

ORDINANCE NO. 08-36

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, DEFINING THE DUTIES AND RESPONSIBILITIES OF THE POSITION OF THE TOWN MANAGER.

WHEREAS, the Council of the Town of Dewey-Humboldt has determined that defining the specific duties of the Town Manager at this time is appropriate; and,

WHEREAS, the development of the Dewey-Humboldt Town Code will include various provisions for the administration and operation of the Town including the responsibilities and duties of the Town Manager and Staff:

NOW THEREFORE BE IT RESOLVED that the Town of Dewey-Humboldt hereby identifies the following as the Duties and Powers of the Town Manager:

Office Created

The office of the Town Manager of the Town of Dewey-Humboldt is created and established. The Town Manager shall be appointed by the Council wholly on the basis of his/her administrative and executive ability and qualifications and knowledge of accepted practice in respect to the duties of the office.

Eligibility

Residence in the Town, at the time of appointment, shall not be required as a condition thereof. No person elected to membership on the Council shall, subsequent to such election, be eligible for appointment as Town Manager, until one year has elapsed after he/she has ceased to be a member of the Council.

Bond

The Town Manager shall furnish a corporate surety bond to be approved by the Council in such sum as may be determined by the Council, and shall be conditioned upon the faithful performance of the duties imposed upon the Town Manager as herein prescribed. The cost of such bond will be reimbursed by the Town.

Compensation

The Manager shall receive such compensation as the Council shall from time to time determine and fix by ordinance, resolution, or motion, and said compensation shall be a proper charge against such funds of the Town as the Council shall designate. The Town Manager shall be reimbursed for all sums necessarily incurred or spent in the performance of duties, or incurred when traveling on business pertaining to the Town under direction of the Council; reimbursement shall only be made, however, when a verified itemized claim, with receipts and/or invoices attached thereto, setting forth the sums expended for which reimbursement is requested, has been presented, approved and allowed by the Council.

Removal from Office

The Town Manager may be removed, with or without cause by the Town Council, by simple majority vote of its members.

Absence

To perform the duties of Town Manager during the temporary absence or disability of the permanent Town Manager, the Town Manager may designate by letter, filed with the Clerk, a qualified administrative officer of the Town to be chosen from current employees thereof. In the event of failure of the Town Manager to make such designation, the Council may, by resolution, appoint an officer of the Town to perform the duties of the Manager until the Manager shall have returned or his/her disability shall have ceased.

Powers and Duties

The Town Manager shall be the Chief Administrative Officer of the Town government and shall be responsible to the Council for the proper administration of all affairs of the Town under the specific direction and control of the Council. In addition to the general powers as the Chief Administrative Officer, it shall be the Manager's responsibility and duty as set forth in the following subsection:

- A. Execute on behalf of the Mayor and Council general administrative supervision and control of the affairs of the Town, and enforce the ordinances, resolutions and codes of the Town.
- B. Attend all meetings of the Council unless excused therefrom by the Mayor individually or the Council. He/she shall present definite recommendations relative to each item on the agenda for approval, rejection or modification by the Council. Also be prepared to report on or discuss any matter concerning the affairs of the departments, boards, services, or activities under his or her supervision upon which the Council shall be informed.
- C. Coordinate the administrative functions and operations of the various departments, boards, divisions, and services of the Town government, and on its behalf, carry out policies, rules, regulations, and ordinances adopted by it, relating to the administration of the affairs of such departments, boards, divisions, or services.
- D. Appoint, remove, suspend, promote, and demote appointed officers and employees of the Town. Town Manager may recommend appointment and removal of the attorney and magistrate.

- E. Prepare or cause to be prepared and submitted to him/her by each department, board, division or service of the Town government, itemized annual estimates of expenditures required by them for capital outlay, salaries, wages, and miscellaneous operating costs; to tabulate the same into a preliminary consolidated municipal budget and submit the same to the Town Council annually on the date specified by them, with his/her recommendations for all expenses and revenues.
- F. Recommend to the Council for adoption, such resolutions, ordinances and other measures as deemed necessary.
- G. Supervise the expenditures of all departments, divisions, or services of the Town government and act as purchasing agent for the purchase of all supplies, goods, wares, merchandise, equipment, and materials which may be required for any of such departments, divisions, or services within existing budget, provided that no single purchase or group of purchases of non-budgeted items shall total more than five thousand dollars (\$5,000) unless approved by Council action.
- H. Analyze and supervise the functions, duties and activities of the various departments, boards, and services of the Town government and of all employees thereof, and make such recommendations to the Town Council with reference thereto, as in his/her judgment will result, if made effective, in improved efficiency in the overall operation of the Town government.
- I. Develop and organize necessary improvement projects and programs and aid and assist the Council and the various departments and boards in carrying the same through to a successful conclusion.
- J. Keep the Council at all times fully advised as to the financial conditions and needs of the town and to provide whatever reports to the Council as it may deem necessary. It shall further be his/her duty to see that no indebtedness is incurred or expenditure made in violation of the Arizona Constitution, the State Budget Law and Arizona Revised Statute Section 42-303 (D) in particular.
- K. Serve as a public relations officer of the Town government, and follow through and endeavor to adjust all complaints filed against any employee, department, or service, within 2 weeks, thereof to the end that every effort may be made to satisfy all citizens that their Town government is being operated in their behalf.
- L. Cooperate with all community organizations whose aim and purpose it is to advance the interests of the Town and its residents and to provide them with all reasonable assistance obtainable through the Town government within the limitations of the law.

- M. Make and keep an up-to-date inventory of all personal property owned by the Town and recommend to the Town Council, in the event of emergency, the purchase of new machinery, equipment, and supplies whenever, in his or her judgment, the same can be obtained at the best advantage, taking into consideration trade in value of machinery, equipment, etc. in use.**
- N. Make, or cause to be made, studies and surveys of the duties, responsibilities, and work of the personnel in the various departments and services of the Town government, and to recommend to the Town Council abolition or consolidation of positions, offices, departments or units whenever in his/her judgment, such action would increase efficiency in the administration of the Town government.**
- O. See that all franchises, permits, and privileges granted by the Town are faithfully observed.**
- P. Devote as much time to the duties of the office of Town manager and the interest of the Town as are necessary.**
- Q. Exercise general supervision over all public buildings and other public property which are under the control and jurisdiction of the Council.**
- R. Either he/she or the Town Clerk shall recommend the issuance of all warrants or checks drawn on the bank account or accounts of the Town to be signed by two (2) Councilpersons.**
- S. Performs such other duties as may be required of him/her by the Mayor and Town Council.**

Limitations upon Responsibility

The Town Manager, other than making recommendations, shall not exercise any policy making or legislative functions whatsoever, nor attempt to commit or bind the Town Council or any member thereof to any action, plan or program requiring official action of the Town Council. It is not intended by this article to grant any authority to, or impose any duty upon, the Town Manager which is vested in or imposed by general law or Town ordinances in any Town Commission, board, officer or employee except as herein specifically set forth.

Council Interference

Except for the purpose of gathering information, the Council and its members shall deal with the administrative service solely through the Town Manager, and neither the Council nor any member thereof shall give orders to any subordinates of the Town Manager, either publicly or privately, without the permission of the Town Manager.

Conduct

In the discharge of his/her duties as Town Manager the person holding such position shall endeavor at all times to exercise tact, patience, impartiality, and courtesy in his/her contacts with the public and with all Town boards, committees, departments, and employees, and shall use his/her best efforts to establish and maintain a harmonious relationship between all personnel employed in the service of the Town to the end that the highest possible standards of public services shall be maintained continuously.

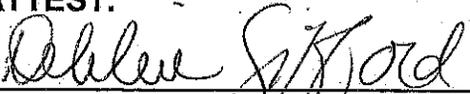
Resignation of Manager

The Manager shall provide the Council with thirty (30) days' written notice of intention to resign his/her position. The Manager shall assist the Council on their recruitment and selection of a replacement if requested by the Council. In the event of resignation due to health reasons or other reasons which a majority vote of the Council deems an emergency, the period of written notice shall be determined in conference between the Manager and the Town Council.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Yavapai County, Arizona, this 15th day of January, 2008.



Earl Goodwin, Mayor

ATTEST:


Debbie Gifford, MMC Town Clerk

APPROVED AS TO FORM:


Kenton Jones, Town Attorney