

CITY MANAGER AMENDMENT

IT IS HEREBY ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF WATKINSVILLE, GEORGIA AS FOLLOWS:

WHEREAS, the City Code was adopted by the Council, and may be amended from time to time, and Council proposes a Code Amendment in the form below, entitled “*CITY MANAGER*”.

WHEREAS, per the 1983 Charter Section 2.10, “The legislative authority of the City of Watkinsville, except as otherwise specifically provided in this Charter, shall be vested in a City Council to be composed of a Mayor and five Councilmembers”; and

WHEREAS, per Section 2.16(a): “Except as otherwise provided by law or by this Charter the Council shall be vested with all the powers of government of the City of Watkinsville as provided by Article I of this Charter.”; and

WHEREAS, per 2.16(b): “In addition to all other powers conferred upon it by law, the Council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, rules and regulations, not inconsistent with this Charter, the Constitution, and the laws of the State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of Watkinsville and may enforce such ordinances by imposing penalties for violation thereof”; and

WHEREAS, per 2.15: “The council may make inquiries and investigations into the affairs of the city and the conduct of any department, office, or agency thereof and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the council shall be punished as provided by ordinance”; and

WHEREAS, per 3.12: “The Council may appoint a City Manager. The duties and authority of the City Manager shall be established by ordinance and in so doing, the Council may specifically delegate to the City Manager any of the administrative or budgetary duties of the Mayor”; and

WHEREAS, per 2.16(c): “The Council may by ordinance change, create, alter, abolish, or consolidate offices, agencies, and departments of the City and may assign additional functions to any of the offices, agencies, and departments expressly provided for by this Charter”; and

WHEREAS, per 3.10(a): “The Council by ordinance may establish, abolish, merge, or consolidate offices, positions of employment, departments and agencies of the City as it shall deem necessary for the proper administration of the affairs and government of the City. The Council shall prescribe the functions and duties of existing departments, office, and agencies or of any departments, office, and agencies hereafter created or established. The Council may provide that the same person shall fill any number of offices and positions of employment and may transfer or change the functions or duties of offices, positions of employment, departments, and agencies of the City”; and

WHEREAS, per 3.10(b): “The operations and responsibilities of each department now or hereafter established in the City shall be distributed among such divisions or bureaus as may be provided by ordinance. Each department shall consist of such offices, employees, and positions as may be provided by this Charter or by ordinance and shall be subject to the general supervision and

guidance of the Council”; and

WHEREAS, per 2.20(b): “An ordinance may be introduced by any member of the Council and read at a regular or special meeting of the Council”; and

WHEREAS, Council seeks to define the role of the Charter created position of City Manager (also sometimes referred to as the City Administrator) for Watkinsville, consistent with the Charter provisions quoted hereinabove, to ensure among other things: 1) that the City is managed in a consistent, professional manner; 2) open, responsive government to the citizens, 3) a consistently high level of service to our citizens regardless of election cycles; 4) that City employees have clear lines of reporting; and 5) that City employees have timely, consistent performance reviews;

WHEREAS, This amendment is in the context of the following listed 1982 City Code Sections and Article, to the extent they were not superseded by the 1983 Charter (see 7.11 regarding inconsistent provisions and 7.19 regarding Repealer): 1982 City Code Sections 2-1 “Exercise of Governmental Authority”, 2-2 “Administrative Policy and Procedures”, 2-3 “Organization”, 2-32 “Legislative Authority Generally”, 2-41 “General Authority”, 2-42 “Duties”, 2-43 “Powers”, 2-44 “Mayor Protempore” and 2-45 “acting Mayor”, and Article III of the 1982 City Code.

WHEREAS, Council finds the following amendment is authorized by the Charter, and promotes the health, safety, order, prosperity and welfare of Watkinsville; and

THEREFORE, BE IT ORDAINED Section 2 of the Code of the City of Watkinsville, Georgia is hereby amended to read as follows, by inserting a new Sec. 2-4 as follows:

Section 2-4. City Manager

Council delegates to the Manager exclusively: all administrative and budgetary duties of the Mayor, and the powers necessarily associated therewith, plus certain of Council’s powers of government per Article I and II of the Charter, as set forth below.

The City Manager shall:

1. With the general oversight of the Mayor and the Council, day-to-day direct, supervise, manage and control the administration of all administrative and budgetary departments, offices and agencies of Watkinsville, including all City administrative and financial affairs;
2. With the general oversight of the Mayor and the Council: prescribe such rules and regulations as the Manager, with the advice and consent of Mayor and Council, deems necessary or expedient for the conduct of all City administrative agencies, and with the advice and consent of Mayor and Council, revoke, suspend or amend any rule or regulation of any administrative agency by whomever prescribed;
3. Prepare the budgets collaboratively with the Mayor, and submit the annual operating budget and capital budget to Council;
4. Submit to Mayor and Council and make available to the public a complete report on the finances and administrative activities of Watkinsville as of the end of each fiscal year and make other reports Council may require regarding departments, offices, and agencies;
5. Keep Council fully advised as to the financial condition and future needs of Watkinsville

and make other recommendations to Council;

6. Attend Council meetings and have the right to take part in discussion but not vote;
7. See, day-to-day, that all City administrative and budgetary laws, ordinances and regulations, and administrative and budgetary provisions of the Charter, and administrative and budgetary acts of Council, are faithfully executed;
8. With the general oversight of the Mayor and the Council, investigate and examine or inquire into, either individually or by any officer or person designated for the purpose by the Manager, the affairs or operation of any administrative or budgetary department, including the power to employ consultants and professional counsel to aid in such investigations, examinations or inquiries;
9. With the general oversight of the Mayor and the Council, appoint, suspend, dismiss or discipline, and manage and control day to day, all administrative and budgetary City employees and officers, except as otherwise stated hereinbelow;
10. With the general oversight of the Mayor and the Council, exercise the day to day management and control of City Clerk, City Attorney, City Police Chief and City Treasurer, and shall hire, discipline, suspend for cause, or dismiss them, but do so subject to advice and consent of Mayor and Council;
11. With the general oversight of Mayor and Council, set aside any action taken by a department head and supersede the department head in the function of the department head's office;
12. With the general oversight of Mayor and Council, direct any department to perform work for any other department, and authorize any department head or officer to appoint or remove a subordinate serving under such person;
13. Call and host strategic planning sessions to ensure alignment among staff and Council.
14. Collaboratively with the Mayor and the Council, ensure all intergovernmental agreements, land use plans, and codes and ordinances are current and effectual.
15. Call and host monthly agenda review meetings with the Mayor, Mayor Pro Tem, Clerk, Attorney and others to review materials and agenda prior to Council meetings.

Administrative and Service Departments; Employee Reviews.

1. Mayor and Council shall prescribe the functions or duties, and establish, alter, consolidate or leave vacant all non-elective offices, positions of employment, departments, and agencies;
2. Directors of departments and other appointed officers and employees shall with the general oversight of Mayor and Council, be appointed by the Manager, and solely on the basis of their qualifications;
3. All officers, directors and employees shall receive compensation per ordinance or resolution;
4. There shall be a director of each department or agency who shall be its principal officer. Each director shall, subject to the day-to-day management, control, direction and supervision of the Manager with the general oversight of Mayor and Council, be responsible for administration and operations of that director's department or agency;

5. All appointive non-elected officers, and directors and employees, shall be employees at will and subject to removal or suspension at any time by the Manager as provided in this Section;
6. All appointive officers, directors and employees shall have consistent performance reviews by the Manager in line with the position classification and pay plan. Salary changes should reflect performance, not just tenure.

Position Classification and Pay Plans

1. The Manager and Mayor shall be responsible for the preparation of a position classification and pay plan which shall be submitted to Council for approval;
2. Such plan may apply to all appointive officers, directors and employees and all agencies, departments, boards, commissions or authorities;
3. When a pay plan has been adopted, Council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan.

Submission of Operating Budget to Council

1. The Manager and the Mayor shall submit to Council a proposed operating budget for the ensuing fiscal year;
2. The budget shall be accompanied by messages from the Manager and Mayor containing a statement of the general fiscal policies of Watkinsville, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other pertinent comments and information.

Capital Budget

1. The Manager and the Mayor shall submit to Council a proposed capital improvements plan with a recommended capital budget containing the means of financing the improvements proposed for the ensuing fiscal year;
2. The Manager and Mayor will work with Council to plan for Local Option Sales Tax programs to ensure plan allocation meets citizen needs.

All code sections, ordinances, resolutions, or parts thereof in conflict herewith are repealed. This Amendment shall become effective immediately. This Amendment is severable, and if any part shall be adjudged invalid, such decision shall not affect the remainder.

ADOPTED by Council on December 18, 2019 after first reading on November 20, 2019

CITY OF WATKINSVILLE, GEORGIA (SEAL)

By: Mayor _____

Mayor Pro Tem _____

Council Member _____

Council Member _____

Council Member _____

Council Member _____

Attest City Clerk: _____