

CHARTER ORDINANCE NO. 48**A CHARTER ORDINANCE PRESCRIBING THE POWERS AND DUTIES OF THE CITY MANAGER OF THE CITY OF DERBY, KANSAS; AND REPEALING SECTION 1 OF CHARTER ORDINANCE NO. 38 OF THE CITY.**

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF DERBY, KANSAS:

Section 1. Powers and duties of City Manager. The powers and duties of the City Manager shall include but not be limited to the following:

- A. To see that the laws and ordinances of the City are enforced;
- B. Subject to the terms of any contract between the City and the city manager, to devote all necessary time and attention to the affairs of the City and be responsible to the Governing Body and mayor for the efficient administration of its affairs;
- C. To hire and discharge all nonelected City employees, except the municipal judge, authorized by the Governing Body to be hired, at such compensation as may be set or authorized by the Governing Body. All such employees shall perform their duties subject to the discretion of the City Manager or that of the superior to whom such manager may assign such officer or employee; provided, that the City Manager may delegate to any other official or employee the authority to hire or discharge any officers or employees so authorized;
- D. To supervise all nonelected City employees, except the municipal judge;
- E. To attend all meetings of the Governing Body with the right to take part in the discussion, but having no vote;
- F. To make recommendations to the Governing Body governing salary scales, cost of living increases, raises and fringe benefits of nonelected employees;
- G. To be responsible for accounting procedures, billing methods, record keeping and computer programming for the City;
- H. To prepare and submit to the Governing Body, the annual budget of the City and keep the Governing Body fully and timely advised as to the financial condition of the City;
- I. To review periodically all insurance policies of the City and make recommendations to the Governing Body;
- J. To exercise general supervision and control over all City purchases and expenditures in accordance with the City budget and within the guidelines specified by the Governing Body; provided, that any deviation of ten thousand dollars (\$10,000) or more from the current budget will be coordinated with the Governing Body prior to purchase or fund commitment;
- K. In conjunction with the planning and park boards, recommend to the Governing Body workable plans for the City improvements and future developments;
- L. To maintain current knowledge of state and federal financial grants and available assistance from other agencies, and to prepare, submit and monitor financial grants and applications;
- M. To serve as public relations officer for the City in contacts with residents and businesses in order to maintain a good relationship between City government, county commissioners, local citizens and businesses;

N. To coordinate the work of all boards and volunteer departments appointed by the Governing Body;


0. To do and perform such other duties as may be prescribed by ordinance, resolution or direction of the Governing Body with all of the authority and powers provided for the office of city manager under the laws of the State of Kansas and the charter ordinances and ordinances of the City.

Section 2. Section 1 of Charter Ordinance 38 of the City is hereby repealed.

Section 3. This Charter Ordinance shall be published once each week for two consecutive weeks in the official City newspaper.

Section 4. This is a Charter Ordinance, and shall take effect sixty-one days after final publication, unless a sufficient petition for a referendum is filed and a referendum held on the ordinance, as provided in Article 12, Section 5, Subdivision C (3) of the Constitution of the State of Kansas, in which case, the ordinance shall become effective if approved by a majority of the electors voting thereon.

PASSED BY THE GOVERNING BODY, not less than two-thirds of the members elect voting in favor thereof, this 22nd day of December, 2009.

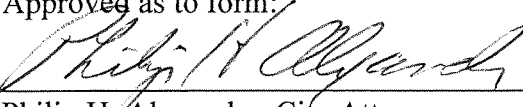


Dion P. Avello, Mayor

ATTEST:



Jean Epperson, City Clerk

Approved as to form:


Philip H. Alexander, City Attorney