

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING SECTION 3-71, SECTION 3-73, SECTION 3-78, SECTION 3-79, SECTION 3-81  
TO MODIFY CITY ADMINISTRATOR AND CITY CLERK DUTIES

BE IT ORDAINED by the City Council of the City of Oelwein, Iowa, as follows:

Section 1. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Section 3-71, paragraph two with the following:

The city administrator shall be the finance director. The city administrator shall be qualified by experience and training in management.

Section 2. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Section 3-73 (7) and (8) with the following:

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 ten thousand dollars (\$10,000.00), obtain and receive bids for such purchases of materials, supplies and equipment in excess of ten thousand dollars (\$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). 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.

Section 3. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by deleting Section 3-78 in its entirety and replace it with the following:

SECTION 3-78. CITY CLERK.

The city administrator shall nominate for council appointment a City Clerk to perform the duties of the 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.

Section 4. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by deleting Section 3-79 in its entirety and replace it with the following:

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

- (1) The office of the city clerk shall be located in City Hall.
- (2) The 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 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.
  - C. The Clerk shall reconcile the bank statements with their 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 City Clerk 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.
  - F. Perform such other duties as specified by the council by resolution or ordinance.
- (3) Compensation. The Clerk shall be paid such compensation as specified by council resolution.
- (4) The Clerk's books shall be, at all times, open to the inspection of any taxpayer or elector of the City of Oelwein, Iowa.

Section 5. That the General Ordinances of the City of Oelwein adopted July 1, 2012 be amended by replacing Section 3-81 (1) with the following:

SECTION 3-81. PURCHASING, BUDGETARY CONTROLS.

1. Budget officer. The city 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.

Section 6. That all Ordinances or parts thereof in conflict herewith be and the same are hereby repealed. This ordinance shall become effective upon its passage.

First Reading                      November 22, 2021  
Second Reading  
Third Reading

Passed and adopted by the City Council of the City of Oelwein, Iowa this \_\_\_\_\_ day of \_\_\_\_\_, 2021

\_\_\_\_\_  
Brett DeVore, Mayor

Attest:

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Recorded \_\_\_\_\_, 2021.

\_\_\_\_\_  
Dylan Mulfinger, City Administrator

Second Reading on \_\_\_\_\_ It was moved by  
and seconded by \_\_\_\_\_ that the Ordinance as read  
be adopted (or to suspend the rules), and upon roll  
call there were:

AYES    NAYS    ABSENT    ABSTAIN

M Weber  
Cantrell  
Fisk  
Stewart  
Seeders  
Payne

First Reading on \_\_\_\_\_:

It was moved by \_\_\_\_\_ and seconded by  
that the Ordinance as read be adopted, and upon roll  
call there were:

AYES    NAYS    ABSENT    ABSTAIN

M Weber  
Cantrell  
Fisk  
Stewart  
Seeders  
Payne

Third Reading on \_\_\_\_\_ It was  
moved by \_\_\_\_\_ and seconded by \_\_\_\_\_ that  
the Ordinance as read be adopted (or to suspend the  
rules) and upon roll call there were:

AYES    NAYS    ABSENT    ABSTAIN

M Weber  
Cantrell  
Fisk  
Stewart  
Seeders  
Payne