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## Section 4.01. City manager.

There shall be a city manager who shall be the chief administrative officer of the city, who shall serve at the will and pleasure of the city commission. The City Commission shall, by ordinance, resolution, and/or employment contract, establish a job description for the office of city manager and shall provide standards for the work schedule and terms and conditions of employment of the city manager, which shall be consistent with the city manager's duties and responsibilities under the city charter and with the city manager's exempt status as a full-time, salaried, executive employee under the federal Fair Labor Standards Act.

- (1) *Appointment and removal.* The city manager shall be appointed or removed by motion or resolution adopted by a majority of the full commission.
- (2) *Qualifications.* The city manager shall have a combination of a Bachelor's degree in Public Administration, Business Administration, or other related fields from an accredited college or university and three (3) years' public administration experience; or ten (10) years' experience in public administration, with at least three (3) years' experience in a city manager or assistant city manager position, which is credentialed by the International City Management Association. For purposes of this section "other related field" shall mean the type of degree possessed by any department head who reports to the city manager, including, but not limited to a degree in engineering or public finance.
- (3) *Acting city manager.* By letter filed with the commission the Manager shall designate, subject to approval of the commission, a qualified city administrative officer to exercise the powers and perform the duties of manager during his/her temporary absence or disability. During such absence or disability, the commission may revoke such designation at any time and appoint another officer of the city to serve until the manager shall return or their disability shall cease.
- (4) *Powers and duties.* The city manager shall be the chief administrative officer of the city. The manager shall be responsible to the commission for the administration of all city affairs placed in his or her charge by or under this charter. The manager shall have the following powers and duties:
  - (A) See that all laws, provisions of this charter and acts of the commission subject to enforcement by the manager or by officers subject to the manager's direction and supervision, are faithfully executed.
  - (B) The city manager shall exercise the administrative powers of the city through such departments, divisions, and agencies as the commission may, by ordinance or resolution, from time to time, establish. The head of each department, division or agency, except as otherwise provided by law or by this charter, shall be responsible to the Manager for the operation thereof, and shall perform such duties and have such powers as may be prescribed. Two or more departments and/or divisions and/or agencies may be headed by the same individual.
  - (C) To recommend all department heads and designated assistant department heads, subject to confirmation by the city commission and to recommend removal at will, subject to confirmation by the city commission; except as otherwise herein provided, to employ and remove all other employees of the city, basing such recommendation and removals upon merit and fitness to perform the duties of the position. The terms "department heads" and "designated assistant department heads", as used in this paragraph (C), also applies to those persons who are not employees of the city but perform the functions or duties of a department head or designated assistant department head of the city. The term "confirmation", as used in this paragraph (C), requires examination and approval by majority vote of the city commission.
  - (D) To attend all meetings of the city commission with right to take part in the discussion but without having a vote and shall be responsible to see that minutes are kept of the proceedings.

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- (E) To prepare and submit the annual budget and capital improvement program to the commission after inviting and considering individual commissioner input and public input.
  - (F) To submit to the commission and make available to the public within thirty (30) days after the close of each fiscal year, a complete report on the finances and administrative activities of the city for the preceding fiscal year.
  - (G) To make such other reports as the commission may require concerning the operations of city departments, offices and agencies subject to the manager's direction and supervision.
  - (H) To make such recommendations to the commission concerning the affairs of the city as he or she deems desirable.
  - (I) To supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget and advise the commission on the advantages or disadvantages of contract and bid proposals. No purchase shall be made, contract let or obligation incurred for any item or service which exceeds the current budget appropriation without a supplemental appropriation by the commission. The city manager shall issue such rules governing purchasing procedures within the administrative organization as the commission shall approve.
  - (J) To perform such other duties as are specified in this charter or may be required by the commission.
  - (K) The city manager has full control over administrative services. The commission and its members shall deal with administrative services solely through the city manager.
  - (L) No member of the city commission shall dictate the appointment of any person to office or employment by the city manager, or in any manner interfere with the city manager or prevent the manager from exercising his/her own judgment in the appointment of officers and employees in the administrative service.
  - (M) The city manager shall develop job descriptions, pay and benefit plans, personnel policies, and any other matters necessary to exercise control and direction over the city's organization and operations, with such job descriptions, pay and benefit plans, and personnel policies being subject to approval by majority vote of the city commission.

(Ord. No. 06-7-1, § 1, 7-17-06 (approved by the electors on 11-7-06); Ord. No. 16-5-1, § 2, Part B, 5-24-16 (approved by electors on 11-8-16); Ord. No. 20-4-7, 11-3-20 (approved by electors on 11-3-20))