

CHAPTER 20

CITY MANAGER

20.01 Appointment and Compensation
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20.01 APPOINTMENT AND COMPENSATION. The Council shall appoint by majority vote a City Manager to hold office at the discretion of the Council. The City Manager shall receive such salary as established by resolution of the Council.

20.02 DUTIES. The duties of the City Manager are as follows:

1. **Enforcement Officer.** The City Manager shall see that the laws and ordinances of the City are faithfully enforced and executed.
2. **Council Meetings.** The City Manager shall, unless excused, attend all meetings of the City Council.
3. **Recommendations.** The City Manager shall recommend to the City Council such measures as the City Manager may deem necessary or expedient for the good government and welfare of the City.
4. **Supervision.** The City Manager 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. Administrative assistants to the Manager shall hold office at the Manager's pleasure.
5. **Contracts and Purchasing.** The City Manager shall supervise the performance of all contracts for work to be done for the City, make all purchases of material and supplies, and see that such material and supplies are received, and are of the quality and character called for by the contract.
6. **Public Improvements and Buildings.** The City Manager shall supervise and manage all public improvements, works and undertakings of the City, and all public buildings. The City Manager shall have charge of their construction, improvements, repair and maintenance. Nothing herein shall be construed to prevent cooperation between the City Manager and any commission, board of trustees or other body.
7. **Public Improvements and Maintenance.** The City Manager shall have charge of the making and preservation of all surveys, maps, plans, drawings, specifications and estimates for public works or public improvements, the cleaning, sprinkling and lighting of streets, alleys and public places; the collection and disposal of waste, and the preservation of tools, equipment, vehicles and appliances belonging to the City.
8. **Investigations.** The City Manager may, without notice, summarily cause the affairs of any department or the conduct of any officer under the City Manager's

supervision, or of any employee, to be investigated. The City Manager or any person appointed by the City Manager to examine or investigate the affairs of any department or the conduct of any officer or employee, shall have power to compel the attendance of witnesses and the production of books and papers or other evidence.

9. Licenses and Permits. The City Manager shall oversee the issuance and revocation of such licenses and permits as are authorized by law or ordinance.

10. Budget. The City Manager shall prepare and submit to the City Council the annual budget.

11. Business Systems. The City Manager shall, at all times, see that the business affairs of the municipal corporation 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 the City Manager's management are fully and accurately kept.

12. Approval of Public Improvement Actions. The City Manager, after consultation with the City Engineer or other department heads, may approve installation of street lights, Iowa Department of Environmental Quality Sanitary Sewer Treatment Agreements, Iowa Department of Transportation entrance permits, installation of temporary overhead utilities and authorized partial payments on public improvement contracts previously entered into by the City Council, but not final payments. The City Manager shall not be required to approve any of the above matters and shall refer the matters to the City Council at its next regular meeting when in doubt as to compliance with code provisions or in case of policy considerations. Whenever the City Manager approves any item that is provided in this section, the City Manager shall report the same to the City Council at its next regular meeting.

13. Rules and Regulations. The City Manager, in the exercise of duties, shall have the power to prescribe, promulgate, and enforce rules and regulations for the government of the employees of the City, except sworn Police and Fire Department employees. The rules and regulations shall be filed with the Council, which shall have the authority to disapprove the same in whole or in part. The Clerk shall advise the Civil Service Commission of the filing of the rules and regulations.

14. Additional Duties and Overlap of Powers. The City Manager shall perform such other and further duties as the Council shall direct. The powers and duties of the City Manager, as provided for herein, shall, whenever they conflict with the powers and duties granted herein to any other officers or employees, supersede and have precedence over powers and duties granted to other municipal officers or employees.

15. Real Property – Offers to Purchase. The City Manager shall, whenever he deems the same to be in the best interests of the City, be empowered to offer to purchase real property on behalf of the City, conditioned upon subsequent City Council approval after

acceptance by the seller. If real property is listed for sale in a defined project area and the City Manager believes it likely will be sold to another party if an offer is conditioned upon subsequent City Council approval, the City Manager, with the approval of the Mayor or Mayor Pro Tem may make an offer to purchase on behalf of the City without the same being conditioned upon subsequent City Council approval after acceptance by the buyer.

(Ord. 13-07 – May 13 Supp.)

20.03 APPOINTMENTS; SUPERVISION OF OTHER PERSONNEL.

1. Individual Appointments. The City Manager shall appoint the following persons:
 - A. Police Chief (subject to Council approval)
 - B. Fire Chief (subject to Council approval)
 - C. City Engineer
 - D. Public Services Director
 - E. Parks Director, subject to consultation with Park Board
 - F. Planning and Development Director
 - G. Acting City Manager. This person shall regularly act as City Manager during absences, incapacity or unavailability of the City Manager except when the City Manager has designated some other City employee to act as Acting City Manager for a specific occasion of the Managers absence. The City Manager may also designate an employee to be the Acting City Manager Pro-Tem in the event that the designated Acting City Manager is absent, incapacitated or unavailable. If the City Manager is absent, incapacitated or unavailable and no person has been designated as the Acting City Manager or the Acting City Manager Pro-Tem, then the Mayor, or Mayor Pro-Tem in the absence of the Mayor, shall designate an Acting City Manager.

(Ord. 19-12 – May 19 Supp.)

2. Other Personnel.
 - A. The City Manager shall have the power to appoint or employ persons to fill all places for which no other mode of appointment is provided.
 - B. The City Manager shall act as the Personnel Manager for the Park Board and shall have the power to appoint and discipline, up to and including termination, the Director of the Parks Department, after consultation with the Park Board, and shall hear any appeals from the Director's decisions to employ, reclassify or discharge other employees of the said Board.
 - C. All employees of the Public Services Department are Public Services Board employees. No employee of the Board shall be hired, disciplined or terminated except through action of the Director. An employee of the Public Services Department who believes that the Director has abused his or her discretion, may appeal to the City Manager from a decision of the Director to suspend, demote or terminate the employee. An employee of the Public Services Department who believes that the City Manager has abused his or her discretion, may appeal to the

Public Services Board from a decision of the City Manager upholding the decision of the Director to suspend, demote or terminate the employee. Said appeals must be in writing and filed with the City Clerk, within 20 days of the decision appealed. Appeals to the Public Services Board are subject to such rules and regulations as it may promulgate. The decision of the Board is final.

(Ord. 04-13 – Nov. 04 Supp.)

D. The City Manager shall have authority to make written application for Arbitration in labor disputes, as provided in Chapter 20 of the Code of Iowa.

3. Suspension or Discharge. The City Manager shall have the power to suspend, demote or discharge summarily any officer, appointee or employee that the City Manager has appointed, subject to the approval of the Council with respect to the Police Chief and Fire Department.

4. Supervision of Officers and Departments. The City Manager shall supervise and direct the official conduct of all officers of the City whom the City Manager has appointed, and shall take responsibility and control of all City departments.