

**§ 31.20 CITY MANAGER.**

(A) (1) *Office created.* The office of the City Manager is hereby created and established. The City Manager shall be appointed by the Council wholly on the basis of his or her administrative and executive ability and qualifications, and shall hold office for, and at the pleasure of, the Council.

(2) *Bond.* The City Manager shall furnish a corporate surety bond to be approved by the Council in the sum as may be determined by the Council, and shall be conditioned upon the faithful performance of the duties imposed upon the Manager as herein prescribed. Any premium for the bond shall be a proper charge against the city.

(3) *Compensation.* The City Manager shall receive compensation as the Council shall fix from time to time.

(4) *Removal procedure.* The Manager may be removed according to § 31.25. If requested, the Council shall grant him or her a public hearing within 30 days following notice of removal. During the interim, the Council may suspend the Manager from duty, but shall continue his or her salary and, if the removal becomes final, shall pay his or her salary for one month following the removal date.

(5) *Powers and duties.* The City Manager shall be the administrative head of the government of the city under the direction and control of the Council except as otherwise provided in this chapter. He or she shall be responsible to the Council for the proper administration of all affairs of the city. In addition to his or her general powers as administrative head, and not a limitation thereon, it shall be his or her duty and he or she shall have the powers set forth in the following divisions (A)(5)(a) through (m) below:

(a) Appoint and, when necessary for the good of the city service, suspend or remove all officers and employees of the city not appointed by the Council. He or she may authorize the head of a department or office to appoint, suspend or remove subordinates in the department or office;

(b) Prepare the budget annually and submit it to the Council together with a message describing the important features, and be responsible for its administration after adoption;

(c) Prepare and submit to the Council, at the end of the fiscal year, a complete report on the finances and administrative activities of the city for the preceding year;

(d) Keep the Council advised of the financial condition and future needs of the city and make recommendations as he or she may deem desirable;

(e) Recommend to the Council a standard schedule of pay for each appointive office and position in the city service, including minimum, intermediate and maximum rates, and authorize the payment of overtime pay for employees as may work in excess of normal work period. The rates of pay and period of work shall be in conformity with wages and salaries enacted by the City Council;

(f) Recommend to the City Council from time to time adoption of measures as he or she may deem necessary or expedient for the health, safety or welfare of the community, or for the improvement of administrative services;

(g) Consolidate or combine offices, positions, departments or units under his or her jurisdiction, with the approval of the Council. The Manager may be the head of one or more departments;

(h) Attend all meetings of the Council unless excused therefrom, and take part in the discussion of all matters coming before the Council. He or she shall be entitled to give notice of all regular and special meetings of the Council;

(i) Supervise the purchase of all materials, supplies, and equipment for which funds are provided in the budget; let contracts necessary for operation or maintenance of city services in accordance with the purchasing provisions of the City Code; receive sealed bids for purchase or contracts in accordance and present them to Council for approval in accordance with the purchasing provisions of the City Code or state or federal law, and advise the City Council on the advantages or disadvantages of contract or bid proposals. The Manager may issue rules governing purchasing procedures within the administrative organization as Council shall approve.

(j) In the case of accident, disaster or other circumstances creating a public emergency, the Manager may award contracts and make purchases for the purpose of meeting the emergency, but he or she shall file promptly with the Council a certificate showing the emergency and the necessity for the action, together with an itemized account of all expenditures;

(k) See that all laws and ordinances are duly enforced;

(l) Investigate the affairs of the city or any department or division thereof, investigate all complaints in relation to matters

concerning the administration of the government of the city, and in regard to service maintained by the public utilities in the city and see that all franchises, permits and privileges granted by the city are faithfully observed; and

(m) Perform other duties as may be required by the Council, not inconsistent with state law or city ordinances.

(B) With regard to officers and employees appointed by the Manager, neither the Council nor any of its members shall direct or request the appointment of any person to, or his or her removal or suspension from, the office by the Manager or any of his or her subordinates, or in any manner take part in the appointment or removal of the officers and employees in the administrative services of the city, except for the purpose of inquiry, the Council and its members shall deal solely through the Manager.

(Prior Code, § 3-2-1) (Ord. 331, passed 11-12-2014)