CITY OF PERRYVILLE, KENTUCKY
ORDINANCE NO. 2026 – 006

AN ORDINANCE AMENDING ANNUAL BUDGET ORDINANCE NO. 2026-005 FOR THE FISCAL YEAR JULY 1, 2026, THROUGH JUNE 30, 2027, TO CORRECT A CLERICAL ERROR IN THE STRUCTURAL BASELINE RATE OF PAY FOR THE CLASSIFICATION OF CHIEF OF POLICE; AUTHORIZING RETROACTIVE COMPENSATION TO JULY 1, 2026; AND ESTABLISHING LEGISLATIVE FINDINGS FOR COMPLIANCE WITH KRS 61.598.

WHEREAS, the City of Perryville, Kentucky, adopted Ordinance No. 2026-005 on June 11, 2026, establishing the annual budget and appropriations for the 2026-2027 fiscal year; and

WHEREAS, due to an inadvertent administrative and clerical error, the annualized salary for the employee position classification of "Chief of Police" was erroneously listed in the budget summary sheets and pay schedules as $48,101; and

WHEREAS, the true legislative intent of the City Council was, and remains, to establish and fund the baseline structural rate of pay for the classification of Chief of Police at $64,653 for the 2026-2027 fiscal year to match municipal operating requirements and maintain parity within the region's law enforcement leadership; and

WHEREAS, KRS 91A.030 requires all city expenditures to be in accordance with an adopted budget ordinance, thereby necessitating a formal amendment to legally disburse the correct and intended compensation; and

WHEREAS, Section 3 of the Kentucky Constitution prohibits the granting of separate public emoluments or extra compensation for past services, but does not bar the governing body from correcting a mutual, documented clerical error to align actual payments with original legislative intent; and

WHEREAS, KRS 61.598(1)(a)2 explicitly exempts an individual employee from pension-spiking penalties if an annual compensation increase exceeding ten percent (10%) is due to an increase in the rate of pay authorized and funded by the legislative body for a "specified class" of employees; and

WHEREAS, the City Council desires to clarify that this rate correction applies universally to the distinct job classification of Chief of Police as a structural position rate, and is not an individualized, discretionary merit bonus or a personal pre-retirement adjustment.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PERRYVILLE, KENTUCKY, AS FOLLOWS:

SECTION NO. I
AMENDMENT OF REVENUES AND EXPENDITURES

The Annual Budget for the Fiscal Year 2026-2027 is hereby amended to reflect a correction in the General Fund, Police Department Personnel Expenditures, as follows:

Expenditure Category	**Original Budget**	**Amendment Amount**	**Amended Budget**
Police Chief Position Salary Line	$_48,101_____ +	$ 16,552__+	$___64,653____

(Note: The City Treasurer is directed to adjust corresponding employee benefit lines, including FICA and CERS employer match contributions, to reflect this structural correction.)

SECTION NO. II
RETROACTIVE EFFECT AND AUTHORIZATION OF BACK PAY

The structural compensation rate of $64,653 per annum for the classification of Chief of Police is hereby declared effective retroactive to **July 1, 2026**, the commencement date of the current fiscal year. The Mayor and City Treasurer are authorized and directed to disburse a one-time retroactive lump sum payment to the current incumbent of said position to bridge the difference between the erroneous rate paid and the correct rate established herein for all pay periods occurring between July 1, 2026, and the effective date of this Ordinance.

SECTION NO. III
STATUTORY DECLARATION OF BONA FIDE PROMOTION FOR SPECIFIED CLASS

Pursuant to KRS 61.598(1)(a)2, the City Council formally establishes and declares that the position of "Chief of Police" constitutes a distinct, recognized, and specified job classification within the municipal workforce layout. The salary adjustment provided in this Ordinance is a legislative increase to the baseline structural rate of pay for the entire classification itself, funded and authorized by this body due to a clerical mistake. It does not constitute an individualized, arbitrary, or merit-based salary spike for any specific member or person, but rather sets the permanent standard salary for the office.

SECTION NO. IV
PROVISIONS IN CONFLICT & SEVERABILITY

All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION NO. V

EFFECTIVE DATE

This ordinance shall take effect and be in full force from and after its passage, approval, and publication according to law.

FIRST READING, THIS 9TH DAY OF JULY, 2026.

PASSED ON SECOND READING, THIS 6TH DAY OF AUGUST, 2026.

PUBLISHED IN THE ADVOCATE-MESSENGER, DANVILLE, KENTUCKY, ON THE

_____ DAY OF _____, 2026.

Rob Kernodle, Mayor
City of Perryville, Kentucky

ATTEST:

Mona Followell, City Clerk