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MEMORANDUM

TO: Grosse Pointe Woods City Council

FROM: Lisa A. Anderson, City Attorney

DATE: November 1, 2021

RE: Ordinance Amendment Establishing Office of Assistant City Administrator

During your last meeting on October 18, 2021, Council was introduced to the idea of establishing an Assistant City Administrator position to work cooperatively with the City Administrator and provide continuity of services during the City Administrator's absence. Attached for Council's consideration is an ordinance establishing the office of the Assistant City Administrator. Council has adopted similar ordinances to establish the offices of the Deputy Clerk (Sec. 2-40), Deputy Treasurer (Sec. 2-75), and Deputy Assessor (2-75). Adopting such an ordinance for an Assistant City Administrator position, while not required, would be consistent with the way similar positions have been handled in the past. It is Council's prerogative to consider amending the ordinance to establish the office of the Assistant City Administrator.

Chapter 2 - ADMINISTRATION

ARTICLE II. - OFFICERS AND EMPLOYEES⁽²⁾

Footnotes:

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State Law reference-- Freedom of information act, MCL 15.231 et seq.; standards of conduct and ethics, MCL 15.341 et seq.; conflicts of interests as to contracts, MCL 15.321 et seq.; political activities by public employees, MCL 15.401 et seq.; legal defense of public employees, MCL 691.1408; incompatible offices, MCL 15.181 et seq.; nondiscrimination in employment, MCL 37.2102.

DIVISION 1. - GENERALLY

Secs. 2-19—2-39. - Reserved.

DIVISION 2. - DEPUTY CLERK

Sec. 2-40. - Office created.

The office of deputy city clerk is hereby created.

(Code 1975, § 1-2-1; Code 1997, § 2-46)

Sec. 2-41. - Duties.

The deputy city clerk shall have full power and authority to act for and on behalf of the city clerk during the clerk's absence from the city, the clerk's incapacity to act and at such times as the clerk may direct in writing. The term "absence from the city" shall be deemed to mean any absence other than casual absence in the ordinary routine of business activities and living activities while the clerk is residing at his residence.

(Code 1975, § 1-2-2; Code 1997, § 2-47)

Sec. 2-42. - Bond required.

The deputy city clerk shall qualify under such bond as the council may direct and shall be held accountable for the administration of such office to the city clerk.

(Code 1975, § 1-2-3; Code 1997, § 2-48)

Sec. 2-43. - Appointment.

The office of the deputy city clerk shall be filled by the city clerk with confirmation by the council. Such appointees shall perform all other services as may be required by the city clerk in addition to any of the services required under this division. Appointees shall hold office at the will and pleasure of the city clerk.

(Code 1975, § 1-2-4; Code 1997, § 2-49)

Secs. 2-44—2-74. - Reserved.

DIVISION 3. - DEPUTY TREASURER

Sec. 2-75. - Office created.

The office of deputy city treasurer is hereby created.

(Code 1975, § 1-3-1; Code 1997, § 2-66)

Sec. 2-76. - Duties.

The deputy city treasurer shall have full power and authority to act for and on behalf of the city treasurer during the treasurer's absence from the city, the treasurer's incapacity to act and at such other times as the treasurer may direct in writing. The term "absence from the city" shall be deemed to mean any absence other than casual absence in the ordinary routine of business activities and living activities while the treasurer is residing at his residence.

(Code 1975, § 1-3-2; Code 1997, § 2-67)

Sec. 2-77. - Bond required.

The deputy treasurer shall qualify under such bond as the council may direct and shall be held accountable for the administration of such office to the treasurer.

(Code 1975, § 1-3-3; Code 1997, § 2-68)

Sec. 2-78. - Appointment.

The office of deputy treasurer shall be appointed by the city treasurer with confirmation by the council. Such appointee shall perform all other services as may be required by the city treasurer in addition to any of the services required by the city treasurer. Appointees shall hold office at the will and pleasure of the city treasurer.

(Code 1975, § 1-3-4; Code 1997, § 2-69)

Secs. 2-79—2-89. - Reserved.

DIVISION 4. - DEPUTY ASSESSOR

Sec. 2-90. - Office created.

The office of deputy city assessor is hereby created.

(Ord. No. 822, 6-16-2008)

Sec. 2-91. - Duties.

The deputy city assessor shall have full power and authority to act for and on behalf of the assessor during the assessor's absence from the city, the assessor's incapacity to act and at such other times as the assessor may direct in writing. The term "absence from the city" shall be deemed to mean any

absence other than casual absence in the ordinary routine of business activities and living activities while the assessor is residing at his or her residence.

(Ord. No. 822, 6-16-2008)

Sec. 2-92. - Bond required.

The deputy city assessor shall qualify under such bond as the council may direct and shall be held accountable for the administration of such office to the assessor.

(Ord. No. 822, 6-16-2008)

Sec. 2-93. - Appointment.

The office of deputy city assessor shall be appointed by the assessor with confirmation by the council. Such appointee shall perform all other services as may be required by the assessor in addition to any of the services required by the assessor. Appointees shall hold office at the will and pleasure of the assessor.

(Ord. No. 822, 6-16-2008)

Secs. 2-94—2-99. - Reserved.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CITY OF GROSSE POINTE WOODS CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE II, OFFICERS AND EMPLOYEES, TO ADD A NEW DIVISION 5 TO CREATE THE OFFICE OF ASSISTANT CITY ADMINISTRATOR.

THE CITY OF GROSSE POINTE WOODS ORDAINS:

Section 1. Ordinance Amendment.

The Grosse Pointe Woods City Code, Chapter 2, "Administration," Article II, "Officers and Employees," is hereby amended to include a new Division 5, "Assistant City Administrator," which shall read as follows:

DIVISION 5. – ASSISTANT CITY ADMINISTRATOR

Sec. 2-99.1. – Office created.

The office of assistant city administrator is hereby created.

Sec.2-99.2. – Duties.

The assistant city administrator shall have the full power and authority to act for and on behalf of the city administrator during the administrator's absence from the city, the administrator's incapacity to act and at such times as the administrator may direct in writing. The term absence from the city shall be deemed to mean any absence other than casual absence in the ordinary routine of business activities and living activities while the city administrator is residing at his residence.

Sec. 2-99.3 – Appointment.

The office of the assistant city administrator shall be filled by the city administrator with confirmation by the council. Such appointees shall perform all other services as may be required by the city administrator in addition to any of the services required under this division. Such services are not intended to and shall not be construed as diminishing the duties or responsibilities of the office of city administrator. Appointees shall hold office at the will and pleasure of the city administrator.

Section 2. Repeal.

All ordinances, parts of ordinances, or sections of the City Code in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect, and the City of Grosse Pointe Woods Code of Ordinances shall remain in full force and effect, amended only as specified above.

Section 3. Savings Clause.

The amendments of the City of Grosse Pointe Woods Code of Ordinances set forth in this ordinance do not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendments of the City of Grosse Pointe Woods Code of Ordinances set forth in this ordinance.

Section 4. Severability.

If any section, clause or provision of this ordinance, or the application thereof to any person, firm, corporation, legal entity or circumstances, shall be for any reason adjudged by a court of competent jurisdiction to be unconstitutional or invalid, said judgment shall not affect, impair, or invalidate the remainder of this ordinance. It is hereby declared to be the legislative intent of this body that the ordinance is severable, and that the ordinance would have been adopted had such invalid or unconstitutional provision not have been included in this ordinance.

Section 5. Effective Date.

This ordinance shall be effective 20 days after enactment.

CERTIFICATION OF CLERK

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City Council of the City of Grosse Pointe Woods, County of Wayne, State of Michigan, at a regular meeting of the City Council duly called and held on _____ day of November, 2021.

Lisa K. Hathaway, City Clerk

First Reading:
Second Reading:
Published in GPN:
Adopted:
Effective:
Date Posted: