

ARTICLE V ADMINISTRATOR

SECTION 5.01 APPOINTMENT.

The Administrator shall be appointed in accordance with Section 5.05 hereof. The Administrator need not be a resident of the Municipality or the State at the time of appointment, but shall be encouraged, after appointment, to reside within the Municipality. The Administrator shall be appointed based on their executive and administrative qualifications.

SECTION 5.02 ACTING ADMINISTRATOR.

In the event of a temporary absence, the Mayor would assume the duties of the Administrator unless an Acting Administrator is appointed. The Mayor may appoint with two-thirds Council approval, a qualified administrative officer from the Municipality or other person suitably qualified to exercise powers and duties of the Administrator during temporary absence, disability or suspension or when a vacancy occurs.

SECTION 5.03 COMPENSATION.

Council shall fix the salary of the Administrator.

SECTION 5.04 RESPONSIBILITIES.

The Administrator shall be responsible to the Mayor for the Administration of all municipal affairs placed in the Administrator's charge by the Charter and Council. The responsibilities of the Administrator shall include, but are not limited to, the following:

(A) The Administrator shall direct and supervise the administration of all Municipal functions except Fire and EMS, Police, Solicitor and as otherwise provided by this Charter.

(B) The Administrator shall attend Council meetings and shall have the right to take part in discussion, but may not vote.

(C) Except as provided in Section 5.05 hereof, the Administrator in concert with the Mayor shall formulate and arrange contracts, franchises and agreements, and may sign all contracts, bonds and notes on behalf of the Municipality, provided proper Council approval has been given. The Administrator shall be the purchasing agent for all Municipal Departments, Offices, Divisions, Boards, and Commissions, and shall make contracts, purchase supplies and materials and provide labor for any work that relates to the Administrator's area of responsibility.

(D) The Administrator shall work with the Mayor, Council, Boards, and Commissions to assist in the long and short term planning needs of the community.

(E) The Administrator shall assist in the preparatory, operational and special budgets which give guidance to the Mayor, Council and organizational staff. The Administrator shall assist the Fiscal Officer in preparing and submitting the annual budget, capital programs, and appropriation ordinance to the Mayor and Council.

(F) While all new positions must be authorized by Council, the Administrator shall develop personnel to assure that they are trained to perform duties assigned to them. The Administrator will require that safety rules and practices are enforced to ensure that the personal well being of the employee is protected.

(G) The Administrator shall make reports as Council and the Mayor may require concerning the operations of Municipal Departments, Offices and Agencies.

(H) The Administrator shall perform such other duties as are specified in the Charter, by the Mayor, or by ordinances, resolutions, rules or regulations promulgated from time to time by Council.

SECTION 5.05 PERSONNEL.

Refer back to 5.01

The Administrator shall appoint, supervise, promote, discharge and discipline all employees of the Municipality except that:

(A) The Mayor shall supervise and discipline the Fire and EMS Chief, Chief of Police, and may, with the approval of Council by a vote of two-thirds of its members, discharge the Solicitor, the Fire and EMS Chief, Chief of Police. The Mayor shall appoint the Solicitor, Fire and EMS Chief, and Chief of Police; each such appointment shall be subject to the approval of Council by a vote of two-thirds of its members. In the event that any of these positions become vacant, the Mayor shall appoint an individual to act as interim Solicitor, Fire Chief, Chief of Police or, as the case may be, until the Mayor and Council shall duly appoint a successor.

(B) The Administrator shall supervise the appointed Fiscal Officer, but the Mayor and Council shall discipline the Fiscal Officer.

(C) The Administrator shall appoint, supervise, discharge and discipline all other Department Heads.

(D) The Mayor shall supervise and discipline the Administrator, but appointment or recommended termination of the Administrator shall be subject to the approval of Council by a vote of two-thirds of its members. Without the recommendation of the Mayor, the Council may remove the Administrator by a vote of five council members. The Administrator shall serve pursuant to the terms of an employment contract between the Municipality and the Administrator, provided that any such contract entered into between the Municipality and an Administrator on or after January 1, 2021 shall be subject to the approval of Council by two-thirds of its members.