

VILLAGE OF ROSCOMMON
ORDINANCE NO. 63
VILLAGE MANAGER ORDINANCE

THE VILLAGE OF ROSCOMMON ORDAINS:

An Ordinance Establishing the office of Village Manager; providing for the appointment; compensation and discharge of such official; specifying the branches of the Village Government and activities under the management and control and defining and limiting the rights, powers, and liabilities of the Village Manager.

Section 1. ESTABLISHMENT OF OFFICE

In accordance with the authority for the appointment of such village officers as the council may deem necessary for the execution of the powers granted to the village contained in Section 2 of Chapter 11 and Section 8 of Chapter V of 1895 PA 3, as amended, which is the charter of the Village, there is hereby established to office of Village Manager.

Section 2. APPOINTMENT OF VILLAGE MANAGER

The Village Council shall appoint a Village Manager for an indefinite term and the Council may, by contract, enter into such other terms and conditions, as the Manager and council deem appropriate. The Manager shall serve at the pleasure of the Council and may be removed by the affirmative vote of five or more Trustees, but only after a hearing before the Council. The President may, for cause, suspend the Manager with full pay, until the hearing. The action of the Council in removing the Manager shall be final.

The Manager shall be selected solely on the basis of administrative and executive abilities with special reference to training and experience.

The Village Council shall conduct a Manager's performance review after the initial 180 days of employment. Thereafter, they shall conduct an annual performance review.

Section 3. ACTING VILLAGE MANAGER

The Village Council may appoint or designate an Acting Manager during a vacancy in the office of Village Manager.

Section 4. COMPENSATION

The Village Manager or Acting Village Manager shall receive such compensation as the Council shall determine by resolution or contract.

Section 5. DUTIES

The Village Manager shall be the Chief Administrative Officer of the Village and shall be responsible to the Village Council for the efficient administration of all affairs of the Village and shall exercise management supervision over all departments and over all public property belonging to the Village.

The Manager shall have the following functions and duties:

- A. Attend all meetings of the Village Council and committees, boards and commissions thereof and take part therein but without a vote;
- B. Be responsible for personnel management and shall issue, subject to council approval, personnel rules applicable to all Village employees. The Manager shall have the following responsibilities:
 - 1. To appoint, suspend, or remove all appointed administrative officers and department heads, subject to Council approval. The Manager shall recommend to Council the salary or wages to be paid each such official.
 - 2. To appoint, suspend, or remove all other employees of the Village. All such actions shall be based on merit and taken pursuant to personnel rules approved by the Council. The Manager shall fix the salaries or wages of all such employees.
 - 3. The Manager shall be responsible for performing, and the documentation of yearly evaluations of employees and/or any disciplinary actions.
- C. Exercise supervisory control over all departments including the police department, the department of public works, and the fire department; and the chief of police, street commissioner and the chief of the fire department shall be subject to the direction of the Manager.
- D. Exercise supervisory responsibility over the accounting, budgeting, personnel, purchasing, and related management functions of the village clerk and village treasurer.
- E. Prepare and administer the budget as provided for in the Uniform Budgeting and Accounting Act, 1968 PA 2, as amended.
- F. Prepare and maintain an administrative code defining the duties and functions of the several officers and departments of the Village, subject to approval of the Council.
- G. Investigate all complaints concerning the administration of the Village, and shall have authority at all times to inspect the books, records, and papers of, any agent, employee, or officer of the Village.

- H. Make recommendations to the Council for the adoption of such measures as may be deemed necessary or expedient for the improvement or betterment of the Village; and
- I. Perform other duties required from time to time by the Village Council.
- J. Perform the following administrative duties transferred from the Village President as allowed per the General Law Village Act.
 - 1. Supervisory authority over affairs and property of the Village.
 - 2. Give the Council information concerning the affairs of the Village and recommends appropriate actions.
 - 3. Sees that laws relating to the Village and ordinances and regulations of the council are enforced.
 - 4. May remove any appointed officer or suspend any police officer for neglect of duty.
 - 5. May examine all books, records or papers of the Village.
 - 6. Performs all duties prescribed by village ordinances.
 - 7. Directs the fire chief.
 - 8. Appoints police officers and personnel with the consent of council.
 - 9. Nominates a chief of police for council appointment.
 - 10. Nominates a director of public safety for council appointment.
 - 11. Nominates a director of public works for council appointment.
 - 12. Nominates non-elected officers for council appointment in accordance with the ordinance/resolution creating the position.
 - 13. Fills vacancies of non-elected officials with the consent of council.

Section 6. PURCHASING RESPONSIBILITIES

The Village Manager shall act as purchasing agent for all Village offices and departments. The Manager may delegate some or all the duties as purchasing agent to another officer or employee provided that such delegation shall not relieve the manager of the responsibility for the proper conduct of those duties.

The Village Manager shall have the authority to purchase any product or service the cost of which does not exceed \$1,000.00 provided that funds have been appropriated. The cost of the product or service shall not exceed the unencumbered balance of the appropriation for that account. Except as hereinafter provided, the Village Manager shall not purchase any product or service the cost of which exceeds the above dollar amount without prior approval of the Village Council. The Village Manager may promulgate rules governing the purchase of products or services.

The Village Manager shall have the authority to purchase any product or service regardless of its cost when such purchase is necessitated by an emergency condition. "Emergency Condition" is

defined to mean any event which presents an imminent threat to the public health or safety or any event which would result in the disruption of a Village service which is essential to the public health or safety.

Section 7. DEALING WITH EMPLOYEES

Neither the Council nor the Village President shall attempt to influence the employment of any person by the Village Manager or in any way interfere in the management of departments under the jurisdiction of the Manager. Except for purpose of inquiry the President and Council and its members shall deal with departments under the jurisdiction of the Village Manager through the Manager.

Section 8. SEVERABILITY

If any portion of the ordinance, or the application thereof to any person or circumstance shall be found to be invalid by a court, such invalidity shall not affect the remaining portions or applications, provided that such remaining portions or applications are not determined by said Court to be inoperable, and to this end, this ordinance is declared to be severable.

Section 9. EFFECTIVE DATE

This ordinance shall become effective 45 days after the date of adoption. If a petition, signed by not less than 10 percent of the registered electors of the village is filed with the Village Clerk within the 45-day period, this ordinance shall not become effective until after the ordinance is approved at an election held on the question as provided by law.

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