

ARTICLE IV

CITY ADMINISTRATOR

SECTION 3-70. CREATION OF OFFICE.

The office of city administrator is hereby created. (Ord. No. 633, Section 1, 8-13-79.)

SECTION 3-71. APPOINTMENT; TERM; REMOVAL; EX OFFICIO CITY CLERK; QUALIFICATIONS.

The city administrator shall be appointed by a majority vote of the city council at a regular meeting. The city administrator shall hold office at the pleasure of the council and shall be subject to removal by majority vote of the council.

The city administrator shall be ~~the ex-officio city clerk and treasurer~~ **finance director**. The city administrator shall be qualified by experience and training in management. (Ord. No. 633, Section 1, 8-13-79; Ord. No. 1120, 6-26-2012.)

SECTION 3-72. COMPENSATION.

The administrator shall receive such annual salary as the council shall from time to time determine by resolution. (Ord. No. 633, Section 1, 8-13-79.)

SECTION 3-73. DUTIES.

The city administrator is the chief administrative officer of the city and the duties shall be as follows:

1. The administrator shall perform any or all duties incumbent upon the city administrator as set forth in this article, and duties incumbent upon the office of city clerk and the office of city treasurer as outlined in this article and by the laws of the State of Iowa and the City of Oelwein, Iowa.
2. The administrator shall superintend and inspect all improvements and work upon the streets, alleys, sewers and public grounds of the city.
3. The administrator shall attend all meetings of the council unless excused therefrom.
4. The administrator shall recommend to the council such measures as he may deem necessary or expedient for the good government and welfare of the city. The administrator shall make continuous study of the city government's operating procedures, organizations and facilities and recommend fiscal or other policies to the council whenever necessary. The administrator shall keep the council informed on the progress of its programs and the status of its policies.

5. The administrator shall have the general supervision and direction of the administration of the city government and may appoint with approval of the council such administrative assistants as shall be deemed advisable. The administrator shall coordinate and direct all city services provided through the various departments.

6. The administrator shall supervise and direct the official conduct of all officers and employees of the city whom he has power to appoint. The administrator shall employ and remove city employees in accordance with council approved policies regarding pay, employment and removal of such employees.

7. The administrator shall supervise the purchase of all materials, supplies and equipment for which funds are provided in the budget; let contracts necessary for the operation or maintenance of city services and attend the purchase of all materials, supplies and equipment necessary thereto up to and including the sum of ~~five~~ **ten** thousand dollars (~~\$5,000.00~~) (**\$10,000.00**), obtain and receive bids for such purchases of materials, supplies and equipment in excess of ~~five~~ **ten** thousand dollars (~~\$5,000.00~~) (**\$10,000.00**) in the manner and as required from time to time by decision of the city council and present them to the council for approval, advising the council of the advantages or disadvantages of such bid proposals. No purchase shall be made therefore or contract let or obligation incurred for the purchase of such materials, supplies and equipment in excess of the sum of twenty-five thousand dollars (\$25,000.00) or which exceeds the current budget appropriation without the obtaining of bids relating thereto in the manner and at such times if required by the city council and without a supplemental appropriation by the council when necessary. With respect to contracts for public improvements, which shall at all times be distinguished from the purchase of materials, supplies and equipment for which no bids are ordinarily required, the city, city administrator and city council shall be at all times governed by the provision of Chapter 23 and Chapter 384, Division VI of the Code of Iowa and amendments thereto, which concurrently requires bid procedure on public improvements in excess of twenty-five thousand dollars (\$25,000.00). The administrator may issue such rules governing purchasing procedures within the administrative organization as the council shall approve.

8. The administrator shall have power to fix the compensation to be paid all City employees, subject to the approval of the City Council.

The administrator shall have the power to employ, reclassify, or discharge all department heads of the city (except police and fire department heads), ~~subject to the approval of the city council.~~ The chiefs of police and fire departments shall be appointed and discharged by the Mayor, upon the recommendation of the city administrator and approval of the city council. The chiefs of the police and fire departments shall be directly responsible to the city administrator for the effective administration of the respective departments and all activities assigned thereto. In exercising the powers granted in this sub-section, the city administrator shall be subject to the provisions of the Soldier's Preference Law and Civil Service Law. (Ord. No. 931, 01-13-1997.)

9. The administrator shall supervise and manage all public improvements, works, and undertakings of the city, and all public buildings, and shall have charge of their construction, improvement, repair and maintenance, except those designated in and which are covered by

provisions of the Code of Iowa dealing with the library board. Nothing herein shall be construed as to prevent cooperation between the administrator and any commission, board, trustees, or other body. The administrator shall study possible joint arrangements with municipal boards and commissions, make recommendations for such arrangements as are mutually acceptable, and coordinate these activities as agreed upon. (Ord. No. 825, 1-14-91; Ord. No. 909, 1-23-95; Ord. No. 1120, 6-26-2012.)

10. The administrator shall have charge of the making and preservation of all surveys, maps, plans, drawings, specifications and estimates for public works or public improvements except those designated in and which are covered by provisions of the Code of Iowa dealing with the library board. (Ord. No. 1120, 6-26-2012.)

11. The administrator shall provide for the issuance, suspension and revocation of such licenses and permits as are authorized by law or ordinance, cause a record thereof to be kept, and collect and deposit all fees for licenses and permits.

12. The administrator shall be financial officer of the city and shall keep the council fully advised of the financial and other conditions of the city and of its future needs. The administrator shall be responsible for all accounting and accounting procedures for the municipality.

13. The administrator shall submit to the council by January an annual estimate of revenue expenditures and multi-year capital improvements plan for the forthcoming year. The council shall adopt the budget as prescribed by the Iowa Code.

14. The administrator shall, at all times, see that the business affairs of the municipal corporation of which he is administrator are transacted by modern and scientific methods and in an efficient and businesslike manner, and that accurate records of all of the business affairs of the city under his administration are fully and accurately kept. The administrator shall administer all ordinances, resolutions, council policies and directives.

15. The administrator shall assist the mayor in any of the mayor's duties as requested by the mayor and as approved by the city council.

16. The administrator shall assist the council, and planning and zoning commission in the carrying out of the comprehensive plan and assist in all other forms of planning with the city government.

17. The administrator shall act for the city in the exercise and execution of all policies and programs whereby the City of Oelwein, Iowa, is involved on a joint basis with any other governmental subdivision, including any subdivision of government of the State of Iowa or the United States of America.

18. The administrator shall perform such other and further duties as the council by ordinance shall direct.

19. Acting as city treasurer, the administrator shall perform the duties as registrar and transfer agent for all public bonds or obligations in registered form issued after July 1, 1983, relating to the financing of all public projects of the City of Oelwein through bonds, warrants, special assessments or other obligations. Such city administrator may serve in multiple capacities as trustee, transfer agent, registrar, depository, or paying or other agent with respect to an issue of public bonds or obligations.

20. As a personnel officer, with respect to three (3) union contracts of the city, the city administrator, his deputy or appointee, shall have the authority to enforce and interpret such agreements as the sole representative of the city. With the city attorney or other negotiators employed by the city for that purpose, the administrator shall attend to labor relations affecting city employees, in negotiating union contracts, and oversee equal employment opportunity and affirmative action. The administrator shall attend to occupational safety and health programs of the city and conduct training programs for supervisors. The administrator shall also establish an employee classification plan.

(Ord. No. 633, Section 1, 8-13-79; Ord. No. 646, Section 1, 10-22-79; Ord. No. 707, Section 1, 7-26-82; Ord. No. 733, Section 1, 7-11-83; Ord. No. 795, 6-22-87; Ord. No. 1010, 02-10-2003.)

SECTION 3-74. OFFICES VACATED.

Whenever by ordinance or resolution of the council the powers and duties heretofore vested in any other appointive municipal officer are to be wholly performed by the said city administrator, then no appointment of such appointive officer shall be made, and any appointment of such officer made prior to the adoption of such ordinance or resolution shall be thereby cancelled. (Ord. No. 633, Section 1, 8-13-79.)

SECTION 3-75. BOND.

The city administrator shall furnish a corporate surety bond in the amount of one hundred thousand dollars (\$100,000.00) to be approved by the council, said bond to be conditioned on the faithful performance of the city administrator's duties. The premium of the bond shall be paid by the city. (Ord. No. 795, 6-22-87; Ord. No. 809, 5-10-88.)

SECTION 3-76. COUNCIL REPORTS.

The city administrator shall be directly responsible to the city council for the administration of municipal affairs as directed by that body. All departmental activity requiring the attention of the council shall be brought before the body by the administrator and all council involvement in administration initiated by the council must be coordinated through the administrator. (Ord. No. 633, Section 1, 8-13-79.)

SECTION 3-77. RELATIONSHIP TO CITY ATTORNEY.

The city attorney shall not be considered to be a department head for the purposes of this article, and shall continue to be appointed by, and be directly responsible to the city council. (Ord. No. 633, Section 1, 8-13-79.)

SECTION 3-78. DEPUTY CITY CLERK.

The city administrator shall nominate for council appointment a ~~deputy~~ City Clerk to perform the duties of the ~~city clerk~~ city administrator in the administrator's absence and to perform such other duties as assigned the clerk by the administrator. **The Clerk shall be appointed and discharged by the Mayor, upon the recommendation of the city administrator and approval of the city council.** (Ord. No. 633, Section 1, 8-13-79.)

SECTION 3-79. CITY CLERK TREASURER ; DUTIES; RESPONSIBILITIES; COMPENSATION; BOND.

1. The office of the city ~~clerk treasurer~~ shall be **located in City Hall** ~~combined with the office of the city clerk and city administrator.~~

2. The ~~treasurer~~ **City Clerk** shall have the following powers and duties:

A. Custody of the funds. Be responsible for the safe custody of all funds of the city in the manner provided by law, and council direction.

B. Act as ~~treasurer~~ **Clerk** and custodian of all funds received or held in custody for any board or commission or agency existing in the city created by the council or the people. These are: The general fund and other fund consisting of but not limited to: water, debt service, trust and agency, sewer, road use tax, special assessments, landfill, recycling; and any other funds and accounts established by the city council of the City of Oelwein, hereafter. (Ord. No. 1120, 6-26-2012.)

C. The ~~treasurer~~ **Clerk** shall reconcile the bank statements with his books and certify monthly to the council the balance of cash and investments of each fund and accounts received and disbursed.

D. Debt service. Keep a register of all bonds outstanding and record all payments made of interest and principal. (This may be done by a bond registrar.)

E. Investments. The treasurer shall advise the council on investments and shall invest city monies not immediately needed at interest in accordance with council directives and requirements of Chapter 452 of the Iowa Code. (Ord. No. 1120, 6-26-2012.)

F. Perform such other duties as specified by the council by resolution or ordinance.

3. Compensation. The ~~treasurer~~ Clerk shall be paid such compensation as specified by council resolution.

4. The ~~treasurer's~~ Clerk's books shall be, at all times, open to the inspection of any taxpayer or elector of the City of Oelwein, Iowa. (Ord. No. 504, Section 1, 5-13-74; Ord. No. 644, Section 1, 10-8-79; Ord. No. 795, 6-22-87.)

SECTION 3-80. POWERS AND DUTIES OF THE CLERK.

The duties of the clerk shall be as follows:

1. The clerk shall attend all regular and special council meetings, arranging for a deputy clerk to attend in the clerk's absence, and prepare and publish a condensed statement of the proceedings thereof, to include the total expenditure from each city fund. The statement shall further include a list of all claims allowed, a summary of all receipts and gross amounts of the claims. The clerk shall also prepare and distribute within a reasonable time before regular and special meetings of the council an agenda of the business to come before such meetings.

2. The clerk shall record each measure taken by the council, stating, where applicable, whether the mayor signed, vetoed or took no action on the measure and what action the council made upon the mayor's veto, drafting and maintaining minutes of such meetings, and of motions, resolutions and of ordinances presented thereat.

3. The clerk shall cause to be published all ordinances and amendments by the city. The clerk shall authenticate all such measures, except motions, with their signature, certifying the time and place of publication, when required.

4. The clerk shall maintain copies of all effective city ordinances and codes for public use. The clerk shall maintain the City Code of Ordinances and provide copies thereof as provided by law and of resolutions and ordinances pertaining thereto.

5. The clerk shall publish notice of public hearings, elections and other official actions as required by state and city law.

6. The clerk shall certify all measures establishing any zoning district, building lines and a plat showing each district, lines or limits to the recorder of the county containing the affected parts of the city.

7. The clerk shall report to the council at the first meeting of each month the status of each municipal account as of the end of the previous month.

8. The clerk shall prepare an annual public report, publish it, and send a certified copy to the state auditor and other state officers as required by law.

9. The clerk shall maintain all city records as required by law and have custody of the city seal.

10. The clerk shall have custody and be responsible for the safe keeping of all writings or documents in which the municipality is a party-in-interest unless otherwise specifically directed by law or ordinance. The clerk shall also keep and be responsible for all copies of correspondence, maps, plans, plats, specifications, cemetery records and information of all kinds received by other officers, including the mayor of the city.

11. The clerk shall file and preserve all receipts, vouchers and other documents kept, or that may be required to be kept, necessary to prove the validity of every transaction and the identity of every person having any beneficial relation thereto, including the maintenance of payroll and personnel files.

12. The clerk shall furnish upon request to any municipal officer a copy of any record, paper or public document under their control when it may be necessary to such officer in the discharge of his duty. The clerk shall furnish a copy to any citizen when requested upon payment of a fee set by the council resolution pertaining thereto. The clerk shall affix the seal of the corporation to those public documents or instruments required to be attested by affixing of the seal.

13. Whenever required by ordinance or resolution of the city council pertaining thereto, the clerk shall attend all meetings of boards and commissions of the city at the request of the city council. The clerk shall also serve as clerk of the civil service commission (Code of Iowa, Section 400.4). The clerk shall record and preserve a correct record of the proceedings of such meetings when so required.

14. The clerk shall keep and file all communications and petitions directed to the city council and to the city generally. The clerk shall endorse thereon the action of the city council taken upon matters considered in such communications and petitions.

15. The clerk shall also issue licenses and permits approved by the council and keep a record of licenses and permits issued which shall show date of issuance, license or permit number, official receipt number, name of person to whom issued, term of license or permit, and purpose for which issued and assist in resolving building code problems in the absence of a Code Enforcement Officer employed by the city.

16. The clerk shall inform all persons appointed by the mayor or city council to offices in the municipal government of their position and the time at which they shall assume the duties of their office.

17. The clerk shall compile and preserve a complete record of every city election, regular or special, and perform duties required by law or ordinance of the city clerk in regard to elections and, when so appointed, serve as deputy commissioner at elections.

18. The clerk shall draw all warrants or checks for the city upon the vote of the council.

19. The clerk shall show on every warrant the fund on which it is drawn and claim to be paid.

20. The clerk shall keep a warrant record in a form approved by the council showing the number, date, amount, payee's name, upon what fund drawn, and for what claim each warrant is issued.

21. The clerk shall bill and collect all charges, rents or fees due the city for utilities and other services, giving receipt therefore, and attend to water change orders.

22. The clerk shall send directives to departments of the city relating to actions of the city council with respect thereto as provided in the city resolution establishing personnel policy, as amended, and maintain a central radio dispatch for public works and administration vehicles.

23. The clerk shall supervise the office staff in the clerk's office, attend to the sale of cemetery lots and issuance of burial permits, process insurance claims, establish and supervise the telephone, paper and electronic communication systems and functions and assist when necessary in lobbying at the legislature in matters affecting the City of Oelwein, and attend to equipment maintenance, repair and operating records in the clerk's office. The clerk or the clerk's deputy shall also qualify and serve as a notary public.

(Ord. No. 546, Section 6, 9-27-76; Ord. No. 795, 6-22-87; Ord. No. 1120, 6-26-2012.)

SECTION 3-81. PURCHASING, BUDGETARY CONTROLS.

1. Budget officer. The city ~~clerk~~/administrator shall be the city budget officer and is responsible for preparing the budget in cooperation with the council. The budget officer shall be responsible for carrying out the authorization and plans in the budget as set forth in the budget, subject to council control and the limitations set out in this section.

2. Expenditures. No expenditure shall be authorized by any city officer or employee except as herein provided. All purchases of services, supplies and equipment shall be made only after issuance of a purchase order and no invoice shall be accepted unless authorized by such an order. Purchases not exceeding the dollar limitation established by Resolution of the City Council may be made by those officials authorized by the Mayor or Mayor Pro Tem in the absence of the Mayor, or the City Administrator but only on issuance of a spot purchase order in writing signed by the authorized officer. A copy of such spot purchase order must be delivered to the clerk within twenty-four (24) hours, weekends and holidays excepted. All other purchases shall be valid only if a purchase order has been given in writing and signed by the clerk/administrator. Purchases from petty cash shall be excepted. (Ord. No. 909, 1-23-95; Ord. No. 1120, 6-26-2012.)

3. Authorizations to expend. All purchase orders other than those excepted herein shall be authorized by the city budget officer after determining whether the purchase, if a major item, has been authorized by the budget or other council approval. The clerk shall then determine whether a purchase order may be issued by checking the availability of an appropriation

sufficient to pay for such a purchase. A purchase order may be issued only if there is an appropriation sufficient for the purchase and for other anticipated or budgeted purposes. If no adequate appropriation is available for the expenditure contemplated the clerk shall not issue a purchase order until a budget amendment or transfer of appropriation is made in accordance with power delegated by council and within the limits set by law and the council. The clerk shall draw a warrant/check only upon an invoice received, or progress billing for a public improvement, supported by a purchase order and signed receipt or other certification indicating the materials have been delivered of the quality and in the quantities indicated or the services have been performed satisfactorily to the extent invoiced.

4. Accounting. The clerk shall set up and maintain books of original entry to provide a chronological record of cash received and disbursed through all receipts given and warrants written, which receipts and warrants shall be prenumbered, in accordance with modern, accepted methods, and the requirements of the state. The clerk shall keep a general ledger controlling all cash transaction, budgetary accounts and recording unappropriated surpluses. Warrants/checks shall be signed by two (2) of the following officers of the city; Mayor, mayor pro tem, city clerk, deputy clerk, city treasurer or city administrator, as may from time to time be designated and authorized to do so by the resolution of the city council.

5. Budget accounts. The clerk shall set up such individual accounts to record receipts by source and expenditures by program and purpose as will provide adequate information and control for budgetary purposes as planned and approved by council. Each individual account shall be maintained within its proper fund as required by council order or state law and shall be so kept that receipts can be immediately and directly compared with specific estimates and expenditures can be related to the appropriation which authorized it. No expenditure shall be posted except to the appropriation of function and purpose for which the expense was incurred.

6. Contingency accounts. Whenever the council shall have budgeted for a contingency account, the clerk shall set it up on the accounting records, but shall not charge any claim to a contingency account. Said contingency accounts may be drawn upon only by council resolution directing a transfer to a specific purpose account within its fund and then only upon compelling evidence of an unexpected and unforeseeable need or emergency. (Ord. No. 520, Sections 1-6, 6-23-75; Ord. No. 644, Section 2, 10-8-79; Ord. No. 795, 6-22-87.)

SECTION 3-82. TRANSFER OF APPROPRIATIONS.

1. Council transfers. When the city clerk determines that one or more appropriation accounts need added authorizations to meet required expenditures therein the clerk shall inform the council or if the council upon its own investigation so determines, and another account within the same program has an appropriation in excess of foreseeable needs, or in the case of a clear emergency or unforeseeable need, the contingency account has an unexpended appropriation which alone or with the other accounts can provide the needed appropriations, the council shall set forth by resolution the reductions, the city clerk shall cause the transfers to be set out in full in the minutes and be included in the published proceedings of the council. Thereupon the clerk, and where applicable, the city treasurer, shall cause the appropriations to be revised upon the appropriate expenditure ledgers of the city, but in no case shall the total of the appropriation to a

program be increased except for transfers appropriation for all purposes be increased except by a budget amendment made after notice and hearing as required by law for such amendments.

2. Administrative transfers. The city clerk shall have power to make transfers between objects of expenditures within any activity without prior council approval. The city clerk shall have the power to make transfers between activities, or between subprograms without prior council approval to meet expenditures which exceed estimates or are unforeseen but necessary to carry out council directives or to maintain a necessary service and provide the required appropriation balance. Such transfers shall not exceed three per cent (3%) at any one time of the activity's annual appropriation which is increased or decreased. However, when a given transfer, considering all previous transfers to or from any activity, causes the total change in the appropriation for any activity to exceed by ten per cent (10%) less than the original appropriation, it shall be presented to the council as a resolution including all such administrative transfers to date in the fiscal year for consideration and passage as presented, or as amended by council.

All administrative transfers shall be reported in writing at the next regular meeting of the council after being made and the fact set out in the minutes for the information of the mayor and council.

3. Deleted. (Ord. No. 1120, 6-26-2012.)

SECTIONS 3-83 - - 3-89 Reserved.