

A CHARTER ORDINANCE AMENDING SECTIONS 4, 11, and 12 OF CHARTER ORDINANCE NO. 16 RELATING TO THE POWERS AND DUTIES OF THE CITY MANAGER AND THE MAYOR AND THE REMOVAL OF OFFICERS AND EMPLOYEES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DERBY, KANSAS.

Section 1. Section 4 of Charter Ordinance No. 16 is hereby amended to read as follows:

Powers and duties. The powers and duties of the City Manager shall include but not be limited to the following:

A. To see that the laws and ordinances of the city are enforced;

B. To devote all necessary time and attention to the affairs of the city and be responsible to the governing body and mayor for the efficient administration of its affairs;

C. With the confirmation of the governing body, to appoint and remove all nonelective heads of departments except the city attorney, and municipal judge, who shall be appointed as set out herein. The city manager shall hire and discharge all other city employees authorized by the city council to be hired, at such compensation as may be set or authorized by the city council. All employees shall perform their duties subject to the discretion of the city manager or that of the superior to whom such manager may assign such employee; provided, that the city manager may delegate to any other official or employee the authority to hire or discharge any employees so authorized;

D. To supervise all nonelected city employees, officers and appointees, excepting city attorney and municipal judge;

E. To attend all meetings of the governing body with the right to take part in the discussion, but having no vote;

F. Make recommendations to the governing body governing salary scales, cost of living increases, raises and fringe benefits of appointed officers and employees;

G. Be responsible for accounting procedures, billing methods, record keeping and computer programming for the city;

H. Prepare and submit to the governing body, the annual budget of the city and keep the governing body fully and timely advised as to the financial condition of the city;

I. Review all insurance policies of the city on an annual basis and make recommendations to the governing body;

J. Exercise general supervision and control over all city purchases and expenditures in accordance with the city budget and within the guidelines specified by the governing body. Any major deviation (one thousand dollars or more) from the current budget will be coordinated with the governing body prior to purchase or fund commitment;

K. In conjunction with the planning and park boards, recommend to the governing body workable plans for the city improvements and future developments;

L. Maintain current knowledge of state and federal financial grants and available assistance from other agencies, and to prepare, submit and monitor financial grants and applications;

M. Serve as public relations officer for the city in contacts with residents and businesses in order to maintain a good relationship between city government, county commissioners, local citizens and businesses;

N. Coordinate the work of all boards and volunteer departments appointed by the governing body;

O. To do and perform such other duties as may be prescribed by ordinance, resolution or direction of the governing body.

Section 2. Section 11 of Charter Ordinance No. 16 is hereby amended to read as follows:

"The Mayor shall appoint, by and with the consent of the council, a Municipal Judge of the Municipal Court, a City Manager, and a City Attorney, as well as appointments to all boards, commissions and voluntary departments, such as, but not limited to, the library board, planning commission, and Volunteer Fire Department.

Except as by ordinance specifically provided, all city officers appointed by the Mayor shall hold their offices for an indefinite term and until their successors are appointed and qualified"

Section 3. Section 12 of Charter Ordinance No. 16 is hereby amended to read as follows:

"SECTION 12. QUALIFICATIONS OF OFFICERS: EMPLOYEES APPOINTMENT OF NONRESIDENTS: REMOVAL OF OFFICERS AND EMPLOYEES:

All officers elected or appointed by either the Mayor or the City Manager, except where by ordinance specifically required or permitted to be nonresidents, shall be qualified electors of said city, except that the Mayor may appoint nonresidents as City Attorney, Municipal Judge, and City Manager, and the City Manager may appoint nonresidents as law enforcement officers when deemed necessary. The Mayor and the City Manager respectively may appoint nonresidents who also serve as City Attorney, Municipal Judge or law enforcement officers of another municipality or public agency. The City Attorney shall be a qualified elector of the county in which said city is located or of an adjoining county.

All officers and employees may be terminated at any time by the appointing authority for cause. Any such termination shall be subject to the provisions of the City employees Handbook and the Police Department Manual and such officer or employee shall specifically have the right to appeal his or her termination to the City Council which termination shall be upheld if approved by 2/3 of the council elect.

Section 4. Section 4, 11, and 12 of Charter Ordinance No. 16 as originally enacted are hereby repealed.

Section 5. This Charter Ordinance shall be published once each week for two consecutive weeks in the official city newspaper.

Section 6. This is a Charter Ordinance, and shall take effect sixty-one days after final publication, unless a sufficient petition for a referendum is filed and a referendum held on the ordinance, as provided in Article 12, Section 5, Subdivision C (3) of the Constitution of the State of Kansas, in which case, the ordinance shall become effective if approved by a majority of the electors voting thereon.

Passed by the governing body, not less than two-thirds of the members elect voting in favor thereof, this 6th day of October, 1982.



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M A Y O R

ATTEST:



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CITY CLERK