

A BILL FOR AN ORDINANCE ESTABLISHING) ORDINANCE BILL NO. 36 FOR 1973
THE OFFICE OF CITY ADMINISTRATOR,)
AND DECLARING AN EMERGENCY.) ORDINANCE NO. 1497

THE PEOPLE OF THE CITY OF LEBANON DO ORDAIN AS FOLLOWS:

Section 1. There is hereby established the office of City Administrator, whose qualifications, term, powers and duties, shall be as follows:

(a) Qualifications. The city administrator shall be the administrative head of the government of the city. He shall be chosen by the Council without regard to political considerations and solely with reference to his executive and administrative qualifications. He shall have a Bachelor's Degree from an accredited college or university or experience in city management. He need not be a resident of the city or of the state at the time of his appointment but promptly thereafter shall become and during his tenure remain a resident of the city. Before taking office, he shall give a bond in such amount and with such surety as may be approved by the council. The premiums on such bond shall be paid by the city.

(b) Term. The administrator shall serve for an indefinite term and may be removed at the pleasure of the council.

(c) Powers and Duties. The powers and duties of the administrator shall be as follows:

- (1) He shall devote his entire time to the discharge of his official duties, attend all meetings of the council unless excused therefrom by the council or the mayor, keep the council advised at all times of the affairs and needs of the city, and make reports as requested by the council, of all the affairs and departments of the city.

(2) He shall see that all ordinances are enforced and that the provisions of all franchises, leases, contracts, permits, and privileges granted by the city are observed. He shall approve all bonds of city officers and bonds for licenses, contracts and proposals, except as provided in Section (a) above.

(3) The administrator shall hire all heads of departments, other city officials, and employees; exercise general supervision over them and their work; remove employees when needed to the end of obtaining the utmost efficiency in all of the city departments. Selection of employees shall be made upon the basis of merit and fitness alone. He may from time to time, in order to facilitate the prompt, economical, and efficient dispatch of city business, and to organize the work of the department under his control, assign employees from any office or department of the city to perform work or service in connection with any other office or department thereof, or to work in more than one of said offices or departments; provided, that no such change shall affect the powers or duties of any elective officer of the city. He may appoint such advisory boards as he may deem desirable to advise or assist him in his work; but the members of such boards shall receive no compensation as such board members. He shall have no control over the City Council, the City Attorney, or the judicial activities of the Municipal Judge.

a. Prior to the removal of a city officer, the administrator shall review the matter with the city council.

- (4) He shall act as purchasing agent for all departments of the city. All purchases shall be made by requisition signed by him.
- (5) He shall be responsible for preparing and submitting to the budget committee annual budget estimates and such reports as that body requests.
- (6) He shall supervise the operation of all public utilities owned and operated by the city and shall have general supervision over all city property.
- (7) He shall serve as city recorder and as such be clerk of the council, keep an accurate record of its proceedings in book provided for that purpose, and countersign all instruments and writings authorized by the city or by the laws of the State.
- (8) He or a representative designated by him shall act as negotiator in business contracts; labor contracts; intergovernmental cooperation; and leases, franchises, permits, and privileges which affect the city, and may request council authorization for professional assistance when it appears advisable.
- (9) He shall prepare plans, submit them to the City Council for approval, and generally work for their execution for the long range development and orderly growth of each of the city departments.

(d) Seats at Council Meetings. The administrator and such other officers as the council designates shall be entitled to sit with the council but shall have no vote on questions before it.

(e) Administrator Pro-Tem. Whenever the administrator is absent from the city, is temporarily disabled from acting as administrator, or whenever his office is vacant, the council may appoint an administrator pro-tem, who shall possess the powers and duties of the administrator. No administrator pro-tem, however, may appoint or remove a city officer or employee except with the approval of three-fourths of the members of the council.

(f) Ineligible Persons. Neither the administrator's spouse nor any person related to the administrator or his spouse by consanguinity or affinity within the third degree may hold any appointive office or employment with the city.

(g) Vacancy of Office. Prior to the appointment of a city administrator and during any vacancy in the office, all the powers of the administrator shall be vested in the city council.

(h) Council Ratification. Any exercise of the power or duty delegated to or vested in the city administrator by this Ordinance which may be questioned or challenged on the basis of invalid delegation of powers by the City Council may be ratified by appropriate motion, resolution, or ordinance of the council and thereupon have the full force and effect of council action.

Section 2. Inasmuch as the provisions of this Ordinance are necessary for the immediate preservation of the peace, health and safety of the people of the City of Lebanon, an emergency is hereby declared to exist, and this Ordinance shall be in full force and

effect immediately upon its passage by the Council and approval by the Mayor.

Passed by the Council and approved by the Mayor this 14th day of November, 1973.


Mayor

ATTEST:


Recorder