

ORDINANCE NO. 53

AN ORDINANCE CREATING THE ADMINISTRATIVE OFFICE OF CITY ADMINISTRATOR.

THE CITY OF CARSON CITY ORDAINS:

Section 1. AUTHORITY FOR CREATION. Pursuant to Section 4.11 of the Charter of the City of Carson City, there is established the Administrative Office of City Administrator.

Section 2. APPOINTMENT POWER. The Mayor shall have the power to appoint, the City Administrator, in doing so the Mayor shall select a Committee from the City Council to assist in the determination of the qualifications and the appointment of the City Administrator.

Section 3. FUNCTIONS AND DUTIES. The City Administrator shall be the chief administrative officer of the city government. The City Administrator's functions and duties shall be:

- a. To appoint all administrative officers and department heads of the City Government, whether office be established by the Charter of the City of Carson City or created by ordinance, within thirty days of being appointed as City Administrator, except as otherwise provided in the Charter of the City of Carson City. Provided, however, that the City Attorney shall continue to be appointed by the Mayor and confirmed by a majority vote of the City Council. In the event that the City Administrator fails to make any appointments within the provided thirty days in which such appointment may be made, the City Council shall make such appointments, as the case may be.
- b. The appointive administrative officers of

department heads shall be responsible to the City Administrator, and shall serve at the discretion and pleasure of the City Administrator for an indefinite term, and shall have their compensation fixed by the City Council. The Council however, shall have the power by simple majority to remove from office any appointive administrative officer or department head. Such removed officer or officers shall not be reappointed to the same office. Provided further however, such removed officer may be appointed by the City Administrator to another office, but such appointment shall not be effective until it is confirmed by majority vote of the City Council. In case the Council shall remove any appointee of the City Administrator, the term of office of such appointee shall terminate and the City Administrator shall proceed to fill the vacancy so created in accordance with the provisions hereinabove set forth for the appointment of administrative officers and department heads. In case the City Administrator fails to make any such appointments within the provided period within such appointments may be made, the City Council shall make such reappointment, as the case may be.

- c. Except as the Charter of the City of Carson City otherwise provides, the City Administrator shall have power of appointment and removal of all appointive administrative officers and department heads.
- d. To see that all terms and conditions imposed in favor of the City of Carson City or its inhabitants any public utility franchise or any contract, are and faithfully kept and performed.

- e. Be responsible for preparation and administration of the annual budget, and keep the City Council fully advised at all times as to the financial condition and needs of the City.
- f. Be responsible for the establishment and maintenance of a general accounting system for the City Government which shall conform to any uniform system of accounting prescribed for cities under Michigan law.
- g. To recommend to the City Council for adoption such measures as may be deemed necessary or expedient.
- h. Be responsible for the efficient administration of all departments of the City Government.
- i. Approve the rules and regulations of the several departments of City Government.
- j. To exercise and perform all administrative functions of the City established by Law, the City Charter, or any ordinances or regulations not inconsistent with the provisions of the City Charter of the City of Carson City.
- k. The Chief of Police shall be the administrative head of the Police Department, and he shall be accountable and responsible to the City Administrator for the performance of his duties. He shall perform all duties as may be prescribed for him by law, the Charter of the City of Carson City, the City Administrator and/or ordinances or resolutions of the City Council.
- l. Fire chief shall be the administrative head of the Fire Department and he shall be accountable and responsible to the City Administrator for the performance of his duties. He shall perform all duties as may be prescribed for him by law, the Charter of the City of Carson City, the City Administrator and/or ordinances or resolutions of the

City Council.

- m. The Director of Public Works shall be the administrative head of the Department of Public Works and shall be accountable and responsible to the City Administrator for the performance of his duties. He shall be responsible for the maintenance, alteration, improvement, and repair of streets, highways, sewers, sewage disposal facilities, water mains and water facilities, and all other public grounds, buildings, facilities and equipment which are not placed under the charge of some other department by the City Charter of the City of Carson City, the City Administrator, and/or City Council, in accordance with the authority granted by the City Charter. He shall perform such other duties as may be prescribed by law, the City Charter of the City of Carson City, or as may be required by him by the City Administrator and/or ordinances or resolutions of the City Council.
- o. The Personnel of the City other than elected and appointive officers, shall be deemed city employees. The Council may with respect to City employees, establish a merit system for their selection, tenure, promotion, demotion, discharge and discipline. In the selection, discharge and discipline. In the selection, discharge and fixing of terms and conditions of employment of City employees, the City shall not discriminate on grounds of race, color, religion or national origin. The head of each department shall have the power to hire, suspend, discharge or otherwise take other appropriate disciplinary action against the employees of that department, with confirmation by the City Administrator. An employee who has been discharged may within ten days thereafter petition the City Council to hear the facts regarding such discharge

and in such case the City Council may in its sole discretion order a hearing and inquire into such facts, and may make such decisions in the matter as it considers proper.

- p. Neither the City Council nor any of its members shall dictate the appointment of any person to office by the City Administrator, or in any way interfere with the City Administrator or appointive officers to prevent them from exercising their judgment in the appointment or employment of officers and employees in the administrative service of the City. Except for the purpose of inquiry, the City Council and its members shall deal with the administrative service through the City Administrator, and neither the City Council nor any member thereof shall give orders to any subordinates of the City Administrator.
- q. The City Council shall see that provision is made for the public peace and health, and for the safety of persons and property. The Council may create, by ordinance, a Board of Health and until such adoption thereof the City Administrator shall appoint a Health Officer, who shall possess all powers, privileges and immunities granted to a Board of Health by statutes, and who shall perform such duties as may be provided by statutes, the City Charter of Carson City, the City Administrator and/or City Council, and whose compensation shall be fixed by the City Council.
- r. All municipally owned or operated utilities shall be administered as a regular department of the City Government under the management and supervision of the City Administrator.
- s. The City Administrator shall have such other powers and perform such other duties as may be prescribed by law, the Charter of the City of Carson City, or as may be required by ordinance or direction of City Council.

Section 4. COMPENSATION. The compensation of the City Administrator shall be fixed by the City Council from time to time through resolution.

Section 5. REMOVAL POWER. Pursuant to Section 4.9 of the Charter of the City of Carson City, the City Council, shall have the power by simple majority to remove from office the City Administrator.

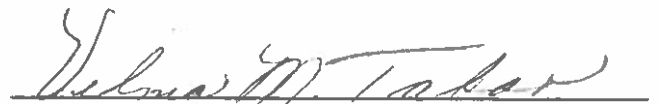
Section 6. EFFECTIVE DATE. This Ordinance shall take effect and be in force on the date of its final enactment by the City Council.

Passed and approved by the City Council of the City of Carson City, in a regular session held February 17, 1987.

We the undersigned, Mayor and Clerk of the City of Carson, Michigan, do hereby certify that the above and foregoing Ordinance, known as Ordinance No. 53 of the City of Carson City, Michigan, was introduced at a regular meeting of the City Council held on January 20, 1987, and was thereafter passed at a regular meeting held on February 17, 1987, with at least two weeks elapsing between the introduction and the enactment. Dated at Carson City, Michigan on February 17, 1987.



FREDERICK C. BROWN, MAYOR



VELMA TABOR, CLERK