

**WILLARD CITY CORPORATION
ORDINANCE NO. 2019-E**

**AN ORDINANCE AMENDING TITLE THREE OF THE WILLARD CITY GENERAL
ORDINANCE TO CREATE AND DEFINE THE POSITION OF CITY MANAGER**

WHEREAS, the City of Willard (hereafter referred to as the “City”) is an incorporated municipality duly existing under the laws of the state of Utah; and,

WHEREAS, The Willard City Council has the authority under Utah Code 10-3b-303 to create a position of city manager and to provide for the powers and duties of the position;

NOW, THEREFORE, be it ordained by the City Council of Willard that:

Section 1: Repealer. Any word, sentence, paragraph, or phrase in the municipal code that is inconsistent with the Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2. Adoption. Ordinance 2019-E be adopted amending Title 3, section 924 of the Willard City Ordinances creating and defining the position of City Manager and

Section 3: Severability. If any section, paragraph, sentence, clause or phrase of the Ordinance is declared invalid by a court of competent jurisdiction, the remainder shall not be affected thereby and shall remain in full force and effect.

Section 4: Effective Date. This Ordinance shall be effective immediately after posting or publication.

PASSED AND ADOPTED by the City Council on this day 14th day of November, 2019.

KENNETH BRAEGGER, MAYOR

ATTEST:

TERI FELLEZ, City Recorder

3-924. CITY MANAGER

- 3-924.1. OFFICE CREATED.** The office of city manager is hereby created and established, who shall be known as the Willard City Manager.
- 3-924.2. APPOINTMENT AND DISMISSAL.** The Willard City Manager shall be appointed by the governing body and may be removed from this position by the governing body in accordance with Utah Code Ann. § 10-3b-303.
- 3-924.3. ELIGIBILITY OF COUNCIL MEMBERS.** No member of the city council shall be eligible for appointment as city manager during their term of office and until at least one (1) year has elapsed after such council member shall have ceased to be a member of the city council.
- 3-924.4. POWERS AND DUTIES.** The city manager shall at all times be under the control and supervision of the Mayor, and shall administer the day-to-day operations of the City and its services according to the policies and programs established by the City Council. The following duties and the authority to perform them are hereby delegated to the city manager.

1. **Appoint and Remove Employees.** The city manager shall, under the direction of the Mayor, have the authority to appoint, employ and remove employees as provided herein. The city manager shall also be responsible for reviewing the status and performance of any personnel being considered for promotion in and discharge, transfer, or demotion from appointment or employment with the City. The city manager shall also perform annual performance evaluations of all appointed officials and employees, except for the City Chief of Police and City Fire Chief, which shall be performed by the Mayor.

2. **Authority Over Employees.** It shall be the duty of the city manager, and they shall have the authority, to control, order, and give direction to all heads of departments and to subordinate officers and employees of the city under his jurisdiction through their department heads.

3. **Personnel Director.** The city manager shall be the personnel director, and as such shall be responsible for implementing and enforcing the personnel policies and procedures of the City.

4. **Administrative Reorganization of Offices.** It shall be the duty and responsibility of the city manager to conduct studies and affect such administrative reorganization of offices, positions or units under his direction and may be indicated in the interest of efficient, effective and economical conduct of the city's business.

5. **Ordinances.** The city manager shall recommend to the mayor and city council for adoption of such measures and ordinances as he deems necessary.

6. **Attendance At Council Meetings.** It shall be the duty of the city manager to attend all meetings of the city council, unless at his request he is excused therefrom by the mayor or the city council, except when their removal is under consideration.

7. **Financial Reports.** It shall be the duty of the city manager to keep the mayor and city council at all times fully advised as to the financial condition and needs

of the city.

8. **Budget.** It shall be the duty of the city manager to prepare and submit the proposed annual budget and the proposed annual salary plan to the mayor and city council for its approval.

9. **Review Contracts.** The city manager shall review and make recommendations to the Mayor and City Council concerning all proposed contracts to which the City may be a party, and shall see that the terms of any contract to which the City is a party are fully performed by all parties thereto.

10. **Propose Plans and Programs.** The city manager shall propose plans and programs concerning the development, operation and needs of the City and submit such plans to the Mayor and City Council for consideration.

11. **Implement Policy.** The city manager shall implement all policy changes and directives of the Mayor and the City Council through regularly scheduled staff meetings.

12. **Management Control.** The city manager shall set performance standards and exercise managerial control to ensure that the City government is functioning in the most efficient and effective manner.

13. **Organization.** The city manager shall recommend creation and organization of all necessary departments, divisions, bureaus and offices necessary for the government of the City to the Mayor and the City Council for consideration and implementation.

14. **Additional Duties.** The city manager shall have such other powers and shall perform such other duties and obligations as may be required of him or her by State law or by ordinance, resolution, or policy of the City Council.

CERTIFICATION OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of the City of Willard, Utah, hereby certify that the foregoing ordinance was duly passed and published, or posted at :

City Recorder

DATE: _____

(SEAL)