ORDINANCE NO. 1630

AN ORDINANCE OF THE CITY OF FAIRWAY, KANSAS, REPEALING ORDINANCE #1562 AND ADDING NEW SECTIONS 2-93 AND 2-94 OF CHAPTER 2 ENTITLED ADMINISTRATION OF THE FAIRWAY MUNICIPAL CODE REGARDING THE OFFICE OF CITY ADMINISTRATOR, THE DUTIES AND APPOINTMENT IN MORE THAN ONE POSITION.

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF FAIRWAY, KANSAS:

SECTION 1. That Ordinance #1562 is hereby repealed.

SECTION 2. That a new Section 2-93 of the Code of the City of Fairway is hereby added to read as follows:

SEC. 2-93. CITY ADMINISTRATOR.

(a) Office of City Administrator Established. There is hereby created and established the office of city administrator for the city.

(b) Appointment and Tenure. A qualified person shall be appointed administrator for the city by the mayor. The appointment shall be approved by a majority of the city council. The person so appointed shall serve at the pleasure of the council, for an indefinite term.

(c) Qualifications. The person appointed to the office of city administrator shall be a resident of Johnson County, Kansas, unless otherwise waived, at the time of the effective date of the appointment; and shall be a graduate of an accredited university or college, majoring in public administration or shall have the equivalent qualifications and experience.

(d) Removal of City Administrator. The city administrator shall serve at the pleasure of the city council. The mayor, with the consent of a majority of the council, may remove the city administrator from office at will, and the city administrator may also be removed by a 2/3 vote of the city council independently of the mayor's approval or disapproval.

(e) Duties.

(1) Administrative Office: The city administrator shall be the chief administrative assistant to the mayor and city council. Except as otherwise specified by ordinance or by the law of the State of Kansas, the city administrator shall coordinate and generally supervise the operation of all departments of the city.

(2) Purchasing: The city administrator shall be the purchasing agent for the city and all purchases shall be made under the direction and supervision of the city administrator, and all purchases shall be made in accordance with purchasing rules and procedures approved by the city council.

(3) Budget: The city administrator shall be the budget officer of the city in accordance with Kansas statutes and shall assemble estimates of the financial needs and resources of the city for each ensuing year and shall prepare a program of activities within the financial power of the city, embodying in it a budget document with proper supporting schedules and an analysis to be proposed to the mayor and the city council for their final approval.

(4) Financial Reports: The city administrator shall make monthly reports to the mayor and city council relative to the financial condition of the city. The reports shall show the financial conditions of the city in relation to the budget.

(5) Annual Report: The city administrator shall prepare and present to the mayor and the city council an annual report of the city's affairs, including in the report a summary of reports of department heads and all other reports as the mayor and city council may require.

(6) Personnel System: The city administrator shall act as the personnel officer of the city and shall recommend an appropriate employee compensation plan to the mayor and city council and administer an appropriate employee compensation plan, as approved by the mayor and city council. The city administrator shall consult with department heads regarding advancements, pay adjustments, and the appointment or removal (in accordance with personnel polices approved by the city council) of all subordinate employees of the city. No action listed above shall be taken without the approval of the city administrator. The city administrator shall make recommendations to the mayor regarding the appointment and removal of all appointive officials of the city. For purpose of this Ordinance, the term "department heads" shall mean the Director of Public Works, Chief of Police, and Director of Parks and Recreation, and shall further include any additional employee or officer that the Governing Body may designate in the future as a "department head".

(7) Policy Formulation: The city administrator shall recommend to the mayor and city council adoption of all measures as the city administrator may deem necessary or expedient for the health, safety, or welfare of the city or for the improvement of administrative services for the city.

(8) City Council Agenda: The city administrator shall submit a proposed agenda for each council meeting to the mayor.

(9) Boards and Committees: The city administrator shall work with all city boards and committees to help coordinate the work of each.

(10) Attend Council Meetings: The city administrator shall attend all meetings of the city council.

(11) Bid Specifications: All bid specifications for service and equipment shall be coordinated through the city administrator in accordance with city council policy.

(12) State and Federal Aid Program: The city administrator shall coordinate federal and state programs that may have application to the city.

(13) Conference Attendance: The city administrator shall attend state and regional conferences and programs applicable to his or her office, and the business of the city, whenever the attendance is directed and approved by the city council and the mayor.

(14) Press Release: The city administrator, in conjunction with the mayor, shall be responsible for keeping the public informed on the purposes and methods of city government through all available news media.

(15) Record Keeping: The city administrator shall keep full and accurate records of administrative actions, and shall safely and properly keep all those records and papers. Such records and papers shall be and remain the property of the city and be open to inspection by the mayor and city council at all times.

(16) The city administrator shall perform all other duties as may be described or amended in any city administrator job description or employment contract.

(f) Powers.

(1) City Property: The city administrator shall have responsibility for all real and personal property of the city and all inventories of that property and upkeep of that property. Personal property may be sold only with approval of the city council. Real property may be sold only with the approval of the city council, by resolution or ordinance.

(2) Implement Administrative Policies: The city administrator shall have the power to prescribe such procedures as are necessary or expedient for the implementation of administrative policies as set forth by the governing body.

(3) Coordinate Departments: The city administrator shall have responsibility for coordinating the work of all departments of the city, and at times of an emergency, shall have authority to assign the employees of the city to any department where they are needed for the most effective discharge of the functions of city government.

(4) Investigate and Report: The city administrator shall have the power to investigate and to examine or inquire into the affairs or operation of any department of the city under the city administrator's jurisdiction, and shall report on any condition or fact concerning the city government requested by the mayor or city council.

(5) Appear before the City Council: The city administrator shall have the power to appear before and address the city council at any meeting.

(6) At no time shall the duties or powers of the city administrator supersede the lawful action of the mayor and/or city council.

SECTION 3. That a new Section 2-94 of the Code of the City of Fairway is hereby added to read as follows:

SEC. 2-94. APPOINTMENT OR EMPLOYMENT IN MORE THAN ONE POSITION. The same person may be appointed to more than one appointive office, or employed in more than one department, except that the same person shall not be appointed to incompatible offices. Salaries or wages of that persons shall be prorated between the proper funds of the several offices or departments.

SECTION 4. That if any portion or section of this Article is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, the decision shall in no manner affect the remaining portions or sections of this Article, which shall remain in full force and effect.

SECTION 5. That this Ordinance shall become effective upon adoption and publication of its summary in the official City newspaper.

PASSED by the City Council this 12th day of September, 2016. **APPROVED** by the Mayor.

CITY OF FAIRWAY CORPORATE SEAL JOHNSON COUNTY JUNE 21 1949 STATE OF KANSAS

Jerry Wiley, Mayor

ATTEST:

Kathy Axelson, City Administrator/City Clerk

APPROVED AS TO FORM:

Stephen P. Chinn, City Attorney