

**VINEYARD  
ORDINANCE 2023-22**

**AN ORDINANCE OF THE VINEYARD CITY COUNCIL AMENDING  
MUNICIPAL CODE SECTION 2.08.020 CITY MANAGER; POWERS AND  
DUTIES; OBLIGATIONS**

**WHEREAS**, the Vineyard City Council under the authority of Utah Code 10-3b-403 created the city manager position and provided for the powers and duties of that position; and

**WHEREAS**, the Vineyard City Council now desires to amend the city managers powers and duties.

**NOW THEREFORE**, be it ordained by the City Council of Vineyard, in the State of Utah, as follows:

**SECTION 1:**        **AMENDMENT** “2.08.020 Powers; Duties; Obligations” of the Vineyard Municipal Code is hereby *amended* as follows:

**A M E N D M E N T**

**2.08.020 Powers; Duties; Obligations**

- A. City Manager Duties: Pursuant to the policies and programs established by the governing body, and under the direction and oversight of the governing body and except as otherwise set forth by the governing body in ordinance, resolution, motion, or this code, the city manager shall:
1. Be responsible for managing the internal affairs of the city; ~~develop,~~ recommend ~~assist the mayor in developing,~~ and implementing city policies, practices, rules, regulations and procedures; report to the governing body; advise the governing body regarding policy options and implementation procedures; ~~carry~~ assist the mayor in carrying out legislative directives and decisions; ~~be responsible for~~ and contracts administration.
  2. Establish and maintain effective working relationships with the governing body, the city attorney, management employees, citizen committees, special interest groups, employees, press, contractors, public vendors, and representatives from other city, county, special district, state, and federal agencies; work with the mayor and city Public Information Officer to issue public statements to the press and respond to questions from the press related to city management, policies, procedures, and administrative decisions, ~~and~~ is which statements and responses shall be consistent with the majority opinion or direction of the governing body.
  3. Consistent with the direction of the governing body, be responsible for the full and effective use of designated city personnel by establishing, in consultation with the mayor and city attorney, department directors, division heads ~~or~~ and

other management employees; establish overall department objectives, priorities, and standards consistent with the goals, direction, and objectives of the governing body; ~~serve as a facilitator~~ assist the mayor in facilitating in the achievement by city divisions of governing body goals and in coordinating with the management employees for effective implementation of city service levels, ordinances, resolutions, rules, regulations, and directives; exercise managerial control to ensure that the city government and its respective departments function in the most efficient and effective manner.

4. Represent the city at various meetings or other functions and respond to requests or inquiries about city policies, rules, ordinances, regulations, resolutions, or services rendered by the city government.
5. ~~Enforce~~ Assist the mayor in enforcing all applicable laws, ordinances, rules, regulations, and policies of the city. ~~Assure~~ Assist the mayor in assuring that all franchises, leases, permits, licenses, contracts and privileges granted by the city are fully performed and observed.
6. ~~Recommend~~ Assist the mayor in recommending and preparing for consideration by the governing body and advisory committees long-range strategic plans and programs to provide for the health, safety, and welfare of the current and future inhabitants of the city; furnish reports to the governing body as requested.
7. Except as otherwise provided, be responsible for the overall personnel management function; implement city personnel ordinances, rules, and regulations that have been adopted, approved, or revised by the governing body; coordinate personnel ordinances and rules and regulations adopted by the governing body; coordinate personnel functions with management employees such as recruitment, selection, and appointment; have authority to appoint and remove any employees of the city, except the city recorder, the city treasurer, employees in the mayor's office (communications director, executive assistant communication staff) who shall be appointed, hired, removed, or terminated by the mayor or by a majority vote of the governing body, and the city attorney who shall be appointed, removed, or terminated by a majority vote of the governing body; ~~monitor~~ assist the mayor in monitoring personnel actions, promotion, discipline, demotion, separation, and reclassification; coordinate personnel decisions with department directors; ~~coordinate~~ assist the mayor in coordinating activities of individuals rendering professional services under contract with the city.
  - a. The hiring process for department directors ~~will~~ shall include panel interviews with ~~City Council~~ the full governing body.
8. ~~Investigate~~ In coordination with the mayor, investigate into the affairs of the city and any department or division thereof, and any contract for the proper performance of any obligations of the city.
9. Create all necessary departments as approved by the governing body. As directed by the governing body, ~~create~~ all necessary divisions, sections, and offices necessary for the government of the city; prepare recommendations for

the governing body regarding the addition, deletion, or reduction ~~in~~of municipal services.

10. Attend and participate in all meetings of the governing body unless otherwise excluded by the governing body ~~in an executive session meeting~~, but shall not have a right to vote or act in lieu of a member of the city council in said meetings.
  11. Approve and sign commercial and residential subdivision plats on behalf of the city.
  12. Perform all other duties, and obligations, and exercise the powers set forth by ordinance, resolution, regulation, or directive imposed by the governing body.
  13. Hold a closed session with the City Council prior to termination of any city department director. Nothing herein shall limit the city manager's ability to institute temporary employee suspensions or temporary administrative leave of city employees.
- B. Department Cooperation: It shall be the duty of all subordinate employees to cooperate with the city manager in administering the affairs of the city efficiently, economically, and harmoniously.
- C. Planning and Land Use: Notwithstanding the foregoing, the city manager shall exercise no authority over the planning commission or an appeal and variance hearing board or officer.
- D. Performance Evaluation: The governing body shall evaluate, at least annually, the performance of the city manager. The mayor shall conduct performance reviews with the city manager at least quarterly.
- E. Powers of The Mayor Not Delegated: Except as delegated herein to obligate assistance to the mayor and allow for the full administrative powers over the management of designated staff and delegated duties. ~~Nothing~~ in this chapter shall be construed to delegate to the city manager the administrative, legislative ~~and~~or judicial powers of the mayor, the mayor's position as chief executive officer of the city pursuant to Utah code section 10-3b-104(1)(a), chairperson of the governing body, or any ex officio position which the mayor shall hold.

**SECTION 2: REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

**SECTION 3: SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

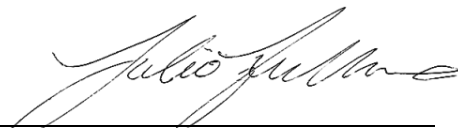
**SECTION 4: EFFECTIVE DATE** This Ordinance shall be in full force and effect from June 14, 2023, and after the required approval and publication according to law.

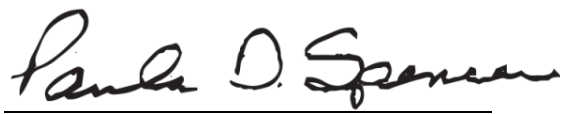
PASSED AND ADOPTED BY THE VINEYARD COUNCIL JUNE 14, 2023.

|                     | <b>AYE</b>        | <b>NAY</b>        | <b>ABSENT</b>     | <b>ABSTAIN</b>    |
|---------------------|-------------------|-------------------|-------------------|-------------------|
| Mayor Julie Fullmer | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| Tyce Flake          | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| Amber Rasmussen     | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |
| Mardi Sifuentes     | <u>          </u> | <u>X</u>          | <u>          </u> | <u>          </u> |
| Cristy Welsh        | <u>X</u>          | <u>          </u> | <u>          </u> | <u>          </u> |

Presiding Officer

Attest

  
\_\_\_\_\_  
Julie Fullmer, Mayor, Vineyard

  
\_\_\_\_\_  
Pamela Spencer, City Recorder,  
Vineyard



## CERTIFICATE OF POSTING

I, THE DULY APPOINTED AND ACTING CITY RECORDER FOR VINEYARD, UTAH, HEREBY CERTIFY THAT COPIES OF THE FOREGOING **ORDINANCE SUMMARY** FOR ORDINANCE 2023-22 WERE POSTED AT THE FOLLOWING PUBLIC PLACES WITHIN THE MUNICIPALITY ON THE 21st DAY OF JUNE 2023. WHICH PUBLIC PLACES ARE:

POSTED:

1. VINEYARD CITY OFFICES; 125 SOUTH MAIN
2. VINEYARD CITY WEBSITE; [www.vineyard.utah.gov](http://www.vineyard.utah.gov)
3. UTAH PUBLIC NOTICE WEBSITE

AND THAT SAID NOTICE REMAINED SO POSTED AND AVAILABLE UNTIL THE 21st DAY OF JULY 2023.

  
\_\_\_\_\_  
Name/Signature

\_\_\_\_\_  
City Recorder  
Title

