



**BUSINESS OF THE CITY COUNCIL
AGENDA STATEMENT**

Item No. 15
For Meeting of 07/07/2016

ITEM TITLE: Discussion of potential ordinance to amend Chapter 21, City Manager, City of Norwalk, Iowa, Municipal Code. At Request of the City Council.

CONTACT PERSON: Jim Dougherty, City Attorney

BACKGROUND: Ordinance 12-02 prescribing City Manager powers and duties along with the job description that followed that ordinance are included in your packet. Jim has also provided a draft that was presented to you at the January 28th work session.

___ Resolution ___ Ordinance ___ Contract ___ Other (Specify) _____

Funding Source: _____

APPROVED FOR SUBMITTAL _____

STAFF RECOMMENDATION:

City Manager
City of Norwalk, Iowa

Job Description/Acknowledgement Form

Please Read the following statements and circle your answer

Yes No I have been provided a copy of the job description, or the job functions/requirements have been explained to me.

Yes No I understand the job requirements

Yes No I can perform all of the functions of this job

Yes No I understand a post job offer drug test and physical exam are required

Yes No I understand that within six (6) months I must have residency within the city limits of Norwalk

A negative response will not preclude your being considered for this particular job. If the answer to one of the above questions is "NO", please identify each and every function or task included with the job description which you are unable to perform, with or without reasonable accommodation.

Please sign and return this acknowledgement form with your completed application. Thank you.

Applicant Name (Printed)

Applicant Signature

Date

City Manager City of Norwalk, Iowa

Adopted Date:

FLSA Status: Exempt

Job Status: Full Time, Salaried, Management

Residency: Within City Limits of Norwalk

Department: Administration

Reports To: Mayor and Council

Pay Range: Council Determination

Purpose of Position: The Office of City Manager as conferred on the Norwalk City Council by the Code of Iowa, Chapter 372 is created by ordinance. The City Manager is a direct employee of the City Council but works at the direction of the Mayor and City Council. The City Manager is the chief administrative officer of the City;

Appointment, Term and Compensation: The City manager shall be appointed by a majority vote of the Council at a regular meeting of such body. The City manager shall hold office at the discretion of the Council and shall be subject to removal by a majority vote thereof. The Council shall from time to time, determined by resolution set the salary of the City Manager. The City Council will also approve any employment agreement or revisions to same at a regular Council meeting.

Essential Duties of Position: The City Manager is the chief administrative Officer of the City. The City Manager is under general direction of the Mayor and City Council to perform a variety of administrative duties as required by the Code of Iowa, Norwalk Municipal Code or as directed by the Mayor or Council for the efficient, effective, accountable, transparent operation of the City of Norwalk and include:

- A. Ensures that all resolutions, ordinances, laws, Council and Mayoral directives and approved operational policies are either faithfully enforced and executed or referred to the proper official for compliance with the action.
- B. The Manager shall act as administrative assistant to the Mayor and perform duties in the coordination of all phases of municipal activity as directed by the Mayor and Council.
- C. Attends all Council meetings unless otherwise excused by the Mayor or Council. Shall ensure the meetings of the Council occur in an orderly and professional fashion by;
 - 1. Ensuring preparation of all City Staff involved in the meeting,
 - 2. Preparation of an orderly agenda and supporting documentation.
 - 3. Provision of resources to the Council so it has the opportunity to become fully informed of issues prior to Council action.

4. Providing for the efficient use of technology available to the Council during meetings.
 5. Ensure the location of the meeting is prepared to accommodate the Council and public.
- D. Conducts continuous study of procedures, organization and municipal, advises and recommends programs to the Mayor and City Council as the City Manager deems necessary or expedient for good local government and the welfare of the residents of Norwalk.
- E. Supervises and directs the administration, operations and functions of the following departments, offices, functions and services and is directly responsible to the Mayor and Council for the proper function of the same.
1. City Clerk/Finance Officer
 2. Fire/EMS Department(subject to the Mayor's authority)
 3. Police Department(subject to the Mayor's authority)
 4. Development Services, Planning and Building Department
 5. Public Works Department
 6. Parks and Recreation Department
 7. Library (subject to the Board of Trustees authority)
 8. Personnel/Human Resources
 9. Budget control and fiscal matters
 10. Insurance and public bonds
 11. Economic Development
 12. Capital Improvements
- F. Maintains liaisons with residents, businesses, developers, builders, engineers, other governmental or quasi public agencies or ventures.
- G. Is responsible for the supervision and performance of all contracts for work and services to be done for the city, except as specified otherwise in said construction or service program involved.
- H. Serves as the official who maintains accounting of all obligations, agreements, contracts, covenants, franchises and commitments of the City of Norwalk and monitors same with regular reporting to the Mayor and Council on inconsistencies or deviations or issues related to same.
- I. Develops and directs all policies and programs related to the purchase of commodities, materials, supplies, services and capital outlay for all departments of the City that have been budgeted and appropriated by Council resolution, and enforce programs to determine that such purchases are received and are of the quality and character called for by the City.

1. The City Manager shall require that the taking of bids, determination of procedures to acquire services and other matters which the manager deems advisable, is required by law or as directed by the Council.
 2. When time is of the essence and to maintain City operations, the City Manager may approve the purchase of unbudgeted items costing less than \$5,000 or budgeted items costing less than \$15,000 without prior approval of the Council. Amounts over these two limits need to be approved by the City Council prior to the expenditure. This authority can include change orders.
- J. The manager has the power to appoint or employ all officers and employees to fill authorized positions with the exception of the Library Director, City Attorney, Police Chief, Fire Chief or City Clerk. The appointment or employment of officers or employees at the department head level is subject to Council approval.
- K. The manager administers the City personnel policy, bargaining unit contracts and has the power to suspend or discharge employees as outlined in said procedures, provided that as it relates to veterans, Chapter 35C of the Code of Iowa is followed.
- L. Evaluates the performances of those that the manager is responsible for under the actions allowed by this description, and develop measures and tools to carry out through the organization.
- M. Has the authority to hire any person for emergency purposes as deemed necessary for the benefit and welfare of the City. Such appointments are subject to approval by the Council as soon as possible after the event or a procedure is in place that pre authorizes such action.
- N. Supervises the management of all buildings, structures, facilities and land under jurisdiction of the City and be charged with the care and preservation of all city owned equipment, tools, machinery, appliances, supplies and commodities under the control of city employees or departments.
- O. Keeps the Mayor and Council apprised of the City fiscal condition.
- P. Prepares and submits an annual budget to the Mayor and Council that meets all requirements of the Code of Iowa.
- Q. See that all business affairs of the City are conducted by modern approved methods in an efficient manner and audited. Knowledge of modern business operations, communications and ever changing technological advances.

- R. Is responsible at all times for the maintenance of accurate and current records of all affairs of the departments under the jurisdiction of the City Manager , and in a form acceptable to the Council and accessible to the public as required by law. Ensures continuity of services by providing continuous operation of the City government in the event of disaster, including document and records preservation.
- S.
- T. Assists standing or ad hoc committees of the City in the execution of their assignments, investigations, reviews, reports or recommendations and provide necessary administrative support in the functioning of their objectives.
- U. Communicates and represents the City at public speaking engagements, public information, with the media and others that seek information about the City. Represents the City at official, governmental or civic matters, legislative matters and disseminates City goals, objectives and image.
- V. Performs other duties as directed by the Mayor or City Council.

Job Specifications:

The following requirements are representative of the knowledge, skill and ability for the position.

- A. Education and Experience
 - 1. Masters Degree (MA) in Public Administration, Political Science, Business Administration, Personnel Management or related areas of study and at least five years of responsible experience in municipal government management. An equivalent combination of education and experience may be acceptable.
 - 2. Knowledge of the principles and methods of public administration, public finance including existing and alternative revenues such as tax increment financing, local option sales taxes, taxable levies, bonding and borrowing options.
 - 3. Knowledge of the operations and management of a local government organization, its differences, functions and problems of a public entity.
 - 4. Knowledge of applicable local, state or federal laws or regulations and statutes

5. Knowledge of economic development practices and local and state programs and regulations including local land use, zoning and planning matters.
6. Significant experience in human resource management, contracts and policy development.
7. Shall possess or be able to acquire a valid Iowa Drivers license.
8. Shall be bondable for the faithful performance of duties in favor of the City
9. Has the language and cognitive abilities to carry out the functions of this job and be able to adapt to the work environment, safety programs and physical demands of the position.

The physical demands described here are representative of those that must be met by an employee to successfully perform the duties associated with this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the functions of the job.

ORDINANCE NO. 12-02

**AN ORDINANCE PROVIDING FOR THE POSITION OF "CITY MANAGER"
PURSUANT TO SECTION 372.4 CODE OF IOWA AND PRESCRIBING THE
MANAGERS POWERS AND DUTIES;**

- Section 1. PURPOSE.
- Section 2. APPOINTMENT, TERM, AND COMPENSATION.
- Section 3. POWERS AND DUTIES GENERALLY.
- Section 4. COUNCIL REPORTS
- Section 5. REPEALER.
- Section 6. SEVERABILITY CLAUSE.
- Section 7. WHEN EFFECTIVE.

Section 1. PURPOSE. The City of Norwalk currently operates under the Mayor-Council form of government pursuant to Section 372.4 of the Iowa Code. By virtue of the authority conferred by Section 372.4, Code Of Iowa, the office of city manager for the city of Norwalk, Iowa, is hereby created.

Section 2. APPOINTMENT, TERM, AND COMPENSATION: The city manager shall be appointed by a majority of the city council at a regular meeting of such body, and such manager shall hold office at the pleasure of the said body and shall be subject to removal by a majority vote thereof, subject to the terms and conditions of any existing agreement executed between the city council and the manager. The manager shall receive such annual salary as the council shall, from time to time, determine by agreement and/or approve by resolution, and time of payment shall be fixed in accordance with other city employees.

Section 3. POWERS AND DUTIES GENERALLY.. The duties of the manager shall be as follows:

- A. Resolutions, Policies, and Laws: The manager shall see that all resolutions, ordinances, laws, council's and mayor's directives and approved operational policies are either faithfully enforced and executed or referred to the proper official for compliance thereof.
- B. Attend Council Meetings: The manager shall attend all meetings of the city council unless otherwise excused by the mayor or council.
- C. Recommendations: The manager shall recommend to the mayor and council such measures as the manager may deem necessary for good efficient government and the general welfare of the city.
- D. Departmental Administration: The manager shall have general supervision and direction of the administration of the following departments, offices, classifications, and services and be directly responsible to the mayor and council for the proper function of same:
 - 1. City clerk.

2. Public works.
3. Community and Economic Development.
4. Finance.
5. Development services.
6. Fire department.
7. Emergency medical services department.
8. Police department.
9. Purchasing.
10. Human resources.
11. Human services.
12. Parks and recreation.
13. Public buildings, land, and custodians thereof under the direct jurisdiction of the council.
14. Budget preparation and operation.
15. Contracts and agreements as approved by council.
16. Administrative policies and procedures.
17. Library (through the Board of Trustees)
18. All others as directed by council.

E. Supervise Contracts: The manager shall supervise the performance of all contracts for work and services to be done for the city except as specified otherwise in said construction or service program involved.

F. Franchises: The manager shall maintain an accounting of all obligations, agreements, commitments, and contractual franchises involving the city and report to the mayor and council any deviations from the exact terms as specified.

G. Purchasing: The manager shall be authorized to direct the purchasing of all commodities, materials, supplies, capital outlay, and services for all departments of the city that have been budgeted and appropriated by a resolution of the council and enforce a program to determine that such purchases are received and are of the quality and character called for in the order.

- H. **Require Taking Of Bids:** The manager shall require the taking of bids on all matters deemed advisable as required by law, or as directed by the council.
- I. **Hire, Suspend, And Discharge Employees:** The manager shall have the power to hire, suspend, or discharge any employee over which the manager has, by this article, authority to appoint or employ, The manager shall have the power to appoint or employ all officers and employees to fill authorized positions with the exception of the Library Director, City Attorney or City Clerk. Subject to provisions of Section 372.4, Code Of Iowa, the Manager appoints the Police Chief as coordinated with the Mayor. The appointment or employment of officers or employees at the department head level is subject to Council approval.
- J. **Emergency Employees:** The manager shall have the authority to employ any person for emergency purposes as deemed necessary for the welfare of the city, but in no case shall said employment be extended after the first council meeting following the date of employment, unless otherwise approved by vote of the council.
- K. **Supervision Of Facilities And Equipment:** The manager shall supervise and manage all buildings, structures, and land under the jurisdiction of the council and shall also be charged with the care and preservation of all city owned equipment, tools, machinery, appliances, supplies, and commodities under the control of employees or departments over which the manager has, by this article, specific authority.
- L. **Personnel Functions:** Unless such power is specifically assigned by law to another appointing authority, the city manager shall have the power to appoint, employ, transfer, promote, reclassify, determine rate of pay, discipline, or discharge all persons to city service. The city manager shall review and comment on personnel actions made by department heads to the city council. The city manager shall develop, administer, and enforce personnel rules and regulations for employees under the authority delegated to the office of city manager.
- M. **Fiscal Advice:** The manager shall keep the mayor and council fully advised of the financial and other conditions of the city.
- N. **Annual Budget:** The manager shall prepare and submit to the mayor and council an annual budget in the manner as prescribed by law.
- O. **Business Affairs:** The manager shall see that all business affairs of the city are conducted by modern, approved methods and in an efficient manner.
- P. **Records And Reports:** The manager shall, at all times, be responsible for the maintenance of accurate and current records of all affairs of the departments under the manager's jurisdiction, and in a form acceptable by the council. Copies of such reports shall be available for public inspection.
- Q. **Assist Council Committees:** The manager shall assist the council committees in the execution of their reviews, investigations, reports and assignments, and perform in compliance with

their directives; provided, same is not in conflict with established procedure governed by this article or not in conflict with existing city ordinances.

- R. Other: The manager shall perform duties and have direct authority on all matters delegated by council action.
- S. Public Relations: Maintains liaisons with residents, businesses, developers, builders, engineers, other governmental or quasi public agencies or ventures.
- T. Administrative Assistant to Mayor: The manager shall act as administrative assistant to the mayor and perform duties in the coordination of all phases of municipal activity as directed by the mayor and council.

Section 4. COUNCIL REPORTS. The City Manager is directly responsible to the 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 Manager and all Council involvement in administration initiated by the Council must be through the Manager.

Section 5. REPEALER. Any ordinance or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

Section 7. WHEN EFFECTIVE. This ordinance shall be in full force and effect upon final passage, approval, and publication as provided by law.

Passed and approved this 15th day of March, 2012.



Mayor

Attest:



City Clerk

Published on MARCH 29TH, 2012.

City Manager
City of Norwalk, Iowa

Job Description/Acknowledgement Form

Please Read the following statements and circle your answer

Yes No I have been provided a copy of the job description, or the job functions/requirements have been explained to me.

Yes No I understand the job requirements

Yes No I can perform all of the functions of this job

Yes No I understand a post job offer drug test and physical exam are required

Yes No I understand that within six (6) months I must have residency within the city limits of Norwalk

A negative response will not preclude your being considered for this particular job. If the answer to one of the above questions is "NO", please identify each and every function or task included with the job description which you are unable to perform, with or without reasonable accommodation.

Please sign and return this acknowledgement form with your completed application. Thank you.

Applicant Name (Printed)

Applicant Signature

Date

City Manager City of Norwalk, Iowa

Adopted Date:

FLSA Status: Exempt

Job Status: Full Time, Salaried, Management

Residency: Within City Limits of Norwalk

Department: Administration

Reports To: Mayor and Council

Pay Range: Council Determination

Purpose of Position: The Office of City Manager as conferred on the Norwalk City Council by the Code of Iowa, Chapter 372 is created by ordinance. The City Manager is a direct employee of the City Council but works with the Mayor as directed by the City Council. The City Manager is the chief administrative officer of the City; the Manager is the point of contact for all departmental activity. Performs other duties as directed by the City Council.

Appointment, Term and Compensation: The City manager shall be appointed by a majority vote of the Council at a regular meeting of such body. The City manager shall hold office at the discretion of the Council and shall be subject to removal by a majority vote thereof. The Council shall from time to time, determined by resolution, set the salary of the City Manager. The City Council will also approve any employment agreement or revisions to same at a regular Council meeting.

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- A. Sees that all resolutions, ordinances, laws, Council and Mayoral directives and approved operational policies are either faithfully enforced and executed or referred to the proper official for compliance with the action.
- B. Attends all Council meetings unless otherwise excused by the Mayor or Council.
- C. Conducts continuous study of procedures, organization and municipal, advises and recommends programs to the Mayor and City Council as the City Manager deems necessary or expedient for good local government and the welfare of the residents of Norwalk.

- D. Has general responsibility for the supervision, direction, and administration of the following departments, offices, functions and services and is directly responsible to the Council for the proper function of the same.
1. City Clerk/Finance Officer
 2. Fire/EMS Department
 3. Police Department
 4. Development Services, Planning and Building Department
 5. Public Works Department
 6. Parks and Recreation Department
 7. Library (through the Board of Trustees)
 8. Personnel/Human Resources
 9. Budget control and fiscal matters
 10. Insurance and public bonds
 11. Economic Development
 12. Capital Improvements
- E. Maintains liaisons with residents, businesses, developers, builders, engineers, other governmental or quasi public agencies or ventures.
- F. Is responsible for the supervision and performance of all contracts for work and services to be done for the city, except as specified otherwise in said construction or service program involved.
- G. Serves as the official who maintains accounting of all obligations, agreements, contracts, covenants, franchises and commitments of the City of Norwalk and monitors same with regular reporting to the Mayor and Council on inconsistencies or deviations or issues related to same.
- H. Develops and directs all policies and programs related to the purchase of commodities, materials, supplies, services and capital outlay for all departments of the City that have been budgeted and appropriated by Council resolution. Enforce programs to determine that such purchases are received and are of the quality and character called for by the City.
1. The City Manager shall require that the taking of bids, determination of procedures to acquire services and other matters which the manager deems advisable, is required by law or as directed by the Council.
 2. The City Manager may approve the purchase of unbudgeted items costing less than \$5,000 or budgeted items costing less than \$15,000. Amounts over these two limits need to be approved by the City Council. This authority can include change orders.

- I. The manager has the power to appoint or employ all officers and employees to fill authorized positions with the exception of the Library Director, City Attorney or City Clerk. The Manager appoints the Police Chief as coordinated with the Mayor. The appointment or employment of officers or employees at the department head level is subject to Council approval.
- J. The manager administers the City personnel policy, bargaining unit contracts and has the power to suspend or discharge employees as outlined in said procedures, provided that as it relates to veterans, Chapter 35C of the Code of Iowa is followed. The suspension or discharge of officers or employees at the department head level is subject to review and confirmation by the Mayor, Council or Library Board of Trustees as specified by the Code of Iowa.
- K. Evaluates the performances of those that the manager is responsible for under the actions allowed by this description and develops measures and tools to carry out through the organization.
- L. Has the authority to hire any person for emergency purposes as deemed necessary for the benefit and welfare of the City provided that either it is approved by the Council as soon as possible after the event or a procedure is in place that pre authorizes such action.
- M. Supervises the management of all buildings, structures, facilities and land under jurisdiction of the City and be charged with the care and preservation of all city owned equipment, tools, machinery, appliances, supplies and commodities under the control of city employees or departments.
- N. Keeps the Mayor and Council appraised of the City fiscal condition.
- O. Prepares and submits an annual budget to the Mayor and Council that meets all requirements of the Code of Iowa.
- P. See that all business affairs of the City are conducted by modern approved methods in an efficient manner and audited. Has knowledge of modern business operations, communications and ever changing technological advances.
- Q. Is responsible at all times for the maintenance of accurate and current records of all affairs of the departments under the jurisdiction of the City Manager, and in a form acceptable to the Council and accessible to the public. Certain records either as active investigations or HIPPA regulations are exempt.
- R. Assists standing or ad hoc committees of the City in the execution of their assignments, investigations, reviews, reports or recommendations and provide necessary administrative support in the functioning of their objectives.

- S. Communicates and represents the City at public speaking engagements, public information, with the media and others that seek information about the City. Represents the City at official, governmental or civic matters, legislative matters and disseminates City goals, objectives and image.
- T. Performs and provides administrative support and assistance to the Mayor on all activities directed by the Council for efficient and effective local government.

Job Specifications:

The following requirements are representative of the knowledge, skill and ability for the position.

A. Education and Experience

1. Masters Degree (MA) in Public Administration, Political Science, Personnel Management or related areas of study and at least five years of responsible experience in municipal government management. An equivalent combination of education and experience may be acceptable.
2. Knowledge of the principles and methods of public administration, public finance including existing and alternative revenues such as tax increment financing, local option sales taxes, taxable levies, bonding and borrowing options.
3. Knowledge of the operations and management of a local government organization, its differences, functions and problems of a public entity.
4. Knowledge of applicable local, state or federal laws or regulations and statutes
5. Knowledge of economic development practices and local and state programs and regulations including local land use, zoning and planning matters.
6. Significant experience in human resource management program, contracts and policy development.
7. Shall possess or be able to acquire a valid Iowa Drivers license.
8. Shall be bondable for the faithful performance of duties in favor of the City
9. Has the language and cognitive abilities to carry out the functions of this job and be able to adapt to the work environment, safety programs and physical demands of the position.

The physical demands described here are representative of those that must be met by an employee to successfully perform the duties associated with this position. Reasonable accommodations may be made to enable individuals with disabilities to perform the functions of the job.