of the Board shall be as follows:

1. **Term of Office.** All appointments of the Board shall be for overlapping four-year terms, except to fill vacancies. Each term shall commence on January 1st. Appointments shall be made every two years. At the creation of the Board, three (3) members shall be assigned four-year terms, and two (2) members shall be assigned two-year terms.
2. **Vacancies.** Vacancies in the Board shall be filled in the same manner as an original appointment except that the new Trustee shall fill out the unexpired term for which the appointment is made.
3. **Compensation.** Board Members shall serve without compensation, but may receive their actual expenses.
4. **Quorum.** A quorum is defined as a minimum of 3 members of the board to conduct any business on behalf of the board.

25.04 POWERS AND DUTIES. The Board shall have and exercise the following powers and duties:

1. **Officers.** The Board shall choose its Chairperson and Vice Chairperson every year.
2. **Annual Report.** The Board shall annually or at such other intervals as may be required by the Council submit to the Council a report of the airport facilities, a plan for their use and recommendations for needed capital improvements and potential expenditures for such improvements.
3. **Meetings.** The Board is subject to all open meeting laws as defined in Iowa Code chapter 21 and public record laws as defined by Chapter 22 in the Iowa Code.
4. **Hiring.** The Board shall contract for an airport manager to oversee the day to day operations of the airport facilities and grounds. The Airport Manager may be a person or a business entity at the discretion of the board, who shall make recommendation to the City Council. The City Council shall have final authority for contract approval and compensation
5. **Removal of Personnel.** To remove the Airport Manager, by a two-thirds vote of the Board as recommendation to the City Council, subject however, to the provisions of Chapter 35C of the Code of Iowa.

6. Annual Budget. The Board shall prepare an annual budget to reflect expected expenditures and revenues related to both airport operations and capital improvements. All expenditures of the Airport shall be submitted to and approved by a majority of the Board before being presented, with a recommendation from the Board in regard to the payment of said expenses, to the City Council.
7. Expenditures. All expenditures so approved shall be paid by the City through the Clerk's office.
8. Charge of Affairs. The Board shall be responsible for day-to-day oversight of the Airport and shall be an intermediary between the Airport Manager and the City Council. In addition to the above stated duties, the Board shall have such other duties as may be delegated thereto by resolution of the Council or by the amendment of this Ordinance. It is the stated intent of the City Council that the Airport Board and Airport Manager shall oversee the operation and management of the Airport and that the Council's role is one of oversight, not of managing or making day to day decisions related to the day-to-day operations of the Airport.

25.05 RECORD OF PROCEEDINGS. The Board will keep a record of its proceedings (minutes) which shall be forwarded to the City Clerk monthly.

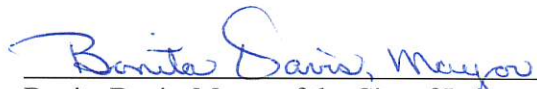
25.06 RULES. The Board shall have the power to make rules and regulations for the use of the airport, subject to the Council's approval of said rules and regulations. The rules and regulations so approved shall be readily available to the public. The City Council may upon recommendation from the Airport Board also adopt rules and regulations for operation of the airport by their approval of a resolution or by the amendment of this ordinance. Violation of this Ordinance or of a rule and/or regulation adopted by the Council consistent with this Ordinance may be treated as a simple misdemeanor and/or a municipal infraction at the discretion of the City Council.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any sections, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.


SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.

PASSED AND APPROVED by the City Council of Independence, Iowa, on this 27th day of November, 2017.



Bonita Davis, Mayor of the City of Independence, IA

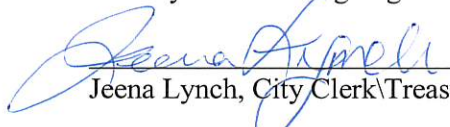
ATTEST:



Jeena Lynch, City Clerk/Treasurer of the City of Independence, IA

First Reading: 10/23/2017
Second Reading: 11/13/2017
Third Reading: 11/27/2017

I certify that the foregoing was published as Ordinance No.2017-495 on the 6th day of December, 2017.



Jeena Lynch, City Clerk/Treasurer