

Chapter 8 CITY MANAGER

8.01.00 Appointment, Qualifications and Compensation

The City Council may appoint a city manager for a term and compensation as may be agreed upon. The manager shall be appointed solely on the basis of executive and administrative qualifications with special reference to training and actual experience in municipal administration. The manager need not be a resident of the city or state at the time of appointment, but shall be required to follow the residency guidelines set by the State of Michigan

8.02.00 Acting City Manager

The council may designate a qualified city administrative officer to exercise the powers and perform the duties of city manager during the temporary absence or disability of the City Manager.

8.03.00 Powers and Duties

The City Manager shall be the chief administrative officer of the city and shall be responsible to the City Council for the efficient administration of all affairs of the City, reporting to the mayor on administrative detail, (day-to-day operation) but shall be responsible to the mayor and the council for the administrative policy provided under the fourth class city act, or established by charter, ordinance or resolution of the city council.

In particular, but without limitation, the City Manager shall:

8.03.01 Personnel

- a. Have sole supervisory control over all municipal employees and have such appointive and other authority over city administrative officers as provided by the fourth class city act, charter, or ordinance or resolution of the city council.
- b. Be solely responsible for the employment, suspension and discharge of administrative officers and department heads, subject to approval of majority of Council Members elected; and the employment, suspension and discharge of all other city employees.
- c. Be solely responsible to the Mayor and Council for the administration of the personnel and employee relation functions of the city and maintain all personnel records of city employees.
- d. Neither the City Council Members nor the Mayor shall attempt to influence the employment of any person by the City Manager or in any way interfere with the management of departments under the manager's jurisdiction. The Mayor and the Council members shall deal with city administration and departments under the Manager's jurisdiction only through the city Manager.

8.03.02 Administration

- a. Direct and supervise the administration of all departments, offices and agencies of the city except as otherwise provided by the fourth class city act, charter, or by laws of the state. The City Manager may serve as the head of any department when so designated by the City Council.
- b. See that all laws, provisions of the fourth class city act or charter and actions of the council subject to enforcement by the City Manager or by officers subject to his direction and supervision are faithfully executed.

8.03.03 Purchasing

Administer the purchasing function subject to provisions of the City Charter and the procedures therefore established by the city council. The City manager shall have the authority to purchase any project or service the cost of which does not exceed the amount set forth in the City of Sandusky's Policy and Procedures for Expenditures, PROVIDED that the funds for the acquisition have been appropriated. The cost of the product or service shall not exceed the unencumbered balance of the appropriation for that account. The City Manager shall not purchase any product or service the cost of which exceeds the aforementioned amount without prior approval of the City Council. The City Manager may promulgate rules governing the purchase of products or services.

8.03.04 Council interaction

- a. Attend all council meetings and shall have the right to participate in council discussion but shall not have any vote.
- b. Be an *ex officio* member of all City Council committees.
- c. Present to the council periodic reports covering the activities of the City administration for which he is responsible and make such other reports as the council may require concerning the operation of city departments, offices and agencies subject to the city manager's direction and supervision.
- d. Submit to the council and make available to the public a complete report of the finances and administrative activities of the City as of the end of each fiscal year.

8.03.05 Budget

- a. Prepare and submit the annual budget and capital program to the council.
- b. Keep the council fully advised as to the status of the current budget, the overall financial condition and the future needs of the city and make such recommendations to the council concerning the affairs of the city as he deems desirable or necessary.

8.03.06 Additional duties

Perform such other duties as are specified in the city charter or may be required and established by action of the city council.

8.04.00 Removal from office

The Council may remove the manager from office in accordance with the following procedure:

8.04.01 Council shall adopt by affirmative vote of a majority of all its members a preliminary resolution which must state the reasons for removal and may suspend the manager from duty for a period not to exceed thirty (30) days. A copy of the resolution shall be delivered to the manager within twenty-four (24) hours of its adoption.

8.04.02 Within five (5) days after a copy of the resolution is delivered, the manager may file with the council a written request for a public hearing. This hearing shall be held at a council meeting not sooner than ten (10) days or later than twenty-one (21) days after the request is filed. The manager shall file with the council a written reply to the charges not later than five (5) days before the hearing.

8.04.03 Council may adopt the final resolution of removal which may be made effective immediately by affirmative vote of a majority of all its members at any time after five (5) days from the date when a copy of the preliminary resolution was delivered, if the superintendent has not requested a public hearing, or at any time after the public hearing in the case where one has been requested. The manager shall continue to receive salary until the effective date of a final resolution of removal or an otherwise required by contract. The action of the council in suspending or removing the manager shall not be subject to review by any court or other governmental agency.